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2  
3 **New Castle Town Council Meeting**  
4 **Tuesday, September 2, 2014, 7:00 p.m.**  
5

6 **Call to Order**

7 Mayor Gordon called the meeting to order at 7:00 p.m.  
8

9 **Pledge of Allegiance**

10  
11 **Roll Call**

12 Present	Councilor Means
	Councilor Riddile
	Councilor Metzger
	Mayor Gordon
	Councilor Breslin
	Councilor Leland
	Councilor Stuckey
19 Absent	None

20  
21 Also present at the meeting were Town Administrator Tom Baker, Human Resources  
22 Manager Mike Edgar,  
23

24 **Meeting Notice**

25 Town Clerk Melody Harrison verified that her office gave notice of the meeting in  
26 accordance with Resolution TC-2014-1.  
27

28 **Conflicts of Interest**

29 Councilor Means said that he may have a conflict with the executive session.  
30

31 **Agenda Changes**

32 Town Administrator Tom Baker told the council that the executive session would need to  
33 be removed from the agenda.  
34

35 **Citizen Comments on Items not on the Agenda**

36 There were no citizen comments.  
37

38 **Consultant Reports**

39 Consultant Attorney – not present  
40 Consultant Planner – not present  
41 Consultant Engineer – not present  
42  
43

44 **Items for Consideration**

45  
46 **Consider a Letter of Interest from Jean Brown for a Seat on the Climate Action**  
47 **Advisory Committee**

48 Mayor Gordon greeted Ms. Brown, and asked her to introduce herself.  
49 Ms. Jeanne Brown said she lived at 853 Mt View Drive in Castle Valley Ranch. She said  
50 that after the solar meeting it appeared that the Climate Action Advisory Committee

1 (CAAC) would be revived, and that she was interested in the types of issues they would  
2 address.

3 Councilor Breslin said he had worked with Ms. Brown on the New Castle Ambulance, and  
4 that he felt she was a generous and skilled person and would do well on CAAC.

5 Councilor Leland asked if she knew anyone else would may be interested in joining CAAC,  
6 because there were several seats available, and the council had hoped there would be  
7 others interested in a seat. Ms. Brown said she would certainly recruit people if she could.  
8 The council thanked her for applying.

9 **MOTION: Councilor Leland made a motion to appoint Ms. Jeanne Brown to the**  
10 **Climate Action Advisory Committee. Councilor Means seconded the motion and it**  
11 **passed unanimously.**

12  
13 **Consider a Letter of Interest from Joseph Urnise for Appointment to a Seat on**  
14 **the Planning & Zoning Commission**

15 Joe Urnise, of 57 Crestone Way, told the council that he was wanted to be considered for  
16 a seat on the Planning & Zoning Commission. He said he and his wife had lived in New  
17 Castle for 2 ½ years, and found it was a great place to live. He felt he wanted to give back  
18 to the community.

19 Councilor Riddile said he had known Mr. Urnise for several years, and said that it would be  
20 a great asset to have someone with a structural engineering background on the P&Z.

21 Councilor Riddile also said that Mr. Urnise had many friends that were outdoors  
22 enthusiasts and of an age-bracket whose involvement in the community would be very  
23 beneficial.

24 Councilor Stuckey asked what engineering firm Mr. Urnise was with, and he said he had  
25 his own firm that he ran from his home. He said some day he would like to have an office  
26 downtown.

27 Councilor Leland said that Planning & Zoning was great place to start volunteering.

28 Councilor Breslin asked Mr. Urnise what his vision for the town and the future was. Mr.  
29 Urnise said he hoped to dine more often in town.

30 Councilor Metzger asked Mr. Urnise about his wife, and he said she owned her own dental  
31 practice in Glenwood Springs.

32 **MOTION: Councilor Stuckey made a motion to appoint Mr. Joe Urnise to a seat on**  
33 **the Planning & Zoning Commission. Councilor Means seconded the motion and it**  
34 **passed unanimously.**

35  
36 New Castle Police Officer Al Walker introduced new Officer Curt Donaldson to the town  
37 council. Officer Donaldson thanked the council for allowing him to work for the town. He  
38 said he and his wife had moved to Colorado from Georgia five months earlier. He said he  
39 had fourteen years of law enforcement experience, and had been post-certified in  
40 Colorado for two weeks. He said he was a veteran of the Iraq war, and had a degree from  
41 Oklahoma State University in Department of Defense Firefighting, Airport Crash Rescue  
42 and Hazmat. He said he is a certified instructor, and for the past seven years he worked  
43 as an undercover narcotics agent. Officer Donaldson thanked the council again, and said  
44 he looked forward to a long career in New Castle.

45 Officer Donaldson said he and his wife traveled to Colorado a year ago and liked the area.  
46 He said he found the New Castle position online, and that the application and hiring  
47 process was very smooth. He said everyone was very polite and professional.

48 The council welcomed Officer Donaldson for coming in.  
49

1 **Introduction: The New Principals of Kathryn Senor Elementary and Elk Creek**  
2 **Elementary Schools**

3 Theresa Hamilton, Communications Director for the Garfield RE School District. Ms.  
4 Hamilton introduced Jana Price, new principal at Kathryn Senor Elementary, and Lisa  
5 Pierce, new principal at Elk Creek Elementary.

6 Ms. Pierce said this was her twenty-fifth year in education. Thirteen of those years were in  
7 Garfield RE2, and the last two in Montrose. She felt the knowledge and experience gained  
8 in Montrose will help her in her new position as principal of Elk Creek, and to help the  
9 school be successful. Ms. Pierce said that she was glad to be back in New Castle.

10  
11 Ms. Jana Price greeted the council. She said she was in her tenth year with Garfield RE2,  
12 and was honored to be the principal of Kathryn Senor Elementary. She said five years  
13 ago, the River Center got its start, and she thanked the council for their support of the  
14 River Center as well.

15 Ms. Price told the council that math scores would be a focus this year. She passed out a  
16 letter that listed volunteer opportunities, and invited the council to volunteer at the "Math  
17 Café" and "Hawk Café", and to tour the school. The council and Ms. Price briefly discussed  
18 the Jr. Police Academy and pedestrian safety in the area of the schools in the morning and  
19 afternoon.

20 The council invited both Ms. Pierce and Ms. Price to volunteer on any town committees or  
21 events. They also said they would like to have good communications with the schools, and  
22 for the council members who do not have children in the school system, they felt having  
23 children involved in community helped them stay involved with the children.

24  
25 **RFTA Park and Ride Update**

26 Mike Hermes, Director RFTA. Mr. Hermes said that he was present to talk about the New  
27 Castle Park and Ride, and what was happening with it. He reminded the council that Dan  
28 Blankenship had sent the council a letter after the bids for the project were opened. He  
29 said that the RFTA engineer estimated the project to cost about half a million dollars, and  
30 the bids came back at \$1.1 million. He said there was no way that large of a shortfall  
31 could be made up, so all the bids were rejected. RFTA had done a bid analysis to  
32 determine what went wrong and right. Mr. Hermes said that with the upswing in the  
33 economy, they had a difficult time getting contractors to bid the project, and he said that  
34 August is not the optimum time of the year to bid a concrete and asphalt project. The  
35 three bids were all similar and that was good. There were addendums added, and  
36 procurement was not as smooth as preferred. There is a federal mandate that all  
37 materials for federally funded projects be American made, and the contractors seemed to  
38 think that mandate applied although the project did not include federal funds.

39 Mr. Hermes said RFTA would be changing the plan some, and that he had a few items to  
40 discuss with the council that may bring the project back in to the available budget.  
41 First, he said the landscaping came in at about \$300k, which was more than expected. He  
42 said the idea was that eventually the site would be redeveloped into something else,  
43 which rendered most of the project sacrificial. The project only had a five to ten year  
44 design life, so RFTA wanted to look closely at the landscaping. They proposed temporary  
45 irrigation and native grasses. The berm on the west would have a landscape screen, but  
46 everything else would be native grass. They will bid all the fancy landscaping as alternate,  
47 and if the budget allows, they could pick and choose other landscaping items to make it  
48 nicer. One of the big items in the bid were boulders to create the planting spaces, so he  
49 as a resource for free rocks they would utilize. Mr. Hermes said they will reconsider other

1 items such as the fancy trash cans, the infrastructure for electric vehicle charging  
2 stations, and some of the pavement design, hoping they could save more money.  
3 Mr. Hermes said there was another, very similar park and ride project that will go out to  
4 bid at the same time as the New Castle, and if one contractor bid both jobs, perhaps they  
5 could get some economies of scale out of it. RFTA is considering applying for more grants  
6 for the project to help make up the shortfall.

7 The thought is the bids will come back around \$800k, which is better, and will make the  
8 shortfall easier to overcome.

9 Mayor Gordon asked that Mr. Hermes explain the issues with federal funds.

10 Mr. Hermes told the council that requirements for certified American made materials, the  
11 extensive paperwork and the higher costs involved. He explained how on the BRT stations  
12 the brown wood paneling for the soffit and ceilings was purchased by a supplier to a third-  
13 tier subcontractor, and it turns out it was manufactured in Canada. The federal  
14 government is requiring it all be torn out and replaced, which will cost around \$500k.

15 Mr. Hermes said the project will go out to bid again in January.

### 16 17 **Discussion: Downtown Parking - Greg Russi**

18 Mr. Greg Russi greeted the council. He described the long history with parking issues in  
19 the downtown, and said that he and Administrator Baker and Engineer Simonson had  
20 been working on the problem for a while. After walking the downtown, and reviewing  
21 various possibilities, they developed several options to increase parking.

22 Mr. Russi passed out maps to the council and staff.

23 The first option, shown on pages one and two, showed a new striping scheme that  
24 provided angled parking spaces on Main Street from 6<sup>th</sup> Street to 2<sup>nd</sup> Street. The restriping  
25 would eliminate one lane of traffic, both eastbound and westbound. There would be  
26 parallel parking on the South side, and angled parking with a back-out lane on the North  
27 side. This scenario increased the available parking by 26 spaces. The approximate cost  
28 would be \$800.00 per space.

29 The second option was providing sidewalk, curb and gutter on 3<sup>rd</sup> Street and 5<sup>th</sup> Street.  
30 This would give the opportunity for angled parking on those streets within walking  
31 distance of downtown businesses. This option was very expensive, and the increase on  
32 parking was a net of approximately 12 spaces. The cost per space was approximately  
33 \$5,000.00, which did not contemplate possible land acquisition. Mr. Russi felt this was an  
34 appropriate project to request FMLD funds in the 2014 spring grant cycle.

35 The third option was a process called devolution. This meant that the jurisdiction of the  
36 state (Main Street/State Highway 6) would devolve to the Town of New Castle's  
37 jurisdiction, for a limited area for the purpose of the town having the right to manipulate  
38 the street. Mr. Russi said that devolution is used all over the state and it occurs when  
39 there has been a change in the character of the highway or road such that the local  
40 jurisdiction would make better use of it. He felt that was the case in New Castle, and that  
41 it could effectively be argued to the State Board of Transportation that New Castle should  
42 be allowed to take over a section of Main Street. He cautioned that the section should be  
43 limited on the West so that maintenance or replacement of the Elk Creek Bridge would  
44 remain in the state's jurisdiction; and on the East so that funding for the roundabout was  
45 not jeopardized. He suggested devolving the section of Highway 6 shown on page one and  
46 two of the map. Devolution also included funding from the state for a percentage of  
47 maintenance costs for several years. Devolution is a long, fairly expensive process.

48 Mr. Russi told the council that it was his suggestion that the town ask the state to allow  
49 New Castle to take over the street and restripe it for economic development purposes. It

1 would not include a devolution. The town would abide by the state's safety and other  
2 guidelines. He felt first striping option was the best one for the town.  
3 The council discussed the various options in depth, including snow removal, backing  
4 safety, speed limits and costs. They also talked about the possibility of purchasing land  
5 downtown for a parking lot.

6 The council thanked Mr. Russi for his work on the downtown parking issues.  
7 Administrator Baker felt it was relatively low-risk to pursue the striping idea, and he  
8 agreed that the idea for applying a grant for the curb, gutter and sidewalk on 3<sup>rd</sup> and 5<sup>th</sup>  
9 was good too. The council decided that the restriping of Main Street, with angled parking  
10 on the North, was the best option and directed Mr. Russi and staff to move forward  
11 accomplishing that goal.

12  
13 ~~Executive Session (1) for conference with Town Attorney for purpose of~~  
14 ~~receiving legal advice on specific legal questions under C.R.S. Section 24-6-~~  
15 ~~402(4)(b), and (2) for purpose of determining positions relative to matters that~~  
16 ~~may be subject to negotiations, developing strategy for negotiations, and/or~~  
17 ~~instructing negotiators, under C.R.S. Section 24-6-402(4)(e) concerning~~  
18 ~~Colorado Resource Housing Development Corporation (8:25 p.m.)~~  
19 ~~Removed from the agenda.~~

20  
21 Councilor Metzger told the council she had received two telephone call from residents who  
22 had attended the last council meeting. They asked why Councilor Means was allowed to  
23 stay through the meeting. She said he had asked to be recused, and was told that he did  
24 not have to recuse himself. Councilor Metzger said not only did Councilor Means stay, but  
25 he voted on the item, and the residents were not happy.

26 Mayor Gordon said that Councilor Means' wife worked for the company, but he did not.  
27 Councilor Stuckey said there was not a vote on anything. Councilor Riddile agreed there  
28 had not been a vote.

29 Councilor Metzger felt it was a conflict of interest.

30 Councilor Breslin disagreed. Councilor Stuckey said there would be a conflict if there had  
31 been a vote, and Councilor Riddile said if action had been taken, there would have been a  
32 conflict.

33 Councilor Stuckey said that Town Attorney McConaughy had advised him that it was in the  
34 council members' best interest to recuse themselves if they had to state any conflict.

35 Councilor Leland noted that Councilor Stuckey always used excessive caution and left  
36 chambers.

37 Administrator Baker said he would have Attorney McConaughy refresh everyone on  
38 conflicts of interest. He said he would be giving an update, and it was an open meeting,  
39 but he did not know how to advise the council on the matter.

40 Mayor Gordon invited Councilor Breslin to state his thoughts since he had many years'  
41 experience as mayor.

42 Councilor Breslin said that if there was the potential for an elected official to receive some  
43 sort of direct compensation because the official's decisions (meaning a vote), that official  
44 should declare a possible conflict of interest. He further stated that in a small town,  
45 people have skills, and people are elected because of those skills. Sometimes they are the  
46 only ones capable. He gave the example of a bricklayer who is the only one who could  
47 repair a chimney, the bricklayer would declare a conflict and then go ahead and bid the  
48 job to perform the repair. Administrator Baker said that this is the company that Councilor  
49 Means' wife works for, and direct benefit or not, there may be an appearance of a benefit  
50 and he should declare a conflict. He thought Councilor Metzger felt that he should not

1 have participated in the discussion, in the way that Councilor Stuckey does not  
2 participate. He did note that the financial impact for Councilor Means was much more  
3 indirect than for Councilor Stuckey.

4 Councilor Stuckey advised Councilor Means to speak directly to the town attorney, and  
5 said a refresher course for the council would be good. He said that the appearance of  
6 conflict should be avoided. Councilor Leland thought 'appearance of conflict' was a good  
7 standard.

8 Mayor Gordon told councilor Means he should not be part of the conversation.

9  
10 Councilor Means left council chambers 8:37 p.m.

### 11 12 **UPDATE: Senior Housing**

13 Administrator Baker said he had been waiting for the draft land lease documents from Mr.  
14 Gold so staff could review it, and it could have been discussed it in tonight's executive  
15 session. Staff had not received it. Instead, he got a phone call from Al Gold who said that  
16 CRHDC had changed their plan on how to proceed. They had reviewed the project, and  
17 the 4% tax credit approach discussed before was not the approach they felt they should  
18 take. Instead, they wanted to take the 9% approach, which would require them to  
19 purchase the property. Mr. Gold understood that the town was under a constraint in that  
20 the land could not be sold for four years, and CRHDC could work with that. Mr. Gold also  
21 stated that they were comfortable doing whatever it took to continue to move the project  
22 forward, and they would put the money up front. The first round of consideration for the  
23 tax credit would be the first quarter of 2015. There is no guarantee they would receive  
24 funds in the first round; it may take several applications.

25 Administrator Baker said CRHDC wanted to come speak to the council on the tax credit/  
26 land-purchase idea. Basically, they have reconsidered the financial model and want to  
27 change it. Councilor Leland though that would be fine, but asked that they should be  
28 reminded that if the town gave up the land, they would also be giving up the opportunity  
29 for the county to build the infrastructure. CRHDC would have to bear the expense of the  
30 infrastructure.

31 Councilor Breslin said that the way everything was set up made the town a corporate  
32 partner, and perhaps the town should not sell the property.

33 Administrator Baker said he would like to invite CRHDC to come the first meeting in  
34 October when Attorney McConaughy can attend. The council agreed.

35  
36 Councilor Means returned to council chambers at 8:51 p.m.

### 37 38 39 **Consider Names for the Pedestrian Bridge and Pedestrian Trail**

40 Councilor Leland said there were two suggestions from HPC for naming the projects: the  
41 pedestrian bridge after Greg Russi, since he was vital in getting the bridge project  
42 completed, and the pedestrian trail named for the Talbot Family because they have been  
43 invaluable in the trail project. He thought the council should move on it since the bridge  
44 and trail will be opening in November. Councilor Leland thought that the bridge name  
45 would be on a bronze plaque attached to the North end, and that it would inevitably be  
46 referred to as the pedestrian bridge. He said the trails in town were called by their given  
47 names.

48 Councilor Riddile said he did not feel public projects should be named after living persons.  
49 He felt honoring the people who contributed was appropriate by a plaque and mentioning  
50 their names, but actually naming the projects after living people was not appropriate. He

1 also felt there should be public input like was done with Hotshot and VIX parks. Councilor  
2 Riddile said that to commemorate the opening of the bridge and trail, there could be  
3 community event such as a 5 or 10k race going over the bridge and down the trail and  
4 back, with the the strong contributors at the event.  
5 Councilor Means agreed. Councilor Breslin also agreed saying that he thought the names  
6 should be historic. Councilor Leland pointed out that there was a very early precedent of  
7 naming things after living people in Roderick and Medaris, who actively promoted  
8 themselves for the naming of Mt. Medaris and Roderick Ridge. More recently was Mattivi  
9 Plaza which was named after Pete Mattivi who was still alive when it was named.  
10 Councilor Leland said he understood the reluctance, but it has been done before.  
11 Councilor Stuckey agreed that public should be involved, and also that more historic  
12 names were appropriate. A directional name for the trail may also work, such as Apple  
13 Tree Trail.  
14 Mayor Gordon agreed that honoring the contributors was a good plan, and he was  
15 unconcerned about a person who was living or dead at the time of the naming. Rollie  
16 Gordon ark and Bridge were named when Rollie Gordon was still alive.  
17 Clerk Harrison suggested that guests at Burning Mountain Festival be given the  
18 opportunity to name the bridge and trail. A ballot box and entry forms could be made  
19 available for the weekend. Mayor Gordon liked the idea of a suggestion box and the  
20 festival, and he also liked the idea of a race across the bridge. He felt strongly that the  
21 contributors be honored, because Greg Russi had worked for more than three years to get  
22 the bridge done, and the Talbots have given and done a lot for the town.  
23 The council decided the Clerk should place a voting box at the town's table at the festival,  
24 and that something should go out in the October 1 water bills. The council agreed that  
25 only town residents should probably vote, and that all votes should be received by  
26 October 15 so that the council could consider them at the October 21, 2014 council  
27 meeting.  
28 Mayor Gordon said he would speak with Mike Miller about the naming of the cemetery  
29 road.

### 31 **Consent Agenda**

32 Minutes of the August 19, 2014 meeting

33 August Bills of \$589,743.02

34 Alder Ridge Townhomes Amended Plat of Block 4

35 **MOTION: Councilor Riddile made a motion to approve the consent agenda.**  
36 **Councilor Stuckey seconded the motion and it passed unanimously.**

### 39 **Staff Reports**

40 Town Administrator – Administrator Baker told the council that staff had completed three  
41 grant applications. One FMLD Mini Grant application for trail maintenance equipment, one  
42 traditional FMLG Grant application for the police department and a GoCo Grant for the  
43 Sports Park. Awards for the FMLD grants should be in October, and the GoCo grant in  
44 December.

45 Human Resource Manager – Human Resources Manager Mike Edgar told the council that  
46 the Police Department had made an offer to former officer Pete Chiodo, and he should be  
47 starting soon. Manager Edgar also told the council that after some consideration, he had  
48 decided to retire. His last day will be January 31, 2015.

49 Town Clerk – Clerk Harrison told the council that Administrative Assistant Leah Feeley had  
50 taken a position with Holy Cross Energy, and that her last day with the town would be

1 September 12. She also said that she had attended the first Discover RE-2 for the 2014-  
2 15 school year, and this year they were offering to send summary reports to each  
3 committee member. Clerk Harrison told the council she would provide that information in  
4 the DropBox for the council if they wished.

5 Town Planner – not present

6 Public Works Director – not present

### 8 **Commission Reports**

9 Planning & Zoning Commission – nothing to report

10 Historic Preservation Commission – nothing to report

11 Economic Advisory Committee – nothing to report

12 Senior Programs – nothing to report

13 RFTA – nothing to report

### 15 **Council Comments**

16 Councilor Stuckey said he had walked the pedestrian trail with Councilor Breslin, and they  
17 discussed the lighting of the trail. He thought perhaps conduit could be placed for future  
18 lighting, or if solar would work. The council did not think solar would work because the  
19 area in in the shade all winter. Administrator Baker asked if he should have the town  
20 engineer provide an estimate for a change order. The council discussed it, and it was  
21 decided that Engineer Simonson should come to council and discuss the item. The council  
22 agreed.

23 Councilor Leland told the council that at Burning Mountain Festival, the booth that sells  
24 tickets for alcohol would also be the town booth, and he asked that anyone who had some  
25 extra time could come and relieve the people working the booth. He asked that they  
26 contact Clerk Harrison about it.

27 Councilor Breslin said that he wanted the council to support disk golf course since the new  
28 trail will go right through it. He expected there would be complaints from walkers about  
29 the flying Frisbees, and felt the two activities should be able to coexist.

30 Councilor Breslin told the council there would be a well-maintenance workshop in  
31 Glenwood Springs the following day, and he wondered if anyone was interested in going.  
32 He said he would be attending.

33 Mayor Breslin said he had talked with Administrator Baker after a conversation with Lee  
34 Price. They were discouraged that the greens being grown at the community garden were  
35 not being used. He wanted to do a demonstration at the festival on how to cut and use  
36 greens to make smoothies. Dana Wood from LiveWell provided cutting boards and water  
37 bottles they could hand out, as well as a banner that could be hung. The council liked the  
38 idea.

39 Councilor Metzger asked who owned the recreation center in Lakota. Administrator Baker  
40 said that Warrior owned it. Councilor Metzger said that there were Lakota residents who  
41 were not happy with the current uses in the recreation center, since the golf pro-shop was  
42 there, and the aerobics classrooms were being used as offices. Cabinetry was being sold  
43 there. The pool use was unsupervised and there seemed to be no control. Administrator  
44 Baker said he did not blame the residents for being unhappy, but there was nothing the  
45 town could do because it was an HOA issue. Councilor Metzger said the residents wanted  
46 to know if the town was going to allow them to use the rec center as a pro shop next  
47 years too, and thought the council should discuss it. Councilor Stuckey told her that it was  
48 not a council issue, it was a Lakota HOA issue, and if the residents were unhappy, they  
49 should speak with the owners of the recreation center. Councilor Metzger said the  
50 residents were unhappy with Bob Gibson also, because they claim he does not listen to

1 the residents' concerns. Councilor Leland reiterated that the council could do nothing  
2 about it. Councilor Stuckey suggested that the people who complained should attend an  
3 HOA meeting.  
4 Councilor Means said that the asphalt in VIX Park was cracked and weedy, and felt repairs  
5 should be considered before the freeze. Administrator Baker said he would look into it.  
6 Councilor Stuckey said the same situation was occurring with the asphalt in Lakota, on  
7 Silverado and Clubhouse Drive.  
8 Mayor Gordon described a situation on 7<sup>th</sup> Street recently where there was a knife fight in  
9 the church parking lot. He felt that situations like that were the direct result of legalized  
10 marijuana, and he was concerned for the safety of the residents.  
11 Councilor Stuckey added that since the mailbox kiosks for Lakota were moved from the  
12 top of Clubhouse Drive, there was no reason for there to be traffic all hours of the night  
13 heading up Clubhouse, but there was. He said he was concerned about what was taking  
14 place.  
15 Councilor Breslin reminded council that some time ago, they had discussed the  
16 commercial EQR table, and asked that the council think about how they might reconsider  
17 it in the future.  
18 Mayor Gordon said that the health club would be a good place to check EQRs compared to  
19 water use would be the health club.

20  
21 **MOTION: Councilor Riddile made a motion to adjourn. Mayor Gordon seconded**  
22 **the motion and it passed unanimously.**

23  
24 The meeting adjourned at 9:50 p.m.

25  
26 Respectfully Submitted,

27  
28  
29  
30  
31 \_\_\_\_\_  
32 Mayor Bob Gordon

33  
34  
35 \_\_\_\_\_  
36 Town Clerk Melody L. Harrison, CMC  
37

## LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION

Fees Due	
Renewal Fee	500.00
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
<b>Amount Due/Paid</b>	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE

Licensee Name <i>Hacienda El Patron LLC</i>		DBA <i>Hacienda El Patron LLC</i>	
Liquor License # <i>4701962</i>	License Type <i>Hotel &amp; Restaurant city</i>	Sales Tax License # <i>27975927-0000</i>	Expiration Date <i>10-29-14</i>
Street Address <i>201 W. Main St New Castle Co 91647</i>			Due Date <i>09-12-14</i>
Mailing Address <i>P.O. Box 109 New Castle Co 91647</i>			Phone Number <i>970 984 0351</i>
Operating Manager <i>Samuel P. Garcia</i>	Date of Birth <i>08-20-1957</i>	Home Address <i>303 W. Main St New Castle Co 91647</i>	Phone Number <i>970 319-8378</i>

1. Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO
6. **SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:** Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.

**AFFIRMATION & CONSENT**

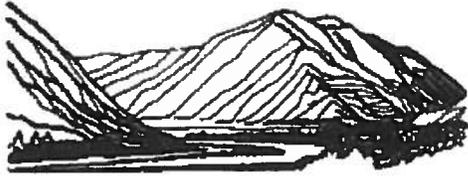
*I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.*

Type or Print Name of Applicant/Authorized Agent of Business <i>Samuel P. Garcia</i>	Title <i>owner</i>
Signature <i>Samuel P. Garcia</i>	Date <i>08-28-2014</i>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest



**The New Castle Police Department**  
450 West Main - Post Office Box 90  
New Castle, Colorado 81647  
(970) 984-2302

"Burning Mountain" - 1888

09/09/14

To: Deputy Town Clerk Mindy Andis  
From: Tony Pagni Interim Chief of Police

Reference: Hacienda El Patron Liquor License Renewal

Dear Mindy, and board of Trustee Members

I have checked the Police Data Base and have found no instances of misconduct by members of the Hacienda El Patrons Staff which would affect their licensee ability.

In fact this establishment is so new, no incidents involving any Liquor calls to the premises are on file. In addition they have passed compliance tests with the State Liquor Enforcement Team.

I have attached the standard requirement list provided to all establishments involved with the sales of liquor within the Town. I would like to request that Hacienda El Patron and their staff to continue to cooperate with the Town in these requirements:

Interim Chief of Police

Tony Pagni

**LIQUOR OR 3.2 BEER LICENSE  
 RENEWAL APPLICATION**

CITY MARKET #41  
 PO BOX 305103  
 NASHVILLE TN 37230-5103

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>DILLON COMPANIES INC</b>		DBA <b>CITY MARKET #41</b>		
Liquor License # <b>01107790153</b>	License Type <b>3.2% Beer Off Premises (city)</b>	Sales Tax License # <b>01107790153</b>	Expiration Date <b>10/29/2014</b>	Due Date <b>9/14/2014</b>
Street Address <b>850 CASTLE VALLEY BLVD NEW CASTLE CO 81647-9441</b>				Phone Number <b>(970) 984 9715</b>
Mailing Address <b>PO BOX 305103 NASHVILLE TN 37230-5103</b>				
Operating Manager <b>Kim Karteria</b>	Date of Birth <b>10/18/74</b>	Home Address <b>6029 County Rd 303 Parachute, CO</b>		Phone Number <b>970 984 9715</b>
<p>1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO        Is the premises owned or rented? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented* *If rented, expiration date of lease <u>8/10/35</u></p> <p>2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p><b>NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:</b> If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.</p> <p>3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO</p> <p>4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>6. <b>SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS:</b> Each person must complete and sign the DR 4679: Affidavit – Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport. <b>NIA</b></p>				

**AFFIRMATION & CONSENT**  
 I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business <b>Russ Dispense</b>	Title <b>Vice President</b>
Signature 	Date <b>7-28-14</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**  
 The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title
	Attest

Attachment to DR8400 King Soopers or City Market 3.2% beer license renewal.

Question 4.

Several King Soopers/City Market store licenses were suspended in separate, isolated incidents for a short period when a clerk sold beer to a minor, after which precautions were taken so that it would not occur again.

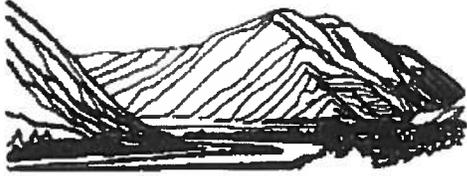
STORE #	DATE	VIOLATION
King Soopers #8	04/25/12	sale to minor
King Soopers #47	05/18/12	sale to minor
King Soopers #74	05/22/12	manager registration
King Soopers #44	06/01/12	sale to minor
King Soopers #28	06/16/12	sale to minor
King Soopers #105	12/01/12	sale to minor
King Soopers #86	12/14/12	sale to minor
King Soopers #32	01/26/13	sale to minor
City Market #435	07/25/13	sale to minor
King Soopers #13	09/28/13	sale to minor
King Soopers #50	12/07/13	sale to minor
King Soopers #82	12/13/13	sale to minor

Attachment to DR 8400 for King Soopers or City Market 3.2% beer license renewal.

Question 5.

Dillon Companies, Inc. a Kansas Corporation, also holds 3.2% beer licenses for the following stores located in Colorado:

King Soopers, City Market, Mini Mart, Inc. & Loaf 'N Jug



**The New Castle Police Department**  
450 West Main - Post Office Box 90  
New Castle, Colorado 81647  
(970) 984-2302

"Burning Mountain" - 1888

09/09/14

To: Deputy Town Clerk Mindy Andis  
From: Tony Pagni Interim Chief of Police

Reference: City Market Liquor License Renewal

Dear Mindy, and board of Trustee Members

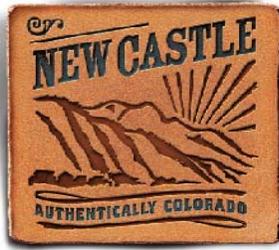
I have checked the Police Data Base and have found no instances of misconduct by members of the City Market Staff which would affect their licensee ability.

In fact this establishment has had no incidents involving any Liquor calls to the premises in our system. In addition they have previously passed compliance tests with the State Liquor Enforcement Team.

I have attached the standard requirement list provided to all establishments involved with the sales of liquor within the Town. I would like to request that City Market and their staff to continue to cooperate with the Town in these requirements:

Interim Chief of Police

Tony Pagni



**Town of New Castle**  
450 W. Main Street  
PO Box 90  
New Castle, CO 81647

**Administration Department**  
**Phone:** (970) 984-2311  
**Fax:** (970) 984-2716  
[www.newcastlecolorado.org](http://www.newcastlecolorado.org)

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September 16, 2014

Amendment 35 Grants Program  
Colorado Department of Public Health & Environment  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

RE: Amendment 35 Grants Program – CCPD

Dear Sir or Madam,

This letter comes to acknowledge that the Town of New Castle supports Garfield County Public Health as it pursues funding for the Garfield County Wellness Initiative to support county-wide healthy eating and active living programs and policies. The Town of New Castle is excited about the prospect of expanding work with community partners to serve employees and their families throughout Garfield County. Garfield County Public Health understands that the communities in Garfield County experience unique challenges in promoting:

- Policies that support access to physical activity.
- Policies that promote and support breastfeeding-friendly environments
- Policies that support consumption of healthy foods in the workplace
- County and municipal adoption of comprehensive worksite wellness programs that supports both healthy eating and physical activity

By working collaboratively with local professionals within Garfield County we have an opportunity to learn how to most effectively meet those challenges.

The Town of New Castle agrees to collaboratively assist in facilitating the planning, development and implementation of projects and activities that will improve access to healthy eating and active living within Garfield County.

We look forward to working with Garfield County Public Health as a partner on this important initiative. Thank you for your consideration of this support.

Sincerely,

Mayor Bob Gordon