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2
3 **New Castle Town Council Meeting**
4 **Tuesday, April 2, 2013, 6:30 p.m., Town Hall**

5 **Call to Order**

6 Mayor Breslin called the meeting to order at 6:30 p.m.

7
8 **Pledge of Allegiance**

9
10 **Roll Call**

11 Present	Councilor Russi
	Councilor Riddile
	Councilor Metzger
	Mayor Breslin
	Councilor Gordon
	Councilor Leland
	Councilor Stuckey
18 Absent	None

19
20 Also present at the meeting were Town Administrator Tom Baker, Town Clerk Melody
21 Harrison, Town Planner Tim Cain, Human Resources Manager Mike Edgar, Public Works
22 Director John Wenzel and members of the public.

23
24 **Meeting Notice**

25 Clerk Harrison verified that her office gave notice of the meeting in accordance with
26 Resolution TC-2013-1.

27
28 **Conflicts of Interest**

29 There were no conflicts of interest.

30
31 **Citizen Comments on Items NOT on Agenda**

32 There were no citizen comments.

33
34 **Items for Consideration**

35
36 **Waste Hauler Interviews**

37 Town Administrator Tom Baker thanked Town Planner Tim Cain for his hard work on the
38 Waste Hauler RFP and the presentation for the council. He also thanked Waste
39 Management and MRI for the proposals they submitted.

40 Administrator Baker told the council that the intended goal was for the council to interview
41 each applicant and if they could, to give direction to the staff and the town attorney to
42 draft a contract with the selected provider that addresses the representations in the
43 proposal and the interview. He said the contract would come back to council on April 16th
44 for their approval.

45 Administrator Baker said that each applicant would take approximately twenty minutes to
46 make their presentation to the council and fifteen minutes to answer questions. Staff had
47 posted a list of specific points on items that were not clear in one or both proposals, and
48 provided a list of interview questions and a scoring matrix the council could use. Last he
49 said that Clerk Harrison had received e-mail comments from a Mr. Dan Cokley, Mr. Bill

1 Wentzel and Mr. & Mrs. Miernicki. The comments were provided to the council and would
2 be part of the official record.

3 Administrator Baker invited Waste Management to address the council.

4 Aaron Diaz, Municipal Representative for Waste Management.

5 Mr. Diaz thanked the council for the opportunity to have provided a proposal for the
6 council's consideration. He also thanked the town staff for their assistance through the
7 process.

8 Mr. Diaz reviewed his company's proposal in depth for the council.

9

10 Don Van Devander, General Manager of MRI, introduced himself to the council. He also
11 introduced Herman Aardsma, Director of Operations.

12 Mr. Van Devander reviewed his company's proposal in depth for the council. Mr. Van
13 Devander brought some updated information for the council to review and passed the
14 information out during his presentation.

15

16 Citizen comments:

17 Eileen Wysocki, New Castle resident. Ms. Wysocki told the council she had talked to as
18 many as 25 of her neighbors and said that the single biggest issue she noted was that
19 most of them preferred the weekly recycling service as provided by MRI. She also and felt
20 the prices offered by MRI were more competitive, and their educational proponent was
21 good. Mary Lou Haflinger, New Castle resident, agreed with Ms. Wysocki.

22 Doug Denio, New Castle resident, told the council that some years ago when he was on
23 the New Castle Environmental Advisory Board, they had a team going door to door
24 promoting citizen recycle efforts without much success. When MRI introduced weekly
25 recycling, Mr. Denio felt recycling increased significantly on his street. He was concerned
26 that every-other-week recycling as proposed by Waste Management (WM) would be not
27 be good. He also was concerned about the very large recycle bin proposed by WM cause
28 people to place the trash and recycle bins outside which was unsightly and against the
29 HOA covenants.

30

31 Councilor Leland felt that the idea of adding lids to the small, square recycle bins provided
32 by MRI would be a nice addition to prevent recycle items from blowing around the streets.
33 Councilor Riddile said that one of the e-mail comments stated a fifty-thousand dollar
34 difference in the proposals. He calculated it at a \$45k savings with MRI. The other two e-
35 mail comments said they were please with the service from MRI. Councilor Riddile said
36 that along with the supportive statements from the three citizens in the audience, it was
37 his opinion the council should go with MRI.

38 Councilor Stuckey felt that the staff at MRI provided better service and were more mindful
39 of private property.

40 Mayor Breslin said he liked WM when they provided service to the town previously and
41 was not inclined to change providers last time the contract was up for renewal in 2010.
42 Being a downtown resident without an HOA, he has not had to deal with covenants. He
43 felt both companies had good customer service and educational programs and he enjoyed
44 reading the proposals. Mayor Breslin said MRI has provided good customer service, their
45 staff was friendly, and the costs was better.

46 Councilor Russi complimented both companies on their excellent presentations and
47 thanked them for the extensive information they provided on recycling. He felt the
48 deciding factor for him was the weekly recycle program with MRI.

1 Councilor Leland said he initially had several comments, but the other councilors had
2 already said them.

3
4 **Direction to staff for Waste Hauler Services**

5 **MOTION: Councilor Metzger made a motion to approve awarding the three year**
6 **waste hauler contract to MRI. Councilor Gordon seconded the motion.**

7 Discussion: Administrator Baker told council that if the motion passed, staff would work
8 with the town attorney to draft a contract that would come back to the council at the next
9 meeting for their approval.

10 **The motion passed on a roll call vote: Councilor Gordon: yes, Councilor Stuckey:**
11 **yes; Councilor Metzger: yes; Councilor Riddile: yes; Councilor Russi: yes; Mayor**
12 **Breslin: yes and Councilor Leland: yes.**

13
14 **Consideration of letter to BLM**

15 Allyn Harvey, Trustee for the Town of Carbondale.

16 Mr. Harvey told the council he grew up in Western Colorado and recalls the 1982 crash,
17 and knows people whose lives were profoundly changed by the event. He said he has
18 followed the oil shale issue closely, and felt the BLM policy was smart and deserved a
19 thank you and letter of support for their efforts. Since the Town of New Castle had
20 previously supported the BLM on the issue, he drafted a letter and proposed it be sent to
21 Secretary Salazar.

22 The council discussed the letter and felt was well written.

23 **MOTION: Councilor Leland made a motion to authorize the mayor to sign the**
24 **letter to Secretary Salazar. Councilor Riddile seconded the motion.**

25 Discussion: Mayor Breslin said he wanted to edit the letter, and asked the council for their
26 approval, offering to have Clerk Harrison deliver his edited version to them via e-mail for
27 their review before sending.

28 **The motion passed on a roll call vote: Councilor Metzger: yes; Councilor Stuckey:**
29 **yes; Mayor Breslin: yes; Councilor Russi: yes; Councilor Riddile: no; Councilor**
30 **Leland: yes; and Councilor Gordon: no.**

31
32 **Consent Agenda**

33 Minutes of the March 19, 2013 Council Meeting

34 March Bills of \$351,713.12

35 Hongs Garden Liquor License Renewal

36 Mayor Breslin offered a few corrections to the minutes.

37 **MOTION: Mayor Breslin made a motion to approve the consent agenda with**
38 **corrections. Councilor Riddile seconded the motion and it passed unanimously.**

39
40 Mayor Breslin said that in the bills for March there was a bill for Tri-County Fire to service
41 fire extinguishers and wondered if there was a less-expensive alternative. He offered
42 North West Council of Governments and their implementation of an elevator inspection
43 program as an example. He thought perhaps it could be researched.

44
45 **Committee Reports**

46 Planning & Zoning – nothing to report

47 Climate Action Advisory Committee – nothing to report

48 Historic Preservation – nothing to report

1 POSTR – Councilor Russi said there was a POSTR meeting the next evening. Councilor
2 Gordon felt the trail from New Castle to Canyon Creek should be focused on and
3 completed. He felt it would be a huge economic development benefit. The council agreed.
4 Councilor Russi said he would discuss it and some grant opportunities at the POSTR
5 meeting.

6 7 8 **Staff Reports**

9 Town Administrator – Administrator Baker told the council there would be a meeting at
10 the River Center on April 22 regarding community needs. Mayor Breslin said he would
11 attend. The next 125th Anniversary Committee Meeting was scheduled for Thursday, April
12 4 at 4:15 p.m. On Tuesday, April 9 at 8:30 a.m., the staff had an ICS model practice
13 related to the motorless parade. A meeting was scheduled on April 9 at 7:30 p.m. at the
14 fire station regarding the 2009 fire code. Councilor Leland said he could attend it. On April
15 11 at 4:00 p.m. there would be a meeting in regard to Kathy Kopf's downtown plan, and
16 on the same evening at 6:00 p.m. a meeting about native turf grass. Administrator Baker
17 said Clerk Harrison would send a schedule of meetings out to the council.

18 Town Clerk - Clerk Harrison asked the council how detailed they wanted the waste hauler
19 interviews to be in the minutes. Administrator Baker offered that the interviews could be
20 action minutes, but that some detail be included in the council discussion and motion. The
21 council agreed. Clerk Harrison said she had nothing to report since she had been on
22 vacation.

23 Public Works Director – not present

24 Town Planner – not present

25 26 **Council Comments**

27 Mayor Breslin thanked Administrator Baker, Councilor Russi and Engineer Jeff Simonson
28 for going to Denver and presenting the town's DOLA grant.

29 Councilor Metzger told the council that Patty Ringer had voiced her concern that the town
30 had not provided lighting for the sign at the east end of town. Administrator Baker said he
31 would have staff look into solar lights and bring the information back to the council.

32 Councilor Metzger asked if the town would be implementing watering restrictions this
33 year, and Administrator Baker said the town drought policy would be on the April 16
34 council agenda for their consideration. She also asked if Lazy Bear Restaurant would have
35 their liquor license by May 11. Clerk Harrison said they would not have their liquor license
36 by then, but that the restaurant would be open nonetheless.

37 Councilor Leland said that since a roundabout and pedestrian bridge were going to be built
38 in New Castle, the council should begin to think about the aesthetics of them. Lights on
39 the bridge and what would be in the middle of the roundabout.

40 Councilor Stuckey said he thought the pedestrian bridge should be have some design
41 elements that make it an element of New Castle. Perhaps bridge lighting as a repeating
42 theme into the downtown area. The council liked the idea.

43 Mayor Breslin asked the council if they thought recording cameras were appropriate
44 should they decide to put a recycle drop-off at the public works maintenance facility.
45 Administrator Baker thought the council should carefully consider a recycle drop-off
46 because it would be extremely difficult to monitor and manage, and made him
47 uncomfortable. Mayor Breslin said the council could keep it in mind for a future discussion.

1 Councilor Gordon said he had read the manager's report and saw that a staff committee
2 had been working on a space/needs analysis for the police department. Administrator
3 Baker said the discussion would come to council on April 16.
4 Councilor Gordon said that he had attended a Senior Programs meeting and learned that
5 there were several Traveler vans that would be retired, and thought it may be a good
6 opportunity for the town to try and obtain one of the vans for our various programs.
7
8

9 **MOTION: Councilor Metzger made a motion to adjourn. Councilor Russi seconded**
10 **the motion and it passed unanimously.**

11
12 The meeting adjourned at 9:25 p.m.

13
14 Respectfully Submitted,
15
16
17

18
19 _____
20 Mayor Frank Breslin
21

22
23 _____
24 Town Clerk Melody Harrison
25
26



COUNTY ATTORNEY'S OFFICE

108 8th Street, Suite 219
Glenwood Springs, CO 81601
Tele: (970) 945-9150
Fax: (970) 384-5005

April 11, 2013

Tom Baker, Town Administrator
Town of New Castle
Box 90
New Castle, CO 81647

Re: 2013 IGA – Mosquito Control

Dear Mr. Baker,

Enclosed, please find one (1) full copy and (6) copies of the signature page of the 2013 Intergovernmental Agreement for Mosquito Control for your review, consideration and submittal to your Town Council for authorization for the Mayor to execute.

After execution by the Mayor and the Town Clerk, please return one (1) fully executed IGA and six (6) additional executed signature pages to the address in the letterhead, "Attention: Mary Lynn Stevens."

Once this office receives all of the signature pages from all entities, the IGA will be submitted to the BOCC for signature. After signature by the Chairman of the Board, you will be sent a fully executed original for your files.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

MARY LYNN STEVENS
PARALEGAL / OFFICE MANAGER

MLS
Attachments (IGA & 6 signature pages)

Cc: Steve Anthony, Director, Vegetation Mgmt.

INTERGOVERNMENTAL AGREEMENT FOR MOSQUITO CONTROL - 2013

THE PARTIES to this Intergovernmental Agreement for Mosquito Control ("IGA") are the **BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, STATE OF COLORADO**, (hereinafter referred to as "County"); the **CITY OF GLENWOOD SPRINGS, STATE OF COLORADO**, (hereinafter referred to as "Glenwood"); the **TOWN OF CARBONDALE, STATE OF COLORADO**, (hereinafter referred to as "Carbondale"); the **CITY OF RIFLE, STATE OF COLORADO**, (hereinafter referred to as "Rifle"); the **TOWN OF SILT, STATE OF COLORADO**, (hereinafter referred to as "Silt"); the **TOWN OF NEW CASTLE, STATE OF COLORADO**, (hereinafter referred to as "New Castle"); and the **TOWN OF PARACHUTE, STATE OF COLORADO**, (hereinafter referred to as "Parachute").

WHEREAS, the parties to this IGA are authorized by Section 29-1-201, *et seq.*, C.R.S., as amended, to provide for joint funding and cooperation to provide services and functions which each is otherwise lawfully authorized to provide; and

WHEREAS, the parties to this IGA desire to cooperate in funding and making available a County-wide mosquito control and education program; and

WHEREAS, a coordinated effort by the County and the municipalities within the County will permit a more effective mosquito control and education program and specifically will aid control of the mosquito species responsible for the spread of West Nile Virus.

NOW, THEREFORE, in mutual consideration of the premises and the covenants and promises set forth below, the parties to this IGA agree as follows:

1. **PROJECT**. The Project that is the subject of this IGA is a comprehensive integrated larval and adult mosquito control program, on public and private property throughout Garfield County that will be designed specifically for Garfield County and the municipalities by an independent contractor. The Project will provide surveillance, identifying mosquito breeding habitats and areas with high numbers of mosquito larvae and adults, with an emphasis on Culex mosquitos. Surveillance will include the use of GIS mapping technology. The Project will include the use of chemical pesticides for adult and larval mosquito control in a manner safe to citizens, the environment and pets. Chemical applications will only be done when the elected officials of each pertinent jurisdiction, or their designated staff member, determine that mosquito levels have reached a threshold that poses a public health risk. Each jurisdiction is responsible for working with the Contractor to

insure that their jurisdiction is in compliance with the Federal Clean Water Act and the Colorado Discharge Permit System as administered by the Colorado Department of Public Health and Environment. The independent contractor will also provide community outreach and public education.

2. PROJECT COSTS. The cost for the entire Project that is the subject of this IGA shall not exceed One Hundred Thirty-Eight Thousand Four Hundred Seventy-Eight Dollars and Fifty Cents (\$138,478.50), with each town and city contributing the amounts set forth below for a total contribution of Forty-One Thousand Six Hundred Fifty Dollars (\$41,650.00) of the Project Cost. The remainder will be contributed by the County for the thirty-four (34) square miles of service area outside of the municipalities.

3. COUNTY RESPONSIBILITIES. The County shall be the coordinating entity and the contracting and fiscal authority for the Project. The County's responsibilities shall include the creation of the Request For Proposals ("RFP"), management of the RFP process, selection of the contractor and management of the contract. The County shall also continue its leadership role in the functioning of the informal West Nile Working Group. The County shall pay an amount not to exceed Ninety-Six Thousand Eight Hundred Twenty-Eight Dollars and Fifty Cents (\$96,828.50) of the total Project Cost of One Hundred Thirty-Eight Thousand Four Hundred Seventy-Eight Dollars and Fifty Cents (\$138,478.50), unless emergency services are required.

4. GLENWOOD SPRINGS RESPONSIBILITIES. Glenwood Springs shall be responsible for payment to the County of \$4,300.00.

5. CARBONDALE RESPONSIBILITIES: Carbondale shall be responsible for payment to the County of \$5,700.00.

6. RIFLE RESPONSIBILITIES: Rifle shall be responsible for payment to the County of \$15,600.00.

7. SILT RESPONSIBILITIES: Silt shall be responsible for payment to the County of \$4,200.00.

8. NEW CASTLE RESPONSIBILITIES: New Castle shall be responsible for payment to the County of \$4,700.00.

9. PARACHUTE RESPONSIBILITIES: Parachute shall be responsible for payment to the County of \$7,150.00.

10. PARTY RESPONSIBILITIES: All parties to this IGA shall cooperate with and assist the independent contractor chosen by the County to perform the work of the Project.

11. REMEDIES. If any of the cities or towns, identified in Paragraphs 4 through 9 above, fail to perform their payment obligation(s), the County may assume responsibility for the defaulting payment(s), and all other obligations of this IGA shall remain in full force and effect.

12. CONTRACT AWARD. The contract anticipated to define the Scope of Work needed for the Project shall be awarded by Garfield County pursuant to the terms of its Procurement Manual. The Notice to Proceed may be awarded prior to the payment obligations of the municipalities and towns being met.

13. INDEMNIFICATION. The parties acknowledge each is subject to the constitutional prohibitions against indemnification in Colo. Const. art XI, § 1. Neither can indemnify the other.

Nothing herein shall be interpreted as a waiver of governmental immunity to which each party would otherwise be entitled under Section 24-10-101, *et seq.*, C.R.S., as amended.

14. APPROPRIATION. This IGA is contingent upon appropriation and budgeting for the costs required for the Project. Should any party fail to appropriate or have available sufficient funds to pay for the costs of its obligations set forth herein, this IGA shall be considered of no force or effect, except to the extent that the County has assumed the obligations of another party, as set forth herein. This IGA is not intended to, nor does it create a multi-year fiscal obligation as defined by Section 20, Article X of the Constitution of the State of Colorado.

15. EFFECTIVE DATE. This IGA shall be effective January 1, 2013 through December 31, 2013, no matter the date of execution.

16. AMENDMENT. This IGA may be amended by the parties solely through a written agreement signed by each.

17. FACSIMILES AND COUNTERPARTS. This IGA may be signed in counterparts, and facsimile signatures may be substituted for original signatures.

18. GOVERNING LAW. The laws of the State of Colorado shall govern the validity, performance and enforcement of this IGA. Venue for any action instituted pursuant to this IGA shall lie in Garfield County, Colorado.

19. AUTHORITY. Each person signing this IGA represents and warrants that said person is fully authorized to enter into and execute this IGA and to bind the party represented to the terms and conditions hereof.

20. NOTICE. All notices required under this IGA shall be in writing and shall be hand delivered or sent by registered or certified mail, return receipt requested, postage prepaid to the addresses of the parties set forth below. Notice addresses may be changed without amendment to this IGA.

Notice to County: Board of County Commissioners
Attn: County Manager
108 8th Street, Suite 213
Glenwood Springs, CO 81601
Phone: (970) 945-9150
Fax: (970) 384-5005

Notice to Glenwood: City of Glenwood Springs
Attn: City Manager
101 W. 8th St.
Glenwood Springs, CO 81601
Phone: 384-6400

Notice to Carbondale: Town of Carbondale
Attn: Town Manager
511 Colorado Avenue
Carbondale, CO 81623
Phone: (970) 963-2733
Fax: (970) 963-9140

Notice to Rifle: City of Rifle
Attn: City Manager
202 Railroad Avenue
P.O. Box 1908
Rifle, CO 81650
Phone: (970) 625-2121

Notice to Silt: Town of Silt
Attn: Town Administrator
231 N. 7th St., Box 70
Silt, CO 81652
Phone: (970) 876-2353

Notice to New Castle: Town of New Castle
Attn: Town Administrator
450 W. Main
P.O. Box 90
New Castle, CO 81647
Phone: (970) 984-2311

Notice to Parachute:

Town of Parachute
Attn: Town Administrator
222 Grand Valley Way
Box 100
Parachute, CO 81635
Phone: (970) 285-7630

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF GARFIELD COUNTY, COLORADO**

Clerk to the Board

By: _____
Chairman

Dated: _____

ATTEST:

**CITY OF GLENWOOD SPRINGS,
STATE OF COLORADO**

City Clerk

By: _____
Mayor

Dated: _____

ATTEST:

**TOWN OF CARBONDALE
STATE OF COLORADO**

Town Clerk

By: _____
Mayor

Dated: _____

ATTEST:

**CITY OF RIFLE
STATE OF COLORADO**

City Clerk

By: _____
Mayor

Dated: _____

ATTEST:

Town Clerk

**TOWN OF SILT
STATE OF COLORADO**

By: _____
Mayor

Dated: _____

ATTEST:

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