

**New Castle Town Council Meeting
Tuesday, July 15, 2014, 7:00 p.m.**

Call to Order

Mayor Gordon called the meeting to order at 7:01 p.m.

Pledge of Allegiance

Roll Call

Present	Councilor Means Councilor Riddile Councilor Metzger Mayor Gordon Councilor Leland Councilor Stuckey
Absent	Councilor Breslin

Also present at the meeting were Town Administrator Tom Baker, Deputy Town Clerk Mindy Andis, Public Works Director John Wenzel and Human Resource Manager Mike Edgar.

Meeting Notice

Deputy Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2014-1.

Conflicts of Interest

Councilor Stuckey noted that he may have a conflict with the Lakota items, but because there were no decisions to consider relating to Lakota, he did not feel recusing himself was necessary unless the council wanted him recused.

Agenda Changes

Town Administrator Tom Baker told the council it might be necessary to discuss item E, the Wellness Plan, ahead of item D, the Community Solar Park, because a speaker for the solar discussion may be late. The council agreed to the change if necessary.

Citizen Comments on Items not on the Agenda

There were no citizen comments.

Consultant Reports

Consultant Attorney - not present
Consultant Planner - not present
Consultant Engineer - not present

Town Planner - Town Planner Tim Cain told the council that the building department was busy. A permit for a triplex had been approved, and he had received an application for a new home permit.

Items for Consideration

Update: Warrior Acquisitions: Lakota Warranty Work

Administrator Baker told the council that Town Attorney David McConaughy had received the mortgage document from Warrior. Milling work on the roads had begun the week prior. Councilor Metzger asked Public Works Director John Wenzel if he had observed the work being done. Director Wenzel said he had. The milling work, although he felt it was a bit out of sequence, they had milled areas that had been identified as problematic had been milled. He had spoken to the contractor who seemed competent. Director Wenzel described the repair processes. The council asked about signage and resident access and Administrator Baker told them that it appeared that appropriate signage had been done, and that only one driveway seemed to be temporarily inaccessible.

Update: Lakota Canyon Ranch, Castle Valley Ranch and LaRoca Property Clean-Up

Planner Cain told the council the Warrior had completed the clean-up the week before, and that Castle Valley Ranch had completed their clean-up that day. Councilor Riddile said there were piles of materials near Blackhawk Drive in Lakota that had weeds growing on them, and he felt they had been there a long time.

Planner Cain said he would look into it.

Planner Cain also said he had sent a letter of violation to LaRoca Church, and had spoken with Pastor Robin Vega who said the church could not afford to move the building materials. Planner Cain advised Pastor Vega to write a letter requesting an extension of the deadline for the clean-up. Planner Cain felt that the vehicles left on the church property were a issue for the police department to address. Administrator Baker told the council that it appeared the church would not be able to do the clean-up and the council will have to decide what action to take.

Mayor Gordon told the council that Deputy Clerk Mindy Andis had given them a thank-you card for giving her the opportunity to go to clerk's school. He read the card aloud.

Consider an Intergovernmental Agreement with Garfield County for Infrastructure Improvements

Administrator Baker told the council that while he was on vacation, Greg Russi, Engineer Jeff Simonson, Mayor Gordon and Finance Director Lyle Layton met with the Garfield County Commissioners. He said the IGA under consideration was a result of that meeting. He asked Mayor Gordon to summarize. Mayor Gordon told the council that Engineer Simonson made the presentation to the county, and they were impressed with the work that had been done. The county was also impressed to see how the town had revamped the bridge project to reduce the

overall cost. The county was willing to provide New Castle with up to \$250k in financial support should it be needed. Administrator Baker said the town attorney reviewed the IGA and if council approved, it would go before the Board of County Commissioners the following week for execution.

Administrator Baker reviewed the minor changes made in the IGA.

MOTION: Councilor Riddile made a motion to approve the Intergovernmental Agreement with Garfield County and the Town of New Castle for Infrastructure Improvements. Councilor Means seconded the motion and it passed unanimously.

Update: Wellness Plan

Human Resources Manager Mike Edgar described the services the town health insurance carrier, CEBT, will be providing for Garfield County. Two wellness clinics will be opening up in Rifle and Glenwood Springs. Employees can visit the clinics for a multitude of health issues and be treated without having to pay a co-pay. Manager Edgar said the council had been interested in providing a wellness plan for the staff, and he said he was creating a plan by which employee could utilize the free clinic for health screenings and earn time off as a reward. The plan will come back to the council for approval.

Discussion: Community Solar Park

Administrator Baker said that the council had been contemplating solar energy and solar gardens for several years. Mayor Gordon, Mr. Greg Russi and Public Works Director John Wenzel attended a photovoltaic energy symposium in Rifle and learned much more about it. He said that an opportunity had come up that could benefit the tow, but that there was only about 2 1/2 months to complete the project. Michelle Zimmerman, of the Clean Energy Collective (CEC), was present to give the council a conceptual idea of what the town may be able to accomplish. He stated that that there was an opportunity through Xcel Energy and CEC that Ms. Zimmerman would explain.

Ms. Zimmerman posted a map of the site that CEC was considering for a community solar garden in New Castle. A town retention pond and raw water irrigation ditch are located on the site, which is south of Silverhorn and west of Mustang, in Castle Valley Ranch.

Ms. Zimmerman described that a community solar garden is for those residents who cannot have solar panels on their homes. Perhaps they do not have south-facing rooftops, or those who live in apartments or townhomes or in subdivisions where solar panels are not allowed, or for those who have landscaping that would impede proper sun exposure. Those persons can buy into a community solar garden and receive the same benefit as those who have panels on their homes. Solar gardens are available to residents and businesses who are in the same county and utility as the garden.

The cost per panel can range from \$400.00 to \$800.00. The panel costs vary according to local incentives and rebates available. The example was that Xcel Energy give production credits on the utility bills, whereas another utility company may not, so the upfront cost of the panels is higher with Xcel, but the payback is essentially the same. Then there are tax credits available. For entities that are tax

exempt, because CEC would own the solar garden, CEC can take the thirty percent tax credit and pass that savings on to the tax-exempt entity. She explained that if someone purchases panels, and the panels produce more energy than the utility account uses, those excess Kwh are credited to the utility account in a monetary fashion. Panels that are installed on a home are privately owned, and those excess Kwh are banked for future use, rather than credited back to a utility account. Community solar gardens open solar opportunities to everyone. The other benefit to community solar gardens is that the cost of installation is offset because CEC will install the garden. In community solar, there are fees that are associated with the program for taxes and surcharges through Xcel, and two cents per Kwh that CEC collects for operations and maintenance fees, so the payback would be seven cents per Kwh. Xcel currently charges twelve cents per Kwh. The additional fee collected by CEC would sit in a separate trust fund that would maintain the solar garden for the length of the contract. Ms. Zimmerman said that a solar garden project would require a 25-year commitment with Xcel Energy, therefore they would need a 25-year lease on the land as well. Additionally, the project opportunity available required that a 500 Kwh system be installed, which is why it is so many panels in the garden. Ms. Zimmerman said that the CEC came into existence in 2009, and the first community on solar, in the nation, is El Jebel. CEC had over forty projects across eight states, equaling 26 megawatts. Community Solar is an up and coming trend, and it is all that CEC does. Ms. Zimmerman explained that the project being considered for New Castle was an Xcel Energy Award for a 500 Kwh solar project. The reason there was a short time-frame to approve the project was that the project was originally awarded to Boulder County. The City of Boulder is considering municipalizing the electric utility and separating from Xcel Energy, so they would not qualify for the project. CEC needed to find another county that used Xcel Energy and had sufficient potential buyers, and it had to be done within Xcel Energy's award time frame. Unfortunately, some of the time had been spent considering Boulder County. Garfield County made sense. Plus, there are two Holy Cross Energy projects in the area, that were done by CEC. Ms. Zimmerman described the process by which the project would be installed. Initially, CEC located sites, and a basic design is completed. Then CEC will hire engineering firms to do initial and final engineering of the project. Local solar contractors are hired to do the installation. Ms. Zimmerman said a person could purchase as little as 1 Kwh, or as much as forty percent of the array. It would be first-come, first served. New Castle could put restrictions in the lease agreement on who can purchase, for instance allowing New Castle residents the first option to purchase, before opening up the project to all Xcel Energy/Garfield County residents. Ms. Zimmerman and Administrator Baker said that the land was selected because it is one of the largest town-owned pieces available, because the land is zoned for utilities as a permitted use, and because the land has not been designated for any particular use. The site is the only town-owned site large enough for the project. Councilor Metzger asked if the neighbors had been consulted. Administrator Baker said that the first step was whether the council felt it was a viable location and project. If so, the next step would be gathering public input on the project. A meeting will be scheduled specifically for it. Ms. Zimmerman agreed that

neighborhood input was vital. She reiterated that the council needed to decide if they should move forward with the project. If so, then neighborhood input will be sought. If not, then other options would have to be considered.

Ms. Zimmerman made a slideshow presentation on community solar gardens. Mayor Gordon thought the project would be good for the community. If the town purchased panels, it could reduce utility costs for the town, which is good for the community. He wanted to explore the opportunities more, but wanted to be certain the community agreed.

Councilor Metzger felt that the open space needed to be preserved because many people bought homes near the open space because of the open space.

Administrator Baker asked how New Castle residents could have preference in purchasing panels. Ms. Zimmerman said the land lease agreement could set that preference, perhaps by allowing residents of New Castle the first opportunity to buy panels, or perhaps by having a preferred price.

Director Wenzel said he thought it was going to be important to understand how the homeowners adjacent to the proposed site felt about the project. He also thought that in the lease negotiations there could be consideration specifically to those adjacent owners directly affected.

Councilor Leland and Director Wenzel agreed that the site was not necessarily attractive open space, and thought that maybe some of the neighbors would welcome the solar garden as an improvement.

Ms. Zimmerman said the project required approximately 1600, 300-watt panels, and it would take up most of the site. The trail would be moved to accommodate the project, as the project will be fenced. Fencing would likely be six or eight-foot wildlife fencing.

Councilor Leland asked if CEC had installed solar in a residential area in the past.

Ms. Zimmerman said they have done a few projects in residential neighborhoods. She said they were very careful to consider the impacts to the environment and wildlife so they try to make certain the project is in disturbed land or areas.

Councilor Leland said it would be very helpful if CEC brought photographs of those residential solar gardens so the New Castle residents could see how it would look. Councilor Leland thought that some of the neighbors may not be happy about the project. Ms. Zimmerman said she would locate photographs.

A resident said he had that he had installed nine panels on his home in 2006 and he has never had to do maintenance on them. He said the cost per watt for installation has dropped from \$10 per watt to \$3, and it was a good time to consider solar. Also, there were numerous studies done to determine the value of solar, and Xcel Energy itself valued it at 14.5 cents per Kwh.

Another resident said that one of the issues for national security was the power grids, and locally produced energy reduced vulnerability. He said he was proud to be part of a community that was progressive enough to consider community solar.

Mr. Russi told the council that the two parcels in question have been owned by the town since 1999 and 2004. Mr. Russi said he has sat on the Parks, Open Space, Trails and Recreation committee for most of that time, and at no point had a specific use for the parcels been determined. A park has never been proposed for the site. He said he believed that some topsoil was taken for the community garden. The parcels had very rough topography that had the appearance of a rock quarry. There were lots of weeds. He thought the sleek, quiet, black appearance of the utility would be an improvement over the existing conditions.

A question was asked about low-income opportunities. Ms. Zimmerman said there is a standard that requires that a certain percentage of the panels be reserved for residents that meet the low income threshold. Administrator Baker said HUD had information on what low-income was, and that many seniors met the qualification. Councilor Leland said it was important to get the senior community involved. Ms. Zimmerman said that most of the systems CEC has installed have sold the panels within the first year, and very often they are reserved before the project is complete.

She also told the council that the Xcel Energy Award required that the project be complete by September 30, 2014, and that it would take six weeks to build. The project was fast-tracked because of the time constraint. Meetings and discussions with the neighborhood needed to take place very soon, and lease negotiations needed to be addressed quickly.

Administrator Baker said that a special council meeting could be called for on July 29, 2014, which would give staff enough time to notify the neighborhood. Staff could walk the neighborhood with flyers, speak to people as they are available, and leave flyers with requests for them to call with questions.

Staff and council discussed how notification would take place.

It was agreed that the entire town should be notified.

Councilor Metzger felt that the project was moving too quickly. She said she was not against solar, but it was too quick and she was opposed to it because of that. Councilor Stuckey was in agreement with the project, and felt it was something the town should move forward with it if they could.

Councilor Leland agreed with Councilor Stuckey, and felt it would be nice to have a solar garden here. He said he had noted that consultation with the neighbors was necessary. He thought it would improve the site.

Councilor Means thought the council should move forward and find out what the community's response would be. If the project is feasible, the town should pursue the project.

Councilor Riddile wanted to see what the community response would be, and if a significant number of people show and comment, that would be good. He felt that they could not move forward if only a few comments were received.

Mayor Gordon said that the council agreed that they would like to move forward. The first step was soliciting community input. He also felt the project was important for the town.

MOTION: Councilor Leland made a motion to hold a special town council meeting on Tuesday, July 29, 2014 at 7:00 p.m. in the Community Center, and that a general invitation be extended to the town to discuss the possibility of a community solar garden. Councilor Stuckey seconded the motion and it passed with Councilor Metzger opposing.

Consent Agenda

RFTA Grant Application (Ladder of Opportunity) Support Letter

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

Staff Reports

Town Administrator - Administrator Baker told the council that a letter had been sent to Colorado Resource Housing Development Corporation asking them to reconsider the

numbers in the pro-forma. He had spoken to Al Gold who agreed to take another look at the pro-forma, and asked for a little time. They could come to the August 5 meeting.
 Town Clerk - Deputy Clerk Andis thanked the council for providing her the opportunity to attend clerk's school.
 Public Works Director - not present

Commission Reports

Planning & Zoning Commission - nothing to report
 Historic Preservation Commission - nothing to report
 Economic Advisory Committee - nothing to report
 Senior Programs - Councilor Metzger said not many people used the Traveler in New Castle, but the use in the whole county was going up. She said the Traveler was struggling financially. Some towns were not contributing to senior programs.
 RFTA - Mayor Gordon said the RFTA meeting was good. Shelly Kaup, from GCE, gave a report to RFTA. Councilor Metzger asked about the park and ride, and Mayor Gordon said the project had gone out to bid.

Council Comments

Councilor Riddile apologized that he had not commented at the last meeting, and asked that his comment be passed along to public works. He said he was appalled at the Castle Valley HOA presentation, giving the town such negative feedback on snow removal. He felt that public works was doing a great job, and given the previous winter's unusual snow/ice situation, they had done a fantastic job as usual. He felt that the Castle Valley Ranch HOA was welcome to provide additional funding to the town for additional personnel if they wished. He felt the HOA was insulting to the public works staff.
 Councilor Leland said that Roaring Fork Outdoor Volunteers, who are building the 'high trail', would like a name for the trail. A suggestion was made to call it the "Buster Brown Trail" because the trail follows the ditch on the Buster Brown Ranch. Councilor Leland felt that council could just go ahead and name the trail, unless the HPC was inclined to consider a name at their next meeting.

MOTION: Mayor Gordon made a motion to adjourn. Councilor Metzger seconded the motion and it passed unanimously.

The meeting adjourned at 9:01 p.m.

Respectfully Submitted,


 Town Clerk Melody Harrison, CMC


 Mayor Bob Gordon



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