

New Castle Town Council Regular Meeting

Tuesday, August 15, 2023, 7:00 PM

Starting times on the agenda are approximate and intended as a guide for Council.
The starting times are subject to change by Council, as is the order of items on the agenda.

Call to Order

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

Pledge of Allegiance

Roll Call

Present Councilor Mariscal (ZOOM)
 Councilor Carey
 Councilor Hazelton (left 9:25pm)
 Mayor A. Riddile
 Councilor Copeland
 Councilor Leland (ZOOM)
 Councilor G Riddile

Absent Councilor Copeland

Also present at the meeting were Town Administrator Dave Reynolds, Interim Town Clerk Mindy Andis, Town Treasurer Loni Burk, Assistant Treasurer Viktoriya Ehlers, Town Planner Paul Smith, Town Attorney Haley Carmer and members of the public.

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

Meeting Notice

Interim Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC 2023-1.

Conflicts of Interest

No conflicts stated.

Agenda Changes

There were no agenda changes

Citizen Comments on Items not on the Agenda

There were no Citizen Comments

Consultant Reports

Consultant Attorney – present for agenda items

Consultant Engineer – not present

Items for Consideration

Town Council Meeting
Tuesday, August 15, 2023

2022 Audit Presentation - John Cutler & Associates

Town Treasurer Loni Burk told the council that John Cutler was attending to present the 2022 audited financial reports for 2022. She introduced Mr. Cutler.

Mr. Cutler greeted the council and said that first there were certain things he was required to tell the council as the governing board. He said that there were no difficulties in performing the audit, which was good. He said that there was one minor adjustment to correct the ending fund balance of about \$400.00 which is nothing to be alarmed about. He also said there were no disagreements with management, which was good. Mr. Cutler said the town did sign a letter stating the town would take responsibility for the final statements and John Cutler & Associates did not need to consult with any other auditors. He also said that New Castle is a good financially sound town which is important.

Consider a Motion to Accept the 2022 Audit as Presented

MOTION: Councilor G. Riddile made a motion to accept the 2022 Audit as presented. Councilor Carey seconded the motion and it passed unanimously.

Finance Department Update: Treasurer Loni Burk

Treasurer Burk reviewed the 2023 Financial Update with the council. The financial update is exhibit A to these minutes.

Consider Ordinance TC2023-3 - an Ordinance of the New Castle Town Council Amending Sections 15.080.020 and 15.10.020 of the New Castle Municipal Code Regarding Building Permit Valuation Calculations (1st reading)

Town Administrator David Reynolds reviewed with council the purpose of the ordinance and how the valuation calculations are done for building permit fees.

Town Planner Paul Smith reviewed his staff report with the council. The Building Valuation Data-August 2022 from the International Code Council (ICC) is exhibit B to these minutes. Planner Smith said The ICC also suggests that towns consider how much of their Building and Planning Department's annual expenses should be targeted for recapture by Building Permit Fees. Each town can look at this differently, one example given by the ICC is 75%, but there is no hard and fast rule on a proper target. Using this methodology is often difficult for towns that do not have a steady and predictable number of new Building Permits each year. Unless the town can accurately guess the number of new permits that will be issued and can also guess the value of each new home built, this method only works as a rough target. In tracking our budgeted numbers for the past six years staff estimates that using the published ICC Tables without applying a multiplier resulted in an average recapture of 54% of our Building and Planning Expenses. During that same period the application of a 1.3% multiplier would have resulted in a 71% recapture of Building and Planning Expenses. It is important to note that the fewer homes that are permitted, the greater the overall budget deficit to the town (expenses continue, but revenues decline). To date in 2023 the town has issued four new home permits out of the twenty that were targeted for the year. We now expect to end the year with twelve new home permits. Accurately forecasting new home construction is next to impossible in the current building environment. In addition to the above, Council may also consider that the proper assessment of new building values during the permitting process has a direct correlation to the amount of Use Tax collected. Undervaluing new homes will result in the undercollection of taxes due to the town on building materials coming into the town. Overvaluing a new home can result in the over collection of Use Tax. The building permit

fees are part of the fee schedule, which is adopted yearly, therefore the multiplier can change. Staff suggested implementing the change starting January 1, 2024.

MOTION: Councilor G. Riddile made a motion to approve the Ordinance TC2023-3 an Ordinance of the New Castle Town Council Amending Sections 15.080.020 and 15.10.020 of the New Castle Municipal Code Regarding Building Permit Valuation Calculations (1st reading) with changes to start date of January 1, 2024. Councilor Hazelton seconded the motion, and it passed on a roll call vote: Councilor Leland: Yes; Councilor Carey: Yes; Councilor Hazelton: Yes; Mayor A. Riddile: Yes; Councilor G. Riddile: Yes; Councilor Mariscal: Yes.

Resolution TC 2023-8 - A Resolution Of The Town Of New Castle Town Council Supporting The Application For a Grant From The Garfield County Federal Mineral Lease District For Emergency Road Signage, Message Board & Safety Barricades

Administrator Reynolds said The Town is seeking a \$25,000 Mini Grant to purchase approximately \$30,000 in Emergency Safety Equipment which consists of a new digital message board, emergency response signage, and movable safety barricades.

MOTION: Councilor G. Riddile made a motion to approve Resolution TC2023-08 Resolution of The Town of New Castle Town Council Supporting The Application For a Grant From The Garfield County Federal Mineral Lease District For Emergency Road Signage, Message Board & Safety Barricades. Councilor Carey seconded the motion and it passed unanimously.

Resolution TC 2023-9 - A Resolution of The Town of New Castle Town Council Supporting the Application For a Grant From The Garfield County Federal Mineral Lease District For The Raw Water Irrigation Expansion

Administrator Reynolds said the town is seeking a \$365,000 grant to complete a \$730,640 project which is designed to expand our Raw Water Irrigation System.

MOTION: Mayor A. Riddile made a motion to approve Resolution TC2023-09 Resolution of The Town of New Castle Town Council Supporting the Application for a Grant from The Garfield County Federal Mineral Lease District The Raw Water Irrigation Expansion. Councilor Carey seconded the motion and it passed unanimously.

Executive Session (1) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S Section 24-6-402(4)(e) concerning the Kamm lot lease

Motion: Councilor Leland made a Motion at 8:13 p.m. to go into Executive Session (1) for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e) concerning the Kamm lot lease.

Mayor A. Riddile 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 9:00 p.m. and the executive session has been concluded. The participants in the executive sessions were: Councilor Mariscal; Councilor Carey; Councilor Hazelton; Mayor A. Riddile; Councilor Leland; Councilor G Riddile; Town Treasurer Burk, Assistant Town Treasurer Ehlers, Town Administrator Reynolds, Interim Town Clerk Andis, Town Attorney Carmer. 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.

Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I) for an evaluation of the Town Administrator, 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.

Motion: Councilor Leland made a Motion at 9:01 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 Administrator, 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. Mayor A. Riddile 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 9:24 p.m. and the executive session has been concluded. The participants in the executive sessions were: Councilor Mariscal; Councilor Carey; Councilor Hazelton; Mayor A. Riddile; Councilor Leland; Councilor G Riddile; and Town Administrator Reynolds. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record."

No concerns were stated.

Consent Agenda

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

one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

August 1, 2023 minutes

MOTION: Mayor A. Riddile made a motion to approve the consent agenda. Councilor Carey seconded the motion and it passed unanimously.

Staff Reports

Town Administrator – Administrator Reynolds said a professional contractor has been hired to complete a salary analysis for the town. All the data has been sent over to the contractor and they are working on it. In the meantime, Administrator Reynolds has reached out to do his own survey focusing on the Police Department. Staff salaries have gone a long way and the council has not hesitated to look out for the staff and it is very much appreciated. He hopes to have the survey back by the council retreat. The consulting firm should report back not only on salary but also how competitive the town is with benefits. Administrator Reynolds said he had received a letter from John Harcourt, Cub Scout Troop leader. The letter stated from the sales the troop does has raised enough money to donate approximately 50 flags to the town. The Cub Scouts would like for the town to place the flags on poles along the sidewalk on Main Street.

The council agreed not to have the flags line Main Street but to offer the flags businesses to place on their buildings.

Administrator Reynolds said he received a call from a local woman who is interested in restoring the two murals at the Community Center. She did send in her portfolio, and she manages murals all over the world.

Administrator Reynolds reminded the council that the council retreat is September 23, 2023.

Town Clerk – Interim Town Clerk Andis said her department has arranged for a tour of the water and wastewater plants if anybody is interested.

Town Treasurer –Assistant Treasurer Ehlers introduced Staff Accountant Lori Welch to the council. Council welcomed Staff Accountant Welch. Assistant Treasurer Ehlers said the department duties have been split up. Finance Assistant Michelle Mills will handle all the money going out, Staff Accountant Welch will handle all the money coming in. Assistant Treasurer Ehlers said she has completed several annual audits and renewals.

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 – nothing to report

Senior Program – nothing to report

RFTA –Mayor Riddile stated RFTA is also in budget season, and they are projecting a 10 percent increase in health care cost.

AGNC – nothing to report
GCE -nothing to report
EAB – nothing to report
Detox – nothing to report

Council Comments

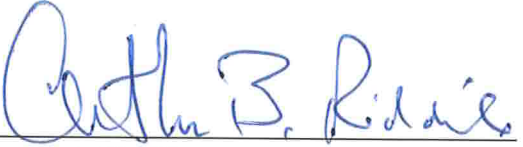
Councilor Carey said there was a bear and cub in the creek Friday night. She has reported the sighting to the Parks and Wildlife.

Councilor G. Riddile said he would like to discuss food trucks in town.

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

The meeting adjourned at 9:43 p.m.





Mayor Art Riddile



Interim Town Clerk Mindy Andis, CMC