



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

Agenda

New Castle Town Council Regular Meeting

Tuesday, April 16, 2024, 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.

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet:

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

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your phone to mute until called on

Call to Order

Pledge of Allegiance

Roll Call

Conflicts of Interest

Meeting Notice

Agenda Changes

Citizen Comments on Items not on the Agenda

-Comments are limited to three minutes-

Consultant Reports

Consultant Attorney

Consultant Engineer

Items for Consideration

A. Oaths of Office - Councilor Grady Hazelton, Councilor Graham Riddile and Councilor Crystal Mariscal

B. Roll Call

C. Conflicts of Interest

D. Oath Office – Municipal Judge Timothy Graves

E. Consider Appointment of Town Prosecutor

- F. Consider a Letter of Interest from Derek Anglemyer for Reappointment to Seat on Climate and Environment Commission**
- G. Consider a Letter of Interest from Sharon Morris for Reappointment to Seat on Climate and Environment Commission**
- H. Consider a Letter of Interest from Brian Westerlind for Reappointment to Seat on Planning & Zoning Commission**
- I. Consider a Letter of Interest from Beth Sass for Reappointment to Seat on Planning & Zoning Commission**
- J. Consider a Letter of Interest from Alison Cotey for Reappointment to Seat on Planning & Zoning Commission**
- K. Consider a Letter of Interest from Jason Auslander for Appointment to Seat on Planning & Zoning Commission**
- L. Consider a Letter of Interest from Tyler McAnelly for Appointment to Seat on Planning & Zoning Commission**
- M. Consider a Letter of Interest from Richard Fletcher for Reappointment to Seat on Historic Preservation Commission**
- N. Consider a Letter of Interest from Mari Riddile for Reappointment to Seat on Historic Preservation Commission**
- O. Consider Nominations for Mayor Pro Tem**
- P. Consider Setting Terms for Council Members on Planning & Zoning Commission, Historic Preservation Commission, Economic Advisory Committee, Climate Action Advisory Commission, Public Works, Public Safety, Personnel and Finance Committees. Also Seats on RFTA, GCE, AGNC, Senior Programs and EAB**

Recess the Town Council Meeting, Convene the Water & Sewer Enterprise

Q. 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 Tap Fee Refund

R. Consider Tap Fee Refund

Adjourn the Water & Sewer Enterprise, Reconvene the Town Council Meeting

S. Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS Section 24-6-402(4)(b) regarding pending litigation against CVR Investors, Inc.

T. 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 6th Street Lot

U. Consider Purchase Agreement for the Sale of 600 W. Main Street (6th Street Lot).

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.

[April 2, 2024, Minutes](#)

Consider Approving a Service Agreement for Town Prosecutor

Staff Reports

Town Administrator

Town Clerk

Town Treasurer

Town Planner

Public Works Director

Commission Reports

Planning & Zoning Commission

Historic Preservation Commission

Climate and Environment Commission

Senior Program

RFTA

AGNC

GCE

EAB

Detox

Council Comments

Items for Future Council Agenda

Adjourn

JOHN C. COLLINS, P.C.

Attorney at Law

P.O. Box 664
Glenwood Springs, Colorado 81602

Phone: 970-379-1472
Email: collinslawpc@gmail.com

April 1, 2024

Ms. Mindy Andis
Town / Court Clerk
Town of New Castle, Colorado

Town Council
Town of New Castle, Colorado

Re: Municipal Prosecutor

Dear Ms. Andis and Town Council,

It is a pleasure and honor having the opportunity to apply for your upcoming Municipal Prosecutor position. I have attached a copy of my resume for your review.

It was bitter-sweet, honestly, when I pulled-up my resume, as I have not done so for over 20 years. Bitter in that I cannot believe that it's been 32 years since I graduated from law school and that somehow, I am now 59 years old. Sweet in that everything listed on my resume brought back only great memories.

I understand that you're probably not interested in all of those old positions listed on my resume, but instead of re-working a new one, I decided to just give you what I have because it still does give you a "snapshot" of my education and experience. Oh, I just noticed, I guess the old stuff may be relevant after-all in that it shows that I was employed as a Municipal Prosecutor for the Cities of Minneapolis and St. Paul during my third-year of law school (it was an accomplishment to be sworn in as a "student attorney" in those days...again good memories).

I am an energetic and young feeling 59-year-old and fully intend on working for at least another ten-years. Interestingly (to me anyway) as I write this, I find myself feeling both nervous and excited, so, I must still be young. Anyway, if hired, you do not have to worry about me retiring, thereby causing you to go through this hiring process again within the next few years.

As you can see on my resume, I currently enjoy the following contracts, all since 2000.

Municipal Prosecutor, City of Glenwood Springs, Colorado.
Municipal Judge, Town of Carbondale, Colorado.
Municipal Judge, Town of Basalt, Colorado.
Special Assistant Eagle County Attorney, Eagle County, Colorado.

I no longer practice family law, personal injury law or really, take any private cases at all anymore. It has been years since I entered into a private case and when I do, it is usually for a friend or someone who just needs an attorney.

In addition to the above-contracts, I fill-in as both Municipal Prosecutor and Municipal Judge in several municipalities, when needed. You likely know this as I have been covering prosecution in New Castle for Tim Graves for several years now. Ms. Andis has compensated me in the form of New Castle coffee mugs, which is why you have not received a bill from me. Prior to covering for Tim, I was actually your back-up Municipal Judge for Judge Hugh Warder. I voluntarily passed that baton to Amanda Maurer when she arrived on the scene.

A few significant advantages you have with me are:

My experience and knowledge of New Castle: I know how to prosecute municipal cases and know the philosophy of your small town with respect to doing so. If chosen, I would immediately meet with your police department and / or representative of your council to ensure that. I am still learning and am getting better at prosecuting, but you can be rest-assured that if hired, I would "hit the ground" running.

I would not be using the prosecutor position, or your Municipal Court for that matter, as a vehicle to gain experience or to make a name for myself. Hiring someone with those goals would result in an unnecessary expense to you in that there would be unnecessary trials and Court appointed public defenders. Yes, trials are sometimes necessary and every Defendant can request one, however, I have found that most cases can be resolved short of trial. A proper plea-bargain can leave the town satisfied by receipt of a fine, while at the same time, leaving the Defendant satisfied in that he or she got a fair shake from the town. There is such a thing as a Defendant acknowledging their wrong, paying a fine and leaving the building with nothing but respect for the town, police department and court. Efficient and fair resolution of both traffic and criminal cases, in my opinion, should be the chief goal for your prosecutor; also taking into consideration that these Municipal Court appearances are most often the only court appearances these Defendants will ever make.

Since I do not take private cases, it is extremely rare for me to be conflicted-out of cases. With me, you will have minimal need to pay for substitute prosecutors.

I understand that, if hired, I represent New Castle in my personal life as well. All of you, and I, happily share that responsibility. I still make mistakes, but you can be confident that my mistakes are not linked to dishonesty or any other off-duty behaviors that would embarrass or otherwise cast the Town of New Castle in a negative light.

There are more qualities I have and reasons you should choose me, such as my reliability, but I am tired of talking about myself here. I am hopeful that the above is sufficient to grant me the honor and privilege of meeting with all of you in person to further discuss.

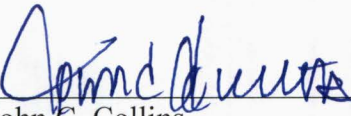
Oh, as far as money, I am thinking flat-fee, five-or-six hundred dollars per month? Open for discussion of course as I have not put too much thought into that, nor have I reviewed Tim's contract with you.

I really appreciate the opportunity of being able to make this application with you and for being assessed for the job. You are all invited to contact me if you need anything else or have any questions of me.

p.s.: noting that it is April 1, I hope you do not find me foolish in making this application.

Very truly yours,

JOHN C. COLLINS, P.C.



John C. Collins

JOHN CHRISTOPHER COLLINS

P.O. Box 664

Glenwood Springs, Colorado 81601

970-379-1472

EDUCATION

William Mitchell College of Law, Saint Paul, Minnesota

Degree: Juris Doctor, June 1992

Licenses: Minnesota State Bar, October 1992

Colorado State Bar, December 1998

United States District Court, March 1995

Eighth Circuit Court of Appeals, June 1996

College of Saint Thomas, Saint Paul, Minnesota

Degree: Bachelor of Arts, Business Administration, May 1989

Major: Economics Minor: Finance

**PROFESSIONAL
EXPERIENCE**

Attorney, Private Practice

JOHN C. COLLINS, P.C., Glenwood Springs, Colorado

January 2000 – Present

- General practice concentrating in the areas of criminal and personal injury law
- Municipal Court Judge: Carbondale & Basalt, Colorado
- City Prosecutor: Glenwood Springs, Colorado
- Associate City Prosecutor: Rifle, Colorado
- Special Assistant County Attorney, Eagle County, Colorado

Legal Advisor, Financial Officer

D. HAVILAND HOSPITALITY, Boulder, Colorado

June 1997 – December 1999

- Provide legal service in the areas of employment, contract and tax law
- Perform general accounting duties

Assistant Public Defender

THIRD JUDICIAL DISTRICT, Rochester, Minnesota

January 1994 – May 1997

- Provide public defense to indigent clients charged with felony offenses
- Provide public defense to juveniles and interested parties in CHIPS petitions

Associate Attorney

WARREN F. PLUNKETT & ASSOCIATES, Austin, Minnesota

October 1993 – January 1996

- General practice concentrating in the areas of criminal, employment and personal injury law
- Appellate litigation before the Minnesota Supreme Court and Eighth Circuit Court of Appeals

Judicial Law Clerk

HONORABLE JAMES PREECE, Bemidji, Minnesota

August 1992 – October 1993

- Legal research and writing
- Brief judge on substantive legal issues prior to court hearings

**OTHER
EXPERIENCE**

Law Clerk

RAMSEY COUNTY DISTRICT COURT, Saint Paul, Minnesota

June 1990 – August 1992

- Temporary revolving assignment among 26 District Court Judges
- Legal research and writing

Certified Student Attorney

HENNEPIN / RAMSEY COUNTY, Saint Paul, Minneapolis, Minnesota

June 1990 – August 1992

- Prosecution of traffic and municipal offenses
- Representation of parties in Parental Notification Hearings

References to be furnished upon request

Mindy Andis

From: Sales West Canyon <sales@westcanyonnurseries.com>
Sent: Wednesday, March 27, 2024 10:09 AM
To: Mindy Andis
Subject: Re: Reappointment CEC

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Here it is, let me know if you need anything else on this. On another note can you update my email to derek@westcanyonnurseries.com

My name is Derek, I am the owner of West Canyon Nurseries just east of town. Bruce Leland approached me at the last chamber of commerce meeting and said that there was an opening on this committee. I'd love to volunteer for it.

A little background on me: we bought the farm in 2018 and my wife and I run the business together. We are a full service nursery/garden center serving the roaring fork valley mainly. We enjoy being involved in the community and I would love to participate in the committee.

Thanks,

Derek

On Wed, Mar 27, 2024 at 10:03 AM Mindy Andis <mandis@newcastlecolorado.org> wrote:

Either is fine.

Mindy Andis, CMC

Town Clerk/Court Clerk

Town of New Castle

450 W. Main St.

PO Box 90

New Castle, CO 81647

Office (970)984-2311

Fax (970) 984-2716

From the Desk of Sharon Morris

New Castle Resident, Climate and Environmental Commission Member

April 10, 2024

Dear New Castle Town Council Members:

In February 2024, the New Castle Town Council appointed me to take over an empty seat on the New Castle Climate and Environment Commission. The term ends this month and I would like to join for the next term.

Like many in New Castle, I moved here for the outdoor beauty and would like to do what I can to sustain and improve our community. We can all do our part to reduce negative impacts on the climate. I also feel that civic service is an important contribution to our community.

I work from home and have flexibility in being engaged in meetings and other work of the commission.

Thank you for your consideration.

Sincerely,

Sharon Morris

257 Avery Court, New Castle

Morris.sharon@gmail.com

Brian Westerlind
58 Eagle Falls, New Castle, CO 81647
(970) 274-4407
brian@olafjean.com



Letter of Interest for Planning and Zoning Commission

Members of the Council,

Thank you for the opportunity to serve the Town of New Castle for the last 4 years sitting as Commissioner on the Planning and Zoning Commission. I would like to take this formal opportunity to submit myself as candidate to serving another 4 year term as Commissioner.

I have felt my input to be essential in assuring the smart growth of the Town, helping assure the best future for our town. I strive to hold developers responsible for their role in the growth of our unique and special environment created by the town, while encouraging the growth planned within the long term growth model developed and published by the Council. I feel its essential as a Commission to assure projects adhere to the town's standards, without overreaching the mission of the Commission.

Long term, I have two projects that I am passionate about in regards to the PnZ's role in developing our future town. The first I hope to help guide the town in improving the highway-front side of the town, beautifying and improving the aesthetics along the most public face of the town. Secondly I hope to encourage the town to adopt a model for the development of homes allowing a green roof model.

Thank you for your time in discussing my potential as continuation in my role as Commissioner on the Planning and Zoning Commission.

Thank you,

Brian Westerlind
Olaf Jean Construction & Eagle West Realty
Resident, Town of New Castle, CO
(970) 274-4407
brian@olafjean.com

Mindy Andis

From: Remi Bordelon
Sent: Tuesday, January 30, 2024 8:33 AM
To: Mindy Andis
Subject: FW: P&Z Term End for 2024

P&Z Letter of Interest for Council's consideration.
Beth Sass.

Thank you,



Remi Bordelon, CMC

Deputy Town Clerk

Town of New Castle, Colorado

450 W Main Street

PO Box 90

New Castle, CO 81647

Office: 970-984-2311

Fax: 970-984-2716

www.newcastlecolorado.org

From: beth sass <bsass8963@gmail.com>
Sent: Sunday, January 28, 2024 6:38 PM
To: Remi Bordelon <rbordelon@newcastlecolorado.org>
Subject: Re: P&Z Term End for 2024

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Dear New Castle Town Commissioners:

I would like to continue in my position on the Planning and Zoning Commission for the Town of New Castle. I feel as though I understand the role and I also am confident that I am an advocate for our community during our meetings. I feel confident that I can continue to be a productive and positive contributor to P&Z. Please accept this letter as my request to serve on P&Z. Thank you.

On Fri, Jan 26, 2024 at 9:57 AM Remi Bordelon <rbordelon@newcastlecolorado.org> wrote:

Good morning,

Please note that your term as a commissioner on the Planning & Zoning Board will expire in April 2024. If you would like to continue to serve, please provide a **letter of interest** to the Clerk's Office (email is sufficient) no later than **March 1, 2024**. A public notice for the available seats will also be advertised with the same deadline (announcement attached). Council will review the letters of interest, consider, and

Mindy Andis

From: Remi Bordelon
Sent: Friday, February 9, 2024 9:14 AM
To: Mindy Andis
Subject: FW: P&Z Term End for 2024

Letter of Interest for Allison Cotey for P&Z.

Thank you,



Remi Bordelon, CMC
Deputy Town Clerk
Town of New Castle, Colorado
450 W Main Street
PO Box 90
New Castle, CO 81647
Office: 970-984-2311
Fax: 970-984-2716
www.newcastlecolorado.org

From: Alison Cotey <alisoncotey@gmail.com>
Sent: Thursday, February 8, 2024 7:20 PM
To: Remi Bordelon <rbordelon@newcastlecolorado.org>
Subject: Re: P&Z Term End for 2024

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Good Evening,

I would like to submit my letter of interest to continue my serve on the planning and zoning committee for another term. I have served since 2018, and served as vice chair since 2022, and in that time have helped to support the town through several conditional use permits, land use applications and approvals. As an AICP certified planner and a Colorado licensed landscape architect, I believe I bring a unique perspective and important skills to the commission and the town. Additionally, over the past few years, I increased my knowledge and awareness of the code, policy and procedures of the town to help improve the role I play on the commission.

Thank you in advance for the consideration, it is a great honor for me to serve my community through P&Z.

Alison

On Fri, Jan 26, 2024 at 8:57 AM Remi Bordelon <rbordelon@newcastlecolorado.org> wrote:

Mindy Andis

From: jason auslander <slander99@yahoo.com>
Sent: Thursday, March 14, 2024 1:44 PM
To: Mindy Andis
Subject: Planning and Zoning Commission

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mindy,

I saw the note in the town newsletter and want to volunteer for one of the open spots on the New Castle Planning and Zoning Commission.

I moved to New Castle a little over a year ago and live on the west end of Main Street. I work for Black Hills Energy as a community affairs manager, though prior to that I was a newspaper reporter and journalist for most of my career. In my capacity as a reporter, I covered countless public meetings so I well understand how the commission works.

Please let me know if I can be of service.

Best,

Jason Auslander
792 W. Main St.

Tyler G. McAnelly

645 Night Shade Ct, New Castle, CO 81647 • (970) 481-8764 • tyler.mcanelly@gmail.com

To the Town of New Castle,

I am very interested in becoming your next Planning and Zoning Commissioner.

I'm an attorney for Garfield County, I live in New Castle with my partner who works for the Town. I ride the trails, eat Hogback Pizza to ensure that all that biking I am doing means nothing, and I am one of the bigger New Castle fanboys I have met.

I am also relatively qualified to be on a planning and zoning commission. My work has moved into some land use and development work (specifically at the Airport in Rifle) and has made me realize that I am much more interested in development and planning than I ever thought I would be. I am familiar with planning and zoning principles and process and somewhat familiar with the Town comprehensive plan, regulations and zoning, as well as some of the unique issues the Town is currently working through land use wise.

More importantly, I care about this place where I live and play. New Castle is going to grow and develop. It is too prime of a place not too. But doing my part to ensure that growth is smart, inclusive, sustainable, and responsive to the needs of the people that live here is why I want to be a part of this.

Let's talk more, I will work for free.



Mindy Andis

From: Remi Bordelon
Sent: Monday, February 26, 2024 8:02 AM
To: Mindy Andis
Subject: FW: HPC term renewal

From: RUTH FLETCHER <deuce191@comcast.net>
Sent: Saturday, February 24, 2024 6:44 PM
To: Remi Bordelon <rbordelon@newcastlecolorado.org>
Subject: HPC term renewal

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Remi,
I would like to continue on the HPC for another term, to continue being a part of the projects we have going.
Thank you,
Richard C. Fletcher

Mindy Andis

From: Remi Bordelon
Sent: Wednesday, February 28, 2024 3:03 PM
To: Mindy Andis
Subject: FW:

From: Mari Riddile <maririddile@gmail.com>
Sent: Wednesday, February 28, 2024 3:01 PM
To: Remi Bordelon <rbordelon@newcastlecolorado.org>
Subject:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Remy - Better late (while not quite) than never...here is my letter for the council for HPC.

February 28, 2023

Dear Mr. Mayor and Town Councilors,

I would very much like to continue as a member of the Historic Preservation Commission. HPC is doing exciting things and I look forward to continuing with the Commission's work.

Very truly yours,

Mari Riddile

1 **New Castle Town Council Regular Meeting**
2 **Tuesday April 2, 2024, 7:00 PM**
3

4 **Call to Order**

5 Mayor Pro Tem Grady Hazelton called the meeting to order at 7:20 p.m.
6

7 **Pledge of Allegiance**
8

9 **Roll Call**

10 Present Councilor Carey
11 Mayor Pro Tem Hazelton
12 Councilor Copeland
13 Councilor Leland
14 Councilor G Riddile
15

16 Absent Mayor A. Riddile
17

18 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Mindy
19 Andis, Town Treasurer Viktoriya Ehlers, Assistant Town Attorney Haley Carmer, and
20 members of the public.
21

22 **MOTION: Pro Tem Hazelton made a motion to approve Mayor A. Riddile absence.**
23 **Councilor Mariscal seconded the motion and it passed unanimously.**
24

25 **Meeting Notice**

26 Clerk Andis verified that her office gave notice of the meeting in accordance with
27 resolution TC 2024-1.
28

29 **Conflicts of Interest**

30 Councilor G. Riddile he would be recusing himself from item E. The discussion regarding
31 the sale of the 6th Street lot.
32

33 **Agenda Changes**

34 There were no agenda changes.
35

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

37 There were no Citizen Comments.
38

39 **Consultant Reports**

40 Consultant Attorney –present for agenda items only.
41 Consultant Engineer – not present
42

43 **Items for Consideration**
44

1 **Thank You – Municipal Judge Amanda Maurer Miller for Seventeen Years of**
2 **Service to the Residents of the Town of New**

3 Town Clerk Mindy Andis said Judge Amanda Maurer Miller will not be asking for
4 reappointment as municipal judge. Municipal Judge Amanda Maurer Miller has been judge
5 for the Town of New Castle for seventeen years. Clerk Andis said Judge Maurer was
6 originally appointed as Assistant Municipal Judge to Judge Hugh Warder in 2007. In 2009
7 Judge Maurer became the New Castle’s Traffic Judge. Following Judge Warder’s retirement
8 in 2012, Judge Maurer was named as New Castle’s full time Municipal Judge. The Town of
9 New Castle is grateful for Judge Maurer’s years of service to the town. Amanda Maurer
10 made a huge difference in our community and will be missed by all.

11 Town Council thanked Judge Maurer for her seventeen years of service to the Town. Clerk
12 Andis present Judge Maurer with a plaque and crystal gavel.

13 Judge Maurer thank town council and town staff for the opportunity to serve as the
14 municipal judge for those years. She has enjoyed being the judge for New Castle and she
15 will miss it.

16
17 **Presentation from Garfield County Libraries**

18 Town Administrator Dave Reynolds said Jamie LaRue Garfield County Library’s Executive
19 Director, will present a county wide project that the library staff worked on in late 2023
20 and completed in early 2024. (Exhibit A)

21 Mr. LaRue said staff members from each branch of Garfield County Library took time to
22 personally interview 85 community, business, and volunteer leaders from various parts of
23 the county to ask them what drives them, what are they passionate about, what matters
24 most over the next two years, and what are their aspirations for the community.

25 Councilor Carey said she was grateful for all the work that has been done and she will
26 continue to support the county libraries.

27 Mayor Pro Tem Hazelton asked about the effects of social media on children. Mr. LaRue
28 said studies have shown that a screen should not be put in front of a child before the age
29 of four unless it is educational, and the parent is interactive with the child.

30 Councilor Leland said the library has rejoined Garfield Clean Energy. They were charter
31 members and member for a long time until the library budget went down.

32
33 **Introduction: Professional Assistant Michelle Huster and Assistant Treasurer**
34 **Jolene (Josie) Wood**

35 Clerk Andis introduced Michelle Huster to the council. Ms. Huster joined the Clerk’s
36 Department as the Professional Assistant to the Town Clerk on March 4, 2024 and has
37 been doing a terrific job of learning the many responsibilities and roles that come with her
38 front office position. Staff is excited to have Ms. Huster as part of the New Castle team.

39
40 Town Treasurer Viktoriya Ehlers introduced Jolene (Josie) Wood to the council. Treasurer
41 Ehlers said Ms. Wood joined the Finance Department as Assistant Town Treasurer on
42 February 26, 2024. Ms. Wood will be concentrating on payroll, she has done a great job of
43 learning our systems and is working toward becoming our payroll administrator. Ms. Wood

1 has been a huge help to the department and assistant to Treasurer Ehlers.

2

3 Parks Manager Ryan Barkman introduced Cody Hunstad, Parks Foreman. Manager
4 Barkman said Mr. Hunstad has been with the town for a couple of years working and
5 taking care of the town's parks.

6

7 The council welcomed new town employees and new team members.

8

9 **Arbor Day Proclamation**

10 Mayor Pro Tem Hazelton read the proclamation into the record.

11 Manager Barkman said the Town of New Castle is celebrating 20 years of being part of
12 Tree City USA. There is a lot of work that goes into being part of the program such as how
13 many trees are planted and taking care of the trees. The Arbor Day celebration will be
14 April 26, 2024, at 10:30am at Bear Dance Park. The Boys Scouts have been invited to join
15 in on the celebration. Manager Barkman also extended an invitation to the town council
16 and to staff to participate. Foreman Hunstad said a Sienna Glenn Maple tree has been
17 picked out to be planted this year. The tree grown to be about 50 feet tall and it's a fast-
18 growing tree. Currently the tree is about 12 feet tall and easy to plant.

19 Mayor Pro Tem said three of the trees from the plaza area were able to be transplanted.

20 Manager Barkman said those trees were planted at Public Works by the bulk water
21 station. The other trees could not be saved because of the underground utilities.

22 Administrator Reynolds thanked the parks department for doing such a great job in
23 keeping the parks looking great. He said the parks department is currently looking for
24 parks seasonals and they were also at the CMC job fair recruiting for the parks
25 department.

26

27 **Proclamation Recognizing Parkinson's Awareness Month**

28 Mayor Pro Tem Hazelton read the proclamation into the record.

29 Mayor Pro Tem Hazelton presented the proclamation to Mr. Larry Metzger, a New Castle
30 resident. Mr. Metzger wife Mary Metzger former town councilor passed away from
31 Parkinsons. Mr. Metzger said the summer of 2023 was a 5k and a 10k run/walk in Basalt.
32 The run/walk was to raise awareness and a fundraiser. The event raised over \$52,000.00.

33

34 **Discussion Regarding Appointing a Municipal Prosecutor**

35 Administrator Reynolds said during the regular council meeting held on March 19, 2024,
36 the council appointed our current Municipal Prosecutor Tim Graves to become our new
37 Town Judge beginning in April. The town's current Assistant Municipal Prosecutor John
38 Collins has voiced an interest in moving up and filling the open Municipal Prosecutor
39 position on a full-time basis. Mr. Collins has been the Assistant Prosecutor for little over
40 two years and has done a great job of filling in for Mr. Graves when needed. Staff would
41 like to review Mr. Collins qualifications with the town council and determine the best path
42 forward for selecting a new Town Prosecutor.

43 Councilor Leland asked if Mr. Collins prosecuted cases in this court.

1 Clerk Andis said yes. Mr. Collins has had a handful of cases and is familiar with this court.
2 She said she is comfortable working with him and is easy to work with. Mr. Collins is the
3 Municipal Prosecutor in Glenwood Springs and the Municipal Judge in Carbondale and
4 Basalt.
5 The council discussed having Mr. Collins come to the next council meeting for an interview
6 and to meet him.

7
8 **Executive Session for a conference with the Town Attorney for the purpose of**
9 **receiving legal advice on specific legal questions under CRS Section 24-6-**
10 **402(4)(b) regarding pending litigation against Castle Valley Ranch Investors**

11
12 **Motion: Councilor Leland made a Motion at 8:05p.m. to go into Executive Session**
13 **for a conference with the Town Attorney for the purpose of receiving legal advice**
14 **on specific legal questions under CRS Section 24-6-402(4)(b) regarding pending**
15 **litigation against Castle Valley Ranch Investors. Councilor Copeland seconded**
16 **the motion and it passed unanimously.**

17
18 **Executive Session for a conference with the Town Attorney for the purpose of**
19 **receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) for**
20 **the purpose of determining positions relative to matters that may be subject to**
21 **negotiations concerning the 6th Street Lot.**

22
23 **Motion: Councilor Leland made a Motion at 8:05p.m. to go into Executive Session**
24 **for a conference with the Town Attorney for the purpose of receiving legal advice**
25 **on specific legal questions under C.R.S. 24-6-402(4)(b) for the purpose of**
26 **determining positions relative to matters that may be subject to negotiations**
27 **concerning the 6th Street Lot. Councilor Copeland seconded the motion and it**
28 **passed unanimously.**

29 Councilor G. Riddile left at 9:00 pm.
30 Councilor G. Riddile returned at 9:07p.m

31
32 Executive session concluded.
33 At the end of the executive session, Mayor Pro Tem Hazelton made the following
34 statement:

35 "The time is now 9:07p.m. and the executive session has been concluded. The
36 participants in the executive sessions were: Councilor Mariscal, Councilor Carey,
37 Councilors Copeland, Councilor G Riddile, Councilor Leland, Town Administrator Reynolds,
38 Town Clerk Andis, Assistant Town Attorney Haley and Town Treasurer Ehlers. For the
39 record, if any person who participated in the executive session believes that any
40 substantial discussion of any matters not included in the motion to go into the executive
41 session occurred during the executive session, or that any improper action occurred
42 during the executive session in violation of the Open Meetings Law, I would ask that you
43 state your concerns for the record."

1 No concerns were stated.

2

3 **Consent Agenda**

4 March 19, 2024

5 March Bills \$639,411.17

6 Resolution TC 2024-11 - Approving an MOU with Garfield County for Mosquito Control

7 **MOTION: Councilor G. Riddile made a motion to approve the consent agenda.**

8 **Councilor Carey seconded the motion and it passed unanimously.**

9

10 **Staff Reports**

11 **Town Administrator** – Administrator Reynolds said at the last council retreat there was
12 not a decision made on when to have the next retreat. The next council retreat was
13 decided to be on September 28, 2024. He said council had discussed having a work
14 session to discuss building a rec center and preparing a survey. Administrator Reynolds
15 met with the manager of Town of Debeque since they have a new rec center. He also took
16 a tour of the rec center at Battlement Mesa. The rec centers are two different operations
17 and to see what that looks like. Administrator Reynolds said town staff will be hosting the
18 New Castle Chamber BINGO on June 13, 2024. He said the town is applying for an AGNC
19 Technical Grant which is due next week. There are a couple of different grants written: 1)
20 traffic control devices specifically for Midland Ave. 2) help downtown businesses. The town
21 can only submit one. AGNC will give a technical grant and the town is asking for
22 \$5,000.00, then the town would match from the downtown group. Then, the town would
23 open outgoing grants to downtown businesses which are forward faces to Main Street. The
24 money could be used for new paint, new signs and etc. The council agreed to apply for the
25 grant to help the businesses. Administrator Reynolds said the City of Glenwood Springs
26 completed a regional traffic study. From the study the City of Glenwood Springs wants to
27 create a traffic coalition and wants the Town of New Castle to be part of the coalition.
28 Administrator Reynolds said the Carrier Neutral Location (CNL) had meetings with Garfield
29 County and the other towns. The discussion was since there is a building for CNL what
30 happens next. There was an RFP to internet providers for who is interested and what it
31 would look like. There have been interviews with 6 different internet providers. Out of the
32 6 there are two providers for second interviews. The ownership of the building and the
33 equipment is becoming complicated. Garfield County Commissioners has said they are not
34 in the internet business and the CNL's to go to the towns. The town was very deliberate
35 up front by stating the town would lease the property, but the town doesn't want the
36 maintenance of the facility until we know more about the pros and cons to the town.
37 Mayor Pro Tem Hazelton asked about the insurance. Administrator Reynolds said the
38 insurance is all part of the maintenance and ownership of the building. He said the
39 purpose of this was the federal and state was putting out money to provide services to the
40 underserved communities. The privilege was for smaller towns to have competing
41 providers. When the state started to map what they considered underserved didn't include
42 the town proper because the town already has high speed internet. Administrator
43 Reynolds said there was a gas line that was hit at the round-about construction site. He
44 said he has been going through council retreat notes, there was discussion about open
45 houses for residents to come talk to council and to staff. Staff had an idea to make the
46 open house more appealing. Staff suggested having an ice cream social at Burning

1 Mountain Park in June, serve ice cream and talk with residents. Administrator Reynolds
2 said Town Attorneys David McConaughy and Haley Carmer will be doing an orientation to
3 council and commissioners on "do's and don'ts.) Administrator Reynolds said he and staff
4 has a meeting with a realtor to talk about the old schoolhouse. Administrator Reynolds
5 said he will be going on vacation in May and will not be available from May -21, 2024.
6 **Town Clerk** –Clerk Andis handed out the council appointment list for council to review.
7 She said the clerk's office has started working 4-day 10 hour work week. Staff will come
8 in at 6am and work until 5pm with an hour lunch. The Town Hall hours of operation will
9 not change. Assistant Huster will have Tuesday's off, Clerk Andis will have Wednesday's
10 off and Deputy Clerk Bordelon will have Thursday's off. The reasoning for the days off is
11 because of the meeting nights. However, the nights of the meeting staff will come in at
12 8am and work until 5pm and be back for the meeting. This is a month's trial to see how
13 staff likes the new hours. Since town hall hours are not being affected there is no harm no
14 foul if it doesn't work or if the new hours don't work for a staff member they can work the
15 normal 8am-5pm week.
16 **Town Treasurer** – Treasurer Ehlers said the parks department has received the 2024
17 Chevy Silverado. She said the audit is scheduled for the 3rd week in April and the auditor
18 will be on site for a few days. Treasurer Ehlers said she will be moving temporarily do to
19 demolition in her office to put in a window. Treasurer Ehlers said the sales tax revenue for
20 2023 is up 4 ½% over budget. She said the bag fee collected for 2023 was \$15,395.72.
21 She said the tobacco tax revenue 2023 with a surplus \$37,000 over the budget. The trend
22 so far for January and February 2024 is -4%.
23 **Town Planner** – not present
24 **Public Works Director** – not present
25
26 **Commission Reports**
27 **Planning & Zoning Commission** – has not met
28 **Historic Preservation Commission** - has not met
29 **Climate and Environment Commission** – Commissioner Leland said the commission
30 did elect a chair. The chair is Tom Elder. They discussed Earth Day plans. The Earth Day
31 theme this year is Reducing Plastic. The commission ordered water bottles with the town
32 logo on them to give away during the event. Glenwood Springs traffic group is working
33 with CLEER grant and need a support letter from the town. A letter was sent from the
34 commission.
35 **Senior Program** – Clerk Andis handed out a presentation by John Dougherty Human
36 Services Innovations. The meeting was a joint meeting with Garfield Council on Ageing.
37 Mr. Dougherty did a presentation on what the Senior Advisory Board and Garfield Council
38 on Ageing can do better and looking for recommendations for budgeting more wisely and
39 how to get the seniors more involved. How to better outreach to the seniors and let them
40 know of the different programs available to them. Mr. Dougherty invited town council and
41 town trustees to who are part of the program to come to the next meeting. The next
42 meeting is April 26, 2024 at 9am here at town hall. Councilor Copeland said she would
43 come for the council.
44 **RFTA** – no report
45 **AGNC** – Councilor Hazelton said they discussed wolves.
46 **GCE** – Councilor Leland nothing to report

Town Council Meeting
Tuesday, March 19, 2024

1 **EAB** - has not met
2 **Detox** – Administrator Reynolds said the grand opening will be Thursday, April 11, 2024
3 @3:30pm on site.

4 **Council Comments**

5 Councilor Mariscal said CMC reached out to her to talk about the book
6 “Common Ground” she will be the Town of New Castle representative.
7 Councilor Carey will be talking to Kathryn Senor Elementary School Gifted and
8 Talented students about what it means to be an elected official.
9 Councilor G. Riddile said Mayor A. Riddile to recovering and thanked everyone
10 for what they have done.
11 Councilor Leland said the town does have a Spellabration team.

12
13 **Items for Future Council Agenda**

14 Councilor Carey said the CPW could like to come and give a presentation about
15 bears.

16
17 **MOTION: Mayor Pro Tem Hazelton made a motion to adjourn. Councilor**
18 **Carey seconded the motion and it passed unanimously.**

19
20 The meeting adjourned at 9:47p.m.

21
22 Respectfully submitted,

23
24
25
26
27 _____
28 Mayor Pro Tem Grady Hazelton
29
30

31 _____
32 Town Clerk Mindy Andis, CMC
33

PROSECUTING ATTORNEY PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is entered by and between the Town of New Castle, Colorado, hereinafter referred to as “the Town” and John Collins of John C. Collins, P.C., hereinafter referred to as “Prosecuting Attorney”, this 16 day of April, 2024.

WITNESSETH:

WHEREAS, the Town requires personal services of a legal nature, as more fully set forth below; and

WHEREAS, John Collins of John C. Collins, P.C., is fully qualified, through experience and education, and where required by state or local law, is duly licensed to perform such services, and is ready, willing and able to help the Town in carrying out such services personally as set forth herein; and

WHEREAS, the Town has reviewed and evaluated the Prosecuting Attorney’s qualifications and deems that the Prosecuting Attorney is qualified to perform the services set forth herein; and

WHEREAS, the Town desires to contract with the firm of John C. Collins, P.C., for performance of services, with John Collins being designated as the lead municipal prosecutor.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and subject to the terms and conditions hereinafter stated, it is hereby understood and agreed by the parties hereto as follows:

AGREEMENT:

1. **Contractor.** The Town hereby agrees to engage and compensate the Prosecuting Attorney, and the Prosecuting Attorney agrees to personally perform the services hereinafter described subject to the conditions hereinafter set forth.
2. **Scope of Services.** The Prosecuting Attorney agrees to perform and carry out satisfactorily and in a proper manner, those duties and work toward the specific needs of the Town Council as agreed upon by the Prosecuting Attorney and the Town Council. The Prosecuting Attorney agrees to devote his best efforts in the performance of services provided hereunder (the “Services”), which Services are expected to average 8 – 10 hours per month.
 - a. The Prosecuting Attorney shall prosecute ordinance violations before the Town’s Municipal Court.

- b. The Prosecuting Attorney shall attend all arraignments and trials, as set by the Municipal Judge and Court Clerk.
 - c. The Prosecuting Attorney shall advise the New Castle Police personnel of legal matters relating to enforcement of ordinances by the department.
 - d. The Prosecuting Attorney shall perform such other duties as may be prescribed for him by the Town Council or the Town Administrator.
 - e. The Prosecuting Attorney shall engage an alternate attorney at no additional expense to the Town in the event he is unable to perform the agreed upon duties.
 - f. In the event of a Municipal Court Order or the Prosecuting Attorney finds it necessary to retain a Special Prosecutor because Prosecuting Attorney has a conflict of interest on a matter, compensation to the Special Prosecutor will be paid by the Prosecuting Attorney.
 - g. The Prosecuting Attorney is hired as special counsel for municipal prosecution pursuant to Article VIII, Section 8.1, of the New Castle Charter.
3. **Term.** The term of this agreement shall be two (2) years from the effective date, and thereafter shall automatically renew for additional two (2) year periods, unless the Prosecuting Attorney provides notice to terminate sixty (60) days prior to the expiration of the then current term.
 4. **Termination.** The Prosecuting Attorney may terminate this agreement upon sixty days written notice to the Town. Pursuant to Article VIII, Section 8.1, of the Town Charter, the Town Council may remove the Prosecuting Attorney at any time with or without cause. Such termination shall in no way prejudice the payment due the Prosecuting Attorney for Services rendered through the date of termination, nor prejudice the Town's right to receive Services through the date of termination if desired by the Town. The Prosecuting Attorney hereby waives those rights that may be afforded by C.R.S. § 31-4-307 with regard to the termination of this Agreement, provided nothing herein shall be deemed an admission that such statute applies.
 5. **Agreement Subject to Appropriations.** Notwithstanding any provision to the contrary, any payments to the Prosecuting Attorney beyond the fiscal year in which this Agreement is signed shall be subject to annual budgeting and appropriation as required by the Colorado Constitution. If the Town fails to make or maintain sufficient appropriations to pay any costs incurred under this Agreement, then the Agreement shall be terminated immediately. No provision of this Agreement shall be construed or interpreted: i) to directly or indirectly obligate Town to make any payment in any year in excess of amounts appropriated for such year; ii) as creating a debt or multiple fiscal year direct or indirect debt or other financial obligation whatsoever within the meaning of Article X, Section 6 or Article X, Section 20 of the Colorado Constitution or any other constitutional or statutory limitation or provision; or iii) as a donation or grant by Town to or in aid of any person, company or corporation within the meaning Colorado law.

6. **Compensation.**
- a. The Prosecuting Attorney will be paid at the rate of \$800.00 per month for all attorney and other legal professionals' time, regardless of the number of hours worked in a given month, plus customary costs including telephone and mailing charges and costs for the preparation of photographic and video evidence. The Prosecuting Attorney will not bill the Town separately for paralegal or legal assistant time.
 - b. The Prosecuting Attorney shall provide monthly billing statements to the Town.
7. **Miscellaneous.** This instrument embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, between the parties hereto. Except as provided herein, there shall be no modifications of this Agreement except in writing, executed with the same formalities as this instrument. Subject to the conditions precedent herein, this Agreement may be enforced in the courts located in Garfield County, Colorado, and the parties consent to the jurisdiction and venue of such courts. The Parties hereto understand and agree that the Town is relying on and does not waive or intend to waive by this Agreement or any provision hereof, the monetary limitations and any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101 *et seq.*, as amended from time to time, or otherwise available to the Town. The parties consent to the use of electronic signatures hereon, which shall be binding.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement this ____ day of _____, 2024.

TOWN OF NEW CASTLE

JOHN C. COLLINS, P.C.,

Mayor Art Riddile

John Collins

ATTEST:

Town Clerk Mindy Andis, C.M.C.