

Posted: _____

Remove: _____



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, January 21, 2020, 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

Pledge of Allegiance

Roll Call

Meeting Notice

Conflicts of Interest

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. Consider a Letter of Interest from Denise Scheberle for Appointment to a Seat on the Climate Action Advisory Commission (7:05 p.m.)**
- B. Consider a Letter of Interest from Jean Huyser for Appointment to a Seat on the Climate Action Advisory Commission (7:10 p.m.)**
- C. Consider a letter of Interest from Inez Baquero for Appointment to the Climate Action Advisory Commission (7:15 p.m.)**
- D. Consider a letter of Interest from Myrna Candria for Appointment to Climate Action Advisory Commission (7:20 p.m.)**

E. Consider Request from Lakota Ridge Senior Apartments for Estoppel Certificates (7:25 p.m.)

F. Consider Ordinance TC 2020-2, An Ordinance of the Town Council of the Town of New Castle, Colorado Amending Title 15 of the New Castle Municipal Code to Implement Permit Requirements for the Installation of Fences (1st reading) (7:40 p.m.)

G. Colorado River Fire Rescue Update (7:55 p.m.)

H. Report: Public Works Director John Wenzel; New Vehicle Charging Station and Special Projects (8:25 p.m.)

I. Mountain Family Health Benefits Presentation (8:40 p.m.)

J. 2020 Census Discussion (8:55 p.m.)

Consent Agenda (9:10 p.m.)

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.

[January 7, 2020 minutes](#)

[January 17, 2020 minutes](#)

[Resolution](#) TC 2020-3, a Resolution of the Town Council of the Town of New Castle, Colorado, Authorizing a Mail Ballot Election on April 7, 2020 and Setting Forth Details Relating Thereto

[Spirits](#) of New Castle Retail Liquor Store Liquor License Renewal

Staff Reports (9:20 p.m.)

Town Administrator

Town Clerk

Town Planner

Public Works Director

Commission Reports (9:30 p.m.)

Planning & Zoning Commission

Historic Preservation Commission

Climate Action Advisory Committee

Senior Program

RFTA

AGNC

GCE

EAB

Council Comments (9:40 p.m.)

Adjourn (10:00 p.m.)

Hi Melody,

I am writing with a request to volunteer for the Climate Action Advisory Commission. I was on the Commission briefly before the chairman resigned and the group dispersed. I have several residents of New Castle who have expressed an interest to join me on the Commission, should spots be available.

Please advise as to next steps in the process or as to whom I should address this request. Thanks in advance.

Best,
Denise Scheberle
scheberd@gmail.com

To the Town of New Castle City Council:

I am writing to express my interest in serving on the Climate Action Advisory Commission for the town of New Castle. I have lived in New Castle for nearly 15 years and it is my forever home. I have always been interested in the issues that affect our western slope of Colorado and now have the time to actively work for my community. Climate and environmental issues seem to be a constant in our area, and I would enjoy an opportunity to work with others to find reasonable proposals that would create programs for wiser, more efficient and environmentally friendly living. Small changes, embraced by a community, can bring about extraordinarily beneficial results.

If you have any questions, please feel free to contact me. Thank you for your consideration.

Sincerely,

Jean Huyser
34 Foxwood Lane
New Castle, 81647

970-379-7516

To whom it may concern:

I am very interested in becoming part of the CAAC in New Castle Colorado. I believe in being proactive and would love to serve on the committee to educate our community and make significant changes that will help our environment and the well-being of our own community.

Ines Baquero

January 17, 2020

Town of New Castle
450 West Main
New Castle, CO 81647

Subject: Appointment to New Castle Climate Action Advisory Commission

To: Town of New Castle Mayor and Town Council Members

I am writing to express my interest in serving on the New Castle Climate Action Advisory Commission (CAAC). As a new resident residing in New Castle since September 2019, I am looking for opportunities to serve my new community and neighbors using my previous experiences in community-based work as it relates to the impact of our changing environment on public health. I feel the imperative to leave my community and the world a healthier, safer place for my grandchildren and subsequent generations.

As a resident of Colorado, and a former resident of Colorado Springs, I have served on multiple state agencies and local mayoral-appointed boards that required the dedication and commitment that serving on the New Castle CAAC will require. I come prepared to bring that same level of dedication, commitment, and responsibility for the work to the CAAC. As a public health professional and former program director in federal, state, and local program development, implementation, and evaluation, I would look forward to applying this knowledge to New Castle's climate goals.

Thank you for considering this request. I hope to have the opportunity to meet you all!

Sincerely,

Myrna

Myrna Candreia
26 Foxwood LN
New Castle, CO 81647
(719) 651-8963
myrna@communityhp.com

MEMORANDUM

TO: New Castle Town Council

FROM: David McConaughy, Town Attorney

DATE: January 20, 2020

RE: Senior Housing Estoppel Certificates

On Friday, January 17, 2020, the Town received a request from Lakota Ridge Senior Apartments to execute three “estoppel certificates” in order to facilitate a closing for the senior housing project’s permanent financing. The closing is expected to occur before the next regular Town Council meeting in February, so they asked for a last-minute agenda item to be added for tomorrow night’s meeting.

Estoppel certificates are a fairly common request by lenders and purchasers in commercial real estate transactions. For example, if you are purchasing a commercial building with existing tenants and ongoing leases, it is common to ask the seller and the tenants to sign a certificate acknowledging that the leases will remain in effect after the closing and that there are no current lease violations. The buyer and the lender would then rely on that document to know they will not be faced with a lease dispute immediately after the purchase. If the statements in the certificate are false, then the buyer and lender could either sue the signatories for money damages for misrepresentation or assert a legal defense of “estoppel” whereby a judge would order that the signatories can’t take a contrary position in a future dispute.

In general, the Town’s historic practice and policy is to decline requests for the Council or Staff to sign certificates or letters of this nature, for several reasons including:

- Property owners and developers should conduct their own investigations at their own expense;
- Town Staff should not have to incur time and expense to research the status of compliance of contracts, regulations, etc. for the benefit of private parties;
- The point of an estoppel certificate or equivalent letter signed by the Town is to give the recipients a claim against the Town if the statements turn out to be false, so they create potential liabilities with no discernable benefit to the Town or its citizens.

Here, the lender is the Colorado Housing and Finance Authority (“CHFA”) which is a state agency, and the owner of the project is a non-profit entity. The Town has granted fee waivers and made other concessions to support the project, and granting this request would presumably facilitate the closing and help maintain the financial feasibility of the project with favorable financing terms. As such, while I would not recommend taking this action to benefit a private developer, the Council may wish to consider an exception here.

The owner and the lender have agreed to various edits in their original documents at my request, which make the certificates more palatable. The attached drafts include those edits.

Council has the following options:

1. Pass a motion authorizing the Town Administrator to execute all three certificates in the form presented;
2. Pass a motion authorizing the Town Administrator to execute one or two of the certificates, but not all of them;
3. Decline to take any action, in which case Town Staff would advise the owner and lender that we see no reason to deviate from historic practice; or
4. Continue the matter to the next meeting, by which time the issue may or may not be moot if the closing proceeds anyway.

ESTOPPEL CERTIFICATE

This Estoppel Certificate ("Estoppel Certificate") is made as of the _____ day of _____, 2020 by the Town of New Castle, Colorado (the "TOWN") and LAKOTA RIDGE SENIOR APARTMENTS LLLP, a Colorado limited liability limited partnership ("OWNER") to and for the benefit of COLORADO HOUSING AND FINANCE AUTHORITY, a body corporate and political subdivision of the State of Colorado ("CHFA") and Land Title Guarantee Company (the "Title Company").

- A. Town is a party to that certain Annexation and Development Agreement recorded on June 16, 1999 at Reception Number 547373 in the County of Garfield, Colorado records (the "Records") as such Annexation and Development Agreement was amended by the First Supplement to 1999 Annexation and Development Agreement dated January 3, 2003 and recorded at Reception number 618282 in the Records, and as further amended from time to time by various recorded and unrecorded agreements (the "Agreement").
- B. Owner is the owner of the property located at 705 Castle Valley Blvd, New Castle, CO 81657 (the "Property") and as such, is successor in interest to the original owners under the Agreement, Brannan Properties, Inc., a California corporation, JF&T Co., a general partnership, Defiance, Ltd., a Colorado corporation, and Faye B. Faas.
- C. The Agreement contains certain covenants and obligations, including certain payment obligations.
- D. As a condition to CHFA providing loan funding for the Property, CHFA has requested confirmation from the City and Owner of the status of compliance with the Agreement, which CHFA and Title Company will rely on.

NOW THEREFORE, the undersigned hereby certifies to CHFA and Title Company that, as of the date of this Estoppel Certificate, the following:

- 1. The Agreement remains in full force and effect and has not been assigned by the Town. The Agreement is binding upon successor owners of the property to which it applies as defined therein.
- 2. There are no defaults under the Agreement pertaining to the Owner or the Property, and the undersigned parties have neither given nor received any written notice under the Agreement of any default pertaining to the Property which remains uncured by Owner or Town, nor are the undersigned aware of any event which with the passage of time would constitute a default pertaining to the Property under the Agreement by Owner or Town. There are no violations of the Agreement pertaining to the Owner or the Property.
- 3. Any and all approvals required to be obtained by Owner under the Agreement pertaining to the Property have been obtained, the Property is in compliance with all obligations and covenants under the Agreement, and there are no outstanding costs, fees or

assessments with respect to any obligations pursuant to the Agreement that pertain to the Property or the Owner.

4. Any notice, request, demand, approval or consent given or required to be given to Owner under the Agreement shall also be given to CHFA, in writing at the address stated below or at the last changed address specified in a notice received by Owner from CHFA.

CHFA: Colorado Housing and Finance Authority
1981 Blake Street
Denver, CO 80202
Attention: Legal Operations

5. The person(s) executing this Estoppel Certificate on behalf of the undersigned have the power and authority to execute this Estoppel Certificate, and no other signatures are required or necessary in connection with the execution and validity of this Estoppel Certificate.
6. This Estoppel Certificate may be relied upon by CHFA and Title Company, its representatives, successors and assigns, and shall be binding on the undersigned and its legal representatives, successors and assigns.
7. Nothing herein shall be deemed as a waiver of the Town's governmental immunity.

Executed as of the date first stated above.

TOWN:

THE TOWN OF NEW CASTLE, COLORADO

By: _____

Name: _____

Title: _____

STATE OF COLORADO)
) ss.
 _____ COUNTY)

The foregoing instrument was acknowledged before me this _____ day of _____, 2020 by _____ as _____ of The Town of New Castle, Colorado.

Witness my hand and official seal.

(S E A L)

Notary Public

My commission expires: _____

OWNER:

LAKOTA RIDGE SENIOR APARTMENTS LLLP,
a Colorado limited liability limited partnership

By: Lakota Ridge Senior Apartments LLC,
a Colorado limited liability company,
its General Partner

By: Community Resources and Housing
Development Corporation,
a Colorado nonprofit corporation,
its Sole Member and Manager

By: _____
Arturo Alvarado, Executive Director

ESTOPPEL CERTIFICATE

This Estoppel Certificate ("Estoppel Certificate") is made as of the _____ day of _____, 2020 by the Town of New Castle, Colorado, a Colorado home rule municipality (the "TOWN"), LAKOTA RIDGE SENIOR APARTMENTS LLLP, a Colorado limited liability limited partnership ("OWNER"), and LAKOTA RIDGE SENIOR APARTMENTS LLC, a Colorado limited liability company ("DEVELOPER"), to and for the benefit of COLORADO HOUSING AND FINANCE AUTHORITY, a body corporate and political subdivision of the State of Colorado ("CHFA") and Land Title Guarantee Company (the "Title Company").

- A. Town and Developer are parties to that certain Development Agreement for Lakota Ridge Senior Apartments dated on August 3, 2016 and recorded on June 6, 2017 at Reception Number 893283 in the County of Garfield, Colorado records (the "Records") (the "Agreement").
- B. Owner owns the real property commonly known as 705 Castle Valley Blvd., New Castle, CO 81647 (the "Property") which is encumbered by the Agreement. Developer is the General Partner of Owner.
- C. The Agreement contains certain conditions, covenants and obligations that pertain to the development of the Property.
- D. As a condition to CHFA providing loan funding for the Property, CHFA has requested confirmation from the City, Owner and Developer of the status of compliance with the Agreement, which CHFA and Title Company will rely on.

NOW THEREFORE, the undersigned hereby certifies to CHFA and Title Company that, as of the date of this Estoppel Certificate, the following:

- 1. The Agreement remains in full force and effect and has not been assigned, supplemented, modified, or otherwise amended.
- 2. There are no defaults under the Agreement and the undersigned has neither given nor received any written notice under the Agreement of any default which remains uncured by Owner or Developer, nor is the undersigned aware of any event which with the passage of time would constitute a default under the Agreement by Owner or Developer. There are no violations of the Agreement.
- 3. Any and all approvals required to be obtained by Owner and/or Developer under the Agreement have been obtained, the Property is in compliance with all obligations and covenants under the Agreement, and there are no outstanding costs, fees or assessments with respect to such obligations.
- 4. Any notice, request, demand, approval or consent given or required to be given to Owner or Developer under the Agreement shall also be given to CHFA, in writing at the address stated below or at the last changed address specified in a notice received by Owner or Developer from CHFA.

CHFA: Colorado Housing and Finance Authority
1981 Blake Street
Denver, CO 80202
Attention: Legal Operations

- 5. The person(s) executing this Estoppel Certificate on behalf of the undersigned have the power and authority to execute this Estoppel Certificate, and no other signatures are required or necessary in connection with the execution and validity of this Estoppel Certificate.
- 6. This Estoppel Certificate may be relied upon by CHFA and Title Company, its representatives, successors and assigns, and shall be binding on the undersigned and its legal representatives, successors and assigns.
- 7. Nothing herein shall be deemed as a waiver of the Town's governmental immunity.

Executed as of the date first stated above.

TOWN:

THE TOWN OF NEW CASTLE, COLORADO

By: _____

Name: _____

Title: _____

STATE OF COLORADO)
) ss.
_____ COUNTY)

The foregoing instrument was acknowledged before me this _____ day of _____, 2020 by _____ as _____ of The Town of New Castle, Colorado.

Witness my hand and official seal.

(S E A L)

Notary Public

My commission expires: _____

OWNER:

LAKOTA RIDGE SENIOR APARTMENTS LLLP,
a Colorado limited liability limited partnership

By: Lakota Ridge Senior Apartments LLC,
a Colorado limited liability company,
its General Partner

By: Community Resources and Housing
Development Corporation,
a Colorado nonprofit corporation,
its Sole Member and Manager

By: _____
Arturo Alvarado, Executive Director

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 2020,
by Arturo Alvarado as Executive Director of Community Resources and Housing Development
Corporation, a Colorado nonprofit corporation, the Sole Member and Manager of Lakota Ridge
Senior Apartments LLC, a Colorado limited liability company, the General Partner of Lakota
Ridge Senior Apartments LLLP, a Colorado limited liability limited partnership.

Witness my hand and official seal.

My Commission expires: _____

[SEAL]

Notary Public

DEVELOPER:

Lakota Ridge Senior Apartments LLC,
a Colorado limited liability company,
its General Partner

By: Community Resources and Housing
Development Corporation,
a Colorado nonprofit corporation,
its Sole Member and Manager

By: _____
Arturo Alvarado, Executive Director

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 2020,
by Arturo Alvarado as Executive Director of Community Resources and Housing Development
Corporation, a Colorado nonprofit corporation, the Sole Member and Manager of Lakota Ridge
Senior Apartments LLC, a Colorado limited liability company.

Witness my hand and official seal.

My Commission expires: _____

[SEAL]

Notary Public

ESTOPPEL CERTIFICATE

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- A. Town issued that certain Ordinance No. TC-2016-04 recorded on January 18, 2018 at Reception Number 902397 in the County of Garfield, Colorado records (the “Records”) (the “Ordinance 2016-4”).
- B. Town issued Ordinance No. TC-2018-2 (“Ordinance 2018-2”) approving an amendment of the PUD Development Plan that was approved by Ordinance 2016-4.
- C. Owner owns the real property commonly known as 705 Castle Valley Blvd., New Castle, CO 81647 (the “Property”) which is subject to Ordinance 2016-4 and Ordinance 2018-2.
- D. Ordinance 2016-4, as amended by Ordinance 2018-2, contains certain obligations and conditions that Owner must meet concerning the development of the Property.
- E. As a condition to CHFA providing loan funding for the Property, CHFA has requested confirmation from the City and Owner of the status of compliance with the ordinances, which CHFA and Title Company will rely on.

NOW THEREFORE, the undersigned hereby certifies to CHFA and Title Company that, as of the date of this estoppel, the following:

- 1. Ordinance 2016-4 remains in full force and effect and has not been supplemented, modified, or otherwise amended except by Ordinance 2018-2, which also remains in full force and effect and has not been supplemented, modified, or otherwise amended.
- 2. The Town has not given any written notice under Ordinance 2016-4 or Ordinance 2018-2 of any violation of either ordinance that remains uncured by Owner, nor are the undersigned parties aware of any event which with the passage of time would constitute a violation under either ordinance by Owner; provided, however, both ordinances include ongoing requirements which will continue to apply.
- 3. There are no pending code enforcement actions relating to Owner or the Property as of the date of this Estoppel Certificate.
- 4. The person(s) executing this Estoppel Certificate on behalf of the undersigned have the power and authority to execute this Estoppel Certificate, and no other signatures are required or necessary in connection with the execution and validity of this Estoppel Certificate.

TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2020-2

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO AMENDING TITLE 15 OF THE NEW CASTLE MUNICIPAL CODE TO IMPLEMENT PERMIT REQUIREMENTS FOR THE INTSTALLATION OF FENCES.

WHEREAS, the Town of New Castle, Colorado (“Town”) is a home rule municipality with all of the powers, authorities, and privileges granted to it under its Charter and Colorado law; and

WHEREAS, the Town has adopted by reference to 2015 International Building Code and the 2015 International Residential Code; and

WHEREAS, under the adopted building codes, building permits and inspections are only required for the construction of fences of a height greater than seven (7) feet; and

WHEREAS, the Town’s zoning provisions set forth in Title 17 of the Town Municipal Code set maximum fence heights for each established zone district, all of which are lower than seven feet; and

WHEREAS, because no building or other permit is currently required for the construction of fences, fences are being built without Town oversight and often in excess of the height limits set forth in the Code; and

WHEREAS, fences that exceed the zone district height limits have caused and may continue to cause vision clearance hazards, property line disputes, and a decline in aesthetic appeal; and

WHEREAS, to ensure that fences are built according to applicable zoning code provisions when a building permit is not otherwise required, and to avoid the health and safety issues associated with fences that exceed maximum heights, Town staff has recommended that a fence permit system be implemented; and

WHEREAS, the Planning Commission (“Commission”) held a workshop on November 14, 2019, to review the need for a fence permitting system and has recommended approval of the same;

WHEREAS, the Town Council (“Council”) has considered the amendments proposed herein and now desires to adopt the same.

NOW, THEREFORE, BE IT ORDAINED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Town Council.

2. Amendment. A new chapter, Chapter 15.48, is hereby enacted and added to Title 15 of the New Castle Municipal Code. Chapter 15.48 provides as follows:

Chapter 15.48 Fence Permits

15.48.010 Definitions.

“*Fence*” shall mean an upright barrier commonly made of wood, metal, concrete or masonry that is used to enclose an area of ground to mark a boundary, control access, or prevent escape.

“*Corner lot*” shall mean any lot or property which abuts a street, alley, railroad, or other similar right-of-way or easement boundary line on at least two sides.

15.48.020 Fence Permit Requirements

- A. All new fences or the rebuilding of nonconforming fences shall comply with all applicable provisions of this Code, including, but not limited to, those set forth in Titles 15 and 17, and any governing HOA design specifications.
- B. A fence permit is required for any fence greater than forty-two (42) inches in height. For corner lots located within the R-1 zone district, a permit is required for any fence greater than thirty (30) inches in height.
- C. A fence permit application shall be submitted to the Town planning department on a form provided by the Town before construction of the fence commences. The application shall include a sketch plan of the property that includes neighboring streets and structures, distances of the fence from relevant structures and lot lines, and fence height(s). A fence permit application fee in the amount set forth in the Town’s schedule of fees, as amended from time to time, shall also be submitted with the application. Said fee will cover the processing of the application and final inspection.
- D. The owner is responsible for ensuring that the fence is located on or within the property lines of the owner’s property. A survey is encouraged, but not required by the Town. If the proposed fence is to be located on a property line, the Town may require that the owner provide written confirmation that the adjoining property owner consents to the construction of the proposed fence. If at any time after the completion of installation of the fence it is determined that the fence violates applicable codes or is located on public property or Town rights-of-way, the Town may require relocation, removal, or remediation of the fence at the owner’s expense.
- E. Upon completion of the fence installation, the owner or their agent shall request a final inspection by Town staff. The final inspection is not and shall not be considered (i) a survey of the owner’s property or the boundary lines thereof; (ii) confirmation that the fence, as constructed, is located on or within the boundary lines of the owner’s

property; or (iii) confirmation that the fence is structurally sound or built to industry standards. Section 15.04.030 of the Code is incorporated herein by this reference.

15.48.030 Exceptions

The requirements of Section 15.48.020 shall not apply to the following:

- A. Wildlife fencing (a.k.a. deer or rabbit fence) used to minimize damage to vegetation from wildlife;
- B. Construction fencing; or
- C. Any other fence exempted at the discretion of the Town Administrator.

3. Fence Permit Fee. The initial fence permit application fee is hereby set at \$25.00. This fee may be increased or decreased by resolution of the Town Council.

4. Effective Date. This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on January 21, 2020, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

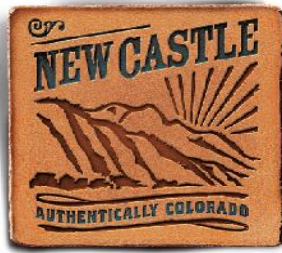
INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado on February 4, 2020, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO

By: _____
Art Riddle, Mayor

ATTEST:

Melody Harrison, Town Clerk



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

Memorandum

To: Mayor & Council
From: David Reynolds
Re: Agenda Item – Colorado River Fire District Update
Date: 1-21-19

Purpose:

The purpose of this agenda item is to allow the Colorado River Fire District (CRFD) the opportunity to present information related to CRFD funding. CRFD has been active over the past several weeks in communicating their financial situation to the local public. CRFD wishes to meet with Council to further explain these issues along with possible targeted solutions.

Memo

To: David Reynolds
From: John Wenzel
Date: January 16, 2020
Re: Public Works Update

Request:

The Public Works Department would like to provide Town Council with a report on recently completed and soon to be completed special projects. The topics of discussion will be:

- Ultraviolet Light Disinfection System
- Electric Vehicle Charge Station
- Crosswalk Warning System
- Bulk Water Station
- Burning Mountain Park Re-Design

For each topic we would like to provide a brief description on the scope of work, recognize funding partners, and highlight interesting details/fun facts.

Recommendation:

This is an informational item only. No recommendation will be presented

Background:

To explore our electric vehicle charge station and its capabilities, search www.chargepoint.com, select [Log In](#), enter User Name as dgray@newcastlecolorado.org, and enter Password as [newcastle801](#)

Attachments:

Project photos



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

Memorandum

To: Mayor & Council
From: David Reynolds
Re: Agenda Item – Mountain Family Health Benefits Presentation
Date: 1-21-19

Purpose:

The purpose of this agenda item is to present employee health benefits which may be considered by Council as an added benefit to eligible town staff members.

Mountain Family Health has a locally available health program which may be made available to staff members at no cost to the Town. This program is not intended to replace any of the current health benefits, but may be looked at as an extra option to meet the needs of certain individuals who may not be fully served by the current plan or those who wish to extend their health care options.

This program is designed to fill possible gaps that can sometimes exist for certain individuals who may not be eligible for the Town's current health insurance benefits. While this program could be made available to all staff, this program is ideally targeted to reach part time staff, seasonal staff, noninsured family members and otherwise non eligible staff and family members.

Staff would like to present information about this health plan to Council and discuss exploring this idea as a health coverage option for interested employees.



Overview

Mountain Family Health Centers, a federally-qualified health center (FQHC) serving the West Mountain Region of Garfield, Eagle, Pitkin and Rio Blanco Counties, has a 40-year history of providing high-quality primary care to all. We are pleased to offer Health Solutions.

Health Solutions

Health Solutions is an annual membership program offering an affordable, fully integrated, comprehensive approach to health and wellness for your employees in one health care home.

Healthy employees are critical to an organization’s ability to achieve its goals. Health Solutions offers basic primary care at a relatively low cost serving as an alternative to extremely high cost of health care, high deductibles and large co-pays.

THIS IS NOT INSURANCE

Health Solutions, LLC is not an insurance product. It is a membership program designed to provide members access to health and wellness services within Mountain Family Health Center’s scope of care.

Mountain Family Health Centers List of Services

Medical Care	Dental Care	Support Services
Annual wellness exam with recommended labs	Oral hygiene cleanings and instruction	Health education
Preventive care and screenings excluding prenatal	Annual Oral Exam	Prescription refills below retail
Acute care for illness or injury	Routine X-rays with exam	After-hour provider assessment and medical resources
Chronic disease management		Education/enrollment assistance in Medicaid and Colorado Health Exchange programs
Behavioral Health visits excluding Psychiatric Services		Mobile Application Services

**Medical and dental procedures are excluded, but is offered as a fee-for-service or on a sliding fee scale for qualified candidates*



Acute Care

A broad range of acute care is available through MFHC providers. Our highly-trained providers can address many acute illnesses and issues, including but not limited to:

- Respiratory
 - Asthma
 - Chronic Obstructive Pulmonary Disease (COPD)
 - Chronic Bronchitis
 - Emphysema
 - Lung Cancer
 - Cystic Fibrosis/Bronchiectasis
 - Pneumonia
 - Pleural Effusion
- High blood pressure
- Emergent Conditions
- Acute issues exacerbated by chronic diseases
- Injury care, including stitches

Preventive Care

Our primary care providers provide a full scope of preventive services, including preventive screening measures based on age, gender, and diagnoses of each patient and the recommended treatment using evidence-based guidelines. Additionally, we guide patients to high-value, lower-cost providers for imaging and outpatient services for other needed screenings.

Chronic Disease Management

One of MFHC's goals is to optimize chronic disease control, which results in improved wellness and fewer complications from uncontrolled chronic disease. We deploy a team-based hands on approach that encompasses a proactive risk stratification (based on medical history, biometrics, and care utilization patterns) and subsequent development of individualized, comprehensive care plans. We identify chronically ill patients, so our care team can target interventions and intensively manage and coach these patients.

Labs

The membership fee covers all in-house, and the most common labs required during and annual physical. We perform all lab draws on site for processing by LabCorp with direct result notification to our Electronic Health Record within 24 hours or less for the following selection of tests:

- Hemoglobin A1C
- Blood Glucose
- Complete blood count
- Thyroid level
- Lipid Panel
- Comprehensive Metabolic panel
- Pregnancy test
- Strep Throat test
- Urinalysis
- Rapid flu test



Behavioral Health Services

MFHC offers integrated behavioral health services at all our clinics. Access to a licensed therapist is often available during routine medical care for case management.

Pharmaceutical Pricing Benefits

Mountain Family Health Centers is a registered covered entity under the rules outlined in the 340B Program. Therefore, all Mountain Family patients receive access to significantly reduced prices for drugs as part of the 340B program.

Mobile Application

Quick and user-friendly access to on-call after-hour provider assessment and medical resources via our mobile application saving you precious time (powered by www.medcierge.us). Other resources include an advocate to help navigate your plan and answer billing questions, Scan Saver, Smart Pharmacy and Price Shopper. These resources help insure you are making informed medical decision about your health.

Dental Services

We have a comprehensive dental program in Basalt and Rifle with limited scope dental and general oral exams in Glenwood Springs.

Membership Fees

Monthly Membership Fee:

1. Employee only = \$135
2. EE + Spouse = \$235 (\$135 EE + \$100 spouse)
3. EE + Child = \$195 (\$60/child)
4. Family = \$295 (\$135/EE + \$100/spouse + \$60/child)

Monthly Dependent Membership Fee:

5. Employee only = N/A
6. Spouse only = \$135
7. Child only (under age 18) = \$80 per child
8. Spouse and child only = \$195 (\$135/spouse + \$60 per child)

Locations



BASALT HEALTH CENTER

123 Emma Lane
Basalt, CO 81621

EDWARDS HEALTH CENTER

320 Beard Creek Road
Edwards, CO 81632

GLENWOOD SPRINGS HEALTH CENTER

1905 Blake Ave., Suite 101
Glenwood Springs, CO 81601

RIFLE HEALTH CENTER

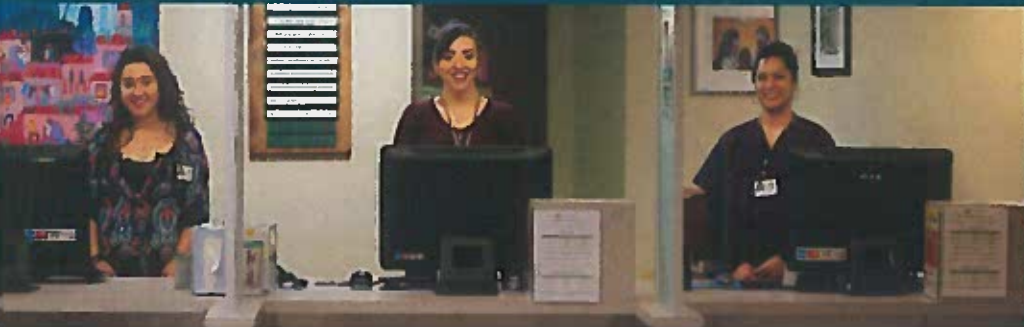
195 W. 14th Street, Bldg. C
Rifle, CO 81650



Mountain Family
HEALTH CENTERS

CORPORATE OFFICE

2700 Gilstrap Court, Suite 100
Glenwood Springs, CO 81601
Phone: (970) 945-2840
Email: contact@mountainfamily.org
Web: mountainfamily.org



Access to *affordable* Health Care

Health Solutions



Mountain Family
HEALTH CENTERS

Introducing Health Solutions

Employee Benefits

- Offers an affordable and integrated approach to health care for your employees and dependents
- Dedicated teams delivering medical, dental and behavioral health care services.
- Convenient locations at Garfield, Eagle and Pitkin counties
- Prescription drugs at prices below retail
- Mobile App Services powered by www.medicierge.us
- After hours provider assessment and medical resources
- Advocates who assist with medical bills and insurance claims
- Scan Saver - Access to thousands of radiology centers
- Price Shopper resources

Employer Benefits

- Promoting a healthy workforce helps reduce absences and increases productivity, engagement and retention
- Option to offer employees access to affordable, quality-driven primary care
- Greater opportunity for employees to control their health and wellness

THIS IS NOT INSURANCE - Health Solutions, LLC is not an insurance product. It is a membership program designed to provide members access to health and wellness services within Mountain Family Health Center's scope of care.

Monthly Membership Fee Options

\$135	Employee Only	(\$135 EE + \$100 spouse)
\$235	EE + Spouse	(\$135 EE + \$60/child)
\$195	EE + Child	(\$135 EE + \$60/child)
\$295	Family	(\$135 EE + \$100 spouse + \$60/child)

* Dependent only coverage available upon request



What is Health Solutions?

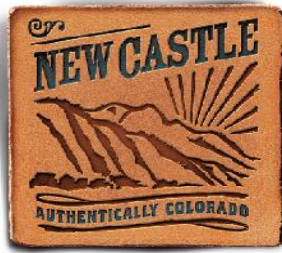
A membership program that delivers accessible and affordable medical, dental and behavioral health care to

you.



To Learn More:
970-928-1716

mountainfamily.org



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

Memorandum

To: Mayor & Council
From: David Reynolds
Re: Agenda Item – 2020 Census Discussion
Date: 1-21-19

Purpose:

The purpose of this agenda item is to review the Town's involvement and funding related to the 2020 census.

During the Council meeting held on Jan 7, 2020 Council was asked if they would care to contribute funds toward a census awareness effort which is organized by the Aspen to Parachute Complete Count Committee (A2PCCC). Council concluded that a donation to this organization should not be considered without the proposed budget from A2PCCC showing how donations would be spent throughout the valley. Staff has obtained the A2PCCC budget and will be reviewing the budget briefly with Council. Council may direct staff regarding any funding that may or may not be directed toward this program.

Staff will inform Council of funding that is available from the Department of Local Affairs (DOLA) which may be used for the purchase of census materials.

Staff will update Council on planned efforts by staff to get the word out to our residents and neighboring areas concerning the 2020 census.

Finally, staff would like to discuss the possibility of a Council Resolution to support local 2020 Census efforts.

Census 2020 101

The goal of the 2020 Census is to count everyone once, only once, and in the right place. The Census Bureau will continue to improve its use of mobile technology, geospatial innovations, and internet self-response.

It's Important. It's Easy. It's Safe.

What is the census?

- The census is a count of all persons living in the United States that is conducted every ten years by the federal government and is required by the U.S. Constitution.
- It is used to determine the number of seats each state has in the House of Representatives, how federal and state legislative districts are redrawn, and the appropriation of federally funded programs.

When will the 2020 Census be conducted?

- Census Day is April 1, 2020. Data collection will begin in March, 2020 and continue through July 2020.
- Households will receive a postcard with instructions for completing the census beginning in March 2020. Non-response followup will go from May through July.

Start **End**
03/2020 **07/2020**

Who should respond to the census?

- Everyone! Census postcards are sent to all households in the United States to collect information about each person living in the household.
- The Census Bureau is conducting special counts for populations living in group quarters or who are unsheltered.

Special Count Efforts Target: Homeless Populations
University Students
Prison Populations
Other Persons Living in Institutional Settings

How can people complete the census?

- The Census Bureau is collecting census forms in four ways:

 Online, using the internet or a cell phone,

 Over the telephone, by calling the census call center listed on the census card,

 Using a paper form, or

 By responding to a census enumerator.

- Census forms are available in 13 different languages.

What questions will be asked?

- 10 questions, 10 minutes per person
 - » Name
 - » Relationship to householder
 - » Phone Number
 - » Age
 - » Household tenure (own/rent)
 - » Sex
 - » Number of persons in the household
 - » Hispanic Origin
 - » Race
 - » Does a person usually stay or live somewhere else?



Are census responses confidential?

- All data are protected under Title 13 of the U.S. Code. Records are confidential for 72 years by law. All Census Bureau employees swear a lifetime oath to protect respondent information.
- The U.S. Census Bureau will never share a respondent's personal information with other government agencies.
- Data is only released in summary tables, no individual records are released.
- All Census Bureau employees swear a lifetime oath to protect respondent information. The penalty for wrongful disclosure is up to 5 years imprisonment and/or a fine of \$250,000.

Do people have to answer all census questions?

- While the law requires persons to answer all census questions accurately, an incomplete census form will still be included in the head count.

Learn About the Census

- [Colorado Census 2020 Website](https://bit.ly/2UPhK1Y): bit.ly/2UPhK1Y
- Read [The 2020 Census at a Glance](https://bit.ly/censusataglance): bit.ly/censusataglance
- Follow the U.S. Census Bureau: [How to Support the 2020 Census](https://bit.ly/supportcensus2020): bit.ly/supportcensus2020
- Review the [Census 2020 Planning Documents](https://bit.ly/planningdocs2020): bit.ly/planningdocs2020
- Learn about the [Census Statistics in Schools Program](https://bit.ly/censusstatsinschools): bit.ly/censusstatsinschools
- Counting for Dollars, [Colorado](https://bit.ly/countingfordollars): bit.ly/countingfordollars

Did you know...

Census counts are used in distributing over \$13.1 billion in federal funds per year in Colorado, this translates to about \$2,300 per person per year.

Those dollars help fund:

- » Title 1 grants to educational agencies
- » Head Start programs
- » Women, Infants, and Children (WIC)
- » Transportation (public transit, road rehabilitation, and construction)
- » Emergency food and shelter
- » Health and human services programs

See bit.ly/countingfordollars

Getting involved

- The administration of the decennial census is managed by the U.S. Census Bureau. Local governments, schools, and not-for-profit organizations can follow the preparations for the 2020 Census. They can support the census by communicating the importance of the census to their residents, students, and clients.

Introducción: Censo de 2020

La meta del Censo de 2020 es contar a todos los residentes de los Estados Unidos una vez, solo una vez, y en lugar correcto. El Departamento del Censo sigue mejorando su uso de tecnología móvil, de innovaciones geoespaciales, y de programas de auto-respuesta sobre internet.

Es Importante. Es Fácil. Es Seguro.

¿Qué es el censo?

- El censo es un conteo de todas las personas que viven en los Estados Unidos que se lleva a cabo cada diez años por parte del gobierno federal y es requerido por la Constitución de los E.E.U.U.
- La data se usa para determinar el número de representantes que cada estado recibe en la Cámara de Representantes federal, determina la delimitación de distritos legislativos locales y estatales, y proporciona fondos para programas federales.

¿Cuándo se llevará a cabo el Censo de 2020?

- El día del Censo es el 1 de abril de 2020. La recolección de data comenzará marzo de 2020 y continuará hasta julio de 2020.
- Comenzando en marzo de 2020, domicilios individuales recibirán una postal con instrucciones para completar el censo.

Comienzo **Fin**
03/2020 **07/2020**

¿Quién debe responder al censo?

- ¡Todas las personas que residen en E.E.U.U.!
- Postales del censo se enviarán a domicilios estadounidenses para recolectar información de cada persona viviendo en el domicilio.
- El Departamento del Censo llevará a cabo conteos específicos para poblaciones viviendo en alojamiento de grupo o aquellos que no tienen domicilio permanente.

Esfuerzos de Conteo Especial Incluyen: Poblaciones Transitorias/Sin Domicilio "Homeless" Estudiantes de Universidad

¿Cómo puedes completar el censo?

- El Departamento del Censo recibe encuestas completas en las siguientes formas:

 Por Internet, usando una computadora o un teléfono celular,

 Sobre Teléfono, llamando al centro de llamadas del censo,

 En Papel, usando los formularios presentados por los enumeradores, o

 Al responder a un enumerador del censo

- Formularios del censo están disponibles en 13 idiomas distintos.

¿Cuáles son las preguntas?

- Contiene 10 preguntas que igualan a 10 minutos por persona. Incluyen las siguientes:

- » Nombre
- » Número de Teléfono
- » Edad
- » Sexo
- » Origen Hispano/Latino
- » Raza
- » Relación al dueño del domicilio
- » Es Dueño o Renta su domicilio
- » Número de personas que viven en su domicilio
- » Hay alguna persona en su domicilio que vive o reside en otro lugar

"Contar a todos una vez, solo una vez, y en lugar correcto"

¿Las respuestas al censo son confidenciales?

- Toda la data del censo está protegida bajo el Título 13 del Código de los E.E.U.U. y se mantiene confidencial por 72 años bajo la ley. Todos los empleados del Departamento del Censo hacen un juramento por vida a proteger archivos de encuestados.
- El Departamento del Censo nunca comparte archivos individuales con empleados o agencias gubernamentales.
- Archivos individuales nunca se comparten, la data solamente se comparte en resumen.
- Todos los empleados del Departamento del Censo hacen un juramento por vida en proteger información de encuestados. La penalización por divulgar información injustamente es de encarcelamiento por hasta 5 años y/o una multa de hasta \$250,000.

¿Uno tiene que responder a todas las preguntas del censo?

- La ley requiere que personas respondan a todas las preguntas del censo certeramente, aun así, un formulario incompleto también se acepta como parte del conteo.

Aprende Más Sobre El Censo

- [Censo de 2020, Colorado](http://bit.ly/censusataglance): bit.ly/censusataglance
- [Vistazo al Censo de 2020](http://bit.ly/supportcensus2020): bit.ly/supportcensus2020
- [Documentos de Planificación](http://bit.ly/planningdocs2020): Censo de 2020: bit.ly/planningdocs2020
- [Programa Estadísticas en las Escuelas](http://bit.ly/censusstatsinschools): bit.ly/censusstatsinschools
- [Contando para Dólares, Colorado](http://bit.ly/countingfordollars): bit.ly/countingfordollars
- [Census Bureau 2020 Web Site](http://2020census.gov/es): 2020census.gov/es

¿Sabías?

Conteos del censo son usados para determinar la distribución de más de **\$13.1 billones** en fondos federales por año en Colorado, esto se traduce a **\$2,300** por persona (residente) por año.

Esos dólares ayudan a financiar:

- » Becas de Título 1 a agencias educacionales
- » Programas Preescolares
- » El programa de despensa "Women, Infants, and Children (WIC)"
- » Transportación (transporte público, rehabilitación de calles, y construcción)
- » Comida y Alojamiento de Emergencia
- » Programas de Servicios de Salud o Asistencia

Para más informes, visita <http://bit.ly/countingfordollars>

Como Involucrarte

- La administración del censo decenal es manejada por el Departamento del Censo de los E.E.U.U. Gobiernos locales, escuelas, y organizaciones sin fines de lucro pueden seguir el desarrollo del Censo de 2020. Pueden apoyar el censo comunicando su importancia a residentes, estudiantes, clientes, vecinos, y amigos en nuestras comunidades.

Informes adicionales se pueden descargar en: colorado.gov/census2020
Para preguntas, haga favor de comunicarse con la Oficina de Demografía
llamando al: 303.864.7753 | Updated: 1/10/2020

Shape
your future
START HERE >

United States®
Census
2020

1
2
3 **New Castle Town Council Regular Meeting**
4 **Tuesday, January 7, 2020, 7:00 PM**
5
6

7 **Call to Order**

8 Mayor A Riddile called the meeting to order at 7:00 p.m.
9

10 **Pledge of Allegiance**
11

12 **Roll Call**

13 Present	Councilor Mariscal
	Councilor Owens (arrived at 7:07 p.m.)
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile
20 Absent	None

21
22 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody
23 Harrison, Town Planner Paul Smith, Town Treasurer Loni Burk (via telephone conference),
24 Assistant Town Attorney Haley Carmer and members of the public.
25

26 **Meeting Notice**

27 Town Clerk Melody Harrison verified that her office gave notice of the meeting in
28 accordance with Resolution TC 2019-1.
29

30 **Conflicts of Interest**

31 There were no conflicts of interest.
32

33 **Agenda Changes**

34 There were no agenda changes.
35

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

37 Denise Scheberle, 507 S. Wildhorse Drive, New Castle. Ms. Scheberle greeted the council.
38 She told the council that she had been a member of the Climate Action Advisory
39 Committee (CAAC) several years ago when the committee was active, and she said that
40 she was interested in reviving CAAC. Ms. Scheberle said that she had several other
41 community members that were interested in being on the committee. Mayor A Riddile
42 asked Councilor Leland to coordinate with Ms. Scheberle and the other interested parties.
43 Councilor Leland told Ms. Scheberle that he would be in contact, and he told the council
44 that he would bring the issue back at the January 21, 2020 council meeting.
45

46 **Consultant Reports**

47 Consultant Attorney – present for agenda items.
48 Consultant Engineer – not present.
49
50

1 **Items for Consideration**

2
3 **Proclamation Honoring the Coal Ridge High School Cheer Team**

4 Mayor A Riddile welcomed the Coal Ridge High School Co-Ed Cheer Team, and
5 congratulated them on their second year winning state championships.

6 Clerk Harrison queued up the video of the team's winning performance for the council and
7 audience to watch.

8 Mayor A Riddile then read the proclamation into the record. The council again
9 congratulated the team and asked that team member Brayden Kammers introduce each
10 team member, which he did.

11 Mr. Kammers and all the team thanked the council for the proclamation.
12
13

14 Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

15 **MOTION: Mayor A Riddile made a motion to recess the town council meeting and**
16 **the adjourn and the local liquor licensing authority. Councilor Leland seconded**
17 **the motion and it passed unanimously.**
18

19 **Consider a Special Events Liquor License Application from the Town of New**
20 **Castle for the Bad Art Night Recreation Event**

21 Town Clerk Melody Harrison told the council that the recreation department will hold a
22 second 'Bad Art Night' for adults over 21 on Friday, February 14, 2020. She said that the
23 special events office made the application on behalf of recreation on December 24, 2019.
24 The application was complete.

25 Arts and Enrichment Coordinator Kelley Cox greeted the council. She said that this was
26 the second annual event, and each registration would include two drinks for the guests.
27 She said that the event was fun and popular in 2019 and expected that 2020 will be the
28 same.

29 **MOTION: Councilor G Riddile made a motion to approve a Special Events Liquor**
30 **License Application from the Town of New Castle for the Bad Art Night**
31 **Recreation Event. Councilor Mariscal seconded the motion and it passed**
32 **unanimously.**
33

34 Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

35 **MOTION: Mayor A Riddile made a motion to adjourn the local liquor licensing**
36 **authority and to reconvene the town council meeting. Councilor Hazelton**
37 **seconded the motion and it passed unanimously.**
38
39

40 **MOTION: Councilor Leland made a motion at 7:17 p.m. to go into Executive**
41 **Session (1) for conference with Town Attorney for purpose of receiving legal**
42 **advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and (2)**
43 **for purpose of determining positions relative to matters that may be subject to**
44 **negotiations, developing strategy for negotiations, and/or instructing**
45 **negotiators, under C.R.S. Section 24-6-402(4)(e) concerning town-owned**
46 **property. Councilor Copeland seconded the motion and it passed unanimously.**
47

48 Executive session concluded.
49

1 At the end of the executive session, Mayor A Riddile made the following statement:

2
3 "The time is now 7:43 p.m. and the executive session has been concluded. The participants
4 in the executive session were: Councilor Mariscal, Owens and Hazelton; Mayor A Riddile;
5 Councilors Copeland, Leland and G Riddile; Town Administrator Dave Reynolds and Town
6 Clerk Melody Harrison, Town Attorney Haley Carmer, Town Planner Paul Smith and Town
7 Treasurer Loni Burk (via phone conference). For the record, if any person who participated
8 in the executive session believes that any substantial discussion of any matters not included
9 in the motion to go into the executive session occurred during the executive session, or that
10 any improper action occurred during the executive session in violation of the Open Meetings
11 Law, I would ask that you state your concerns for the record."
12

13 No concerns were stated.
14
15

16 **Discussion: Proposed Code Amendments Regarding Land Use Procedures and**
17 **Building Permit Requirements**

18 Town Planner Paul Smith said that he will describe to the two draft ordinances and asked
19 the council to please interject had any comments as necessary. He reviewed both
20 documents thoroughly with the council.
21
22

23 **Discussion: 2020 Capital Projects**

24 Administrator Reynolds to the council that during the 22019 council retreat the council
25 had put together a capital improvement committee that consisted of Councilor G Riddile,
26 Councilor Owens, Administrator Reynolds, Public Works Director John Wenzel, Assistant
27 Public Works Director Dave Grey, Town Treasurer Loni Burk and Police Chief Tony Pagni.
28 The committee had created a list of capital projects that needed attention as well as
29 funding for them.
30 Councilor G Riddile did a power point presentation that addressed the committee's
31 findings in depth. He reviewed all the information in the presentation, describing what the
32 committee considered tier 1 (most critical), tier 2 (critical) and tier 3 (non-critical) needs.
33 He described the projects and costs to the council in each category.
34 The council and staff discussed it in depth, and voiced concern that FMLD grant funds will
35 become obsolete within a few years. They agreed it was important that the town utilize
36 FMLD grants while they could.
37
38

39 **Consent Agenda**

40 December 3, 2019 minutes

41 December 17, 2019 minutes

42 December 2019 Bills of \$349,894.57

43 Resolution TC 2020-1 - A Resolution of the Town Council of the Town of New Castle,
44 Colorado, Designating Public Notice Posting Places

45 Resolution TC 2020-2, A Resolution of the Town Council of the Town of New Castle,
46 Colorado. Waiving the Requirement for Posting of Bonds by Certain Town Officers

47 **MOTION: Councilor A Riddile made a motion to approve the consent agenda.**

48 **Councilor Copeland seconded the motion and it passed unanimously.**

1
2 **Staff Reports**

3 Town Administrator – Administrator Reynolds said that he and Administrative Assistant
4 Debbie Nichols had been attending the Aspen to Parachute, Complete Count Committee
5 (APCCC) meetings for the 2020 census. He said he had received a request from the
6 county manager that New Castle donates funds to the committee, but Administrator
7 Reynolds said that he was hesitating on that until the committee decided what their
8 budget would look like. He noted that the committee had raised more than \$100k that he
9 understood would help purchase census materials. Councilor Mariscal said that she was
10 employed by the 2020 census, and that it was not actually necessary for the town to
11 provide funding to that committee if they did not want to. Administrator Reynolds said
12 that in 2019 New Castle had applied for a joint Craft 101 Grant along with Parachute,
13 Rifle, and Silt. The joint grant application had not been awarded in 2019, and the four
14 municipalities intended to apply again for the grant in 2020. The grant was to promote
15 regional tourism.

16 Town Clerk – Clerk Harrison told the council that candidate packets were available, and
17 that two people had picked up petitions to run for office. Clerk Harrison said that the
18 Town’s Snowman Contest went live online and Administrative Assistant Bart Mendoza had
19 received about 20 entries. She said that winners will be announced at the February 8,
20 2020 Founders Day. Clerk Harrison said that she had received two tobacco retailer
21 applications and that staff was aware that City Market was collecting the tax.

22 Public Works Director – not present.

23 Town Treasurer - Treasurer Burk said that her office had gotten W-2s done before last
24 payroll as well as 1099s for 2019. Treasurer Burk said that her office will do accounts
25 payable later in the week as well as working on closing out 2019.

26 Town Planner – Planner Smith said he would be attending a Middle Colorado Watershed
27 meeting on January 27, 2020 which would focus on a recreation conservancy between
28 Glenwood Canyon and Parachute. He said he would update the council after the meeting.
29

30 **Commission Reports**

31 Planning & Zoning Commission – nothing to report.

32 Historic Preservation Commission – Mayor A Riddile said they had had talked about
33 inviting the museum volunteers to the next HPC meeting to discuss looking for grant
34 opportunities to obtain funding to do some repairs to the museum building.

35 Climate Action Advisory Committee – nothing to report.

36 Senior Program – nothing to report.

37 RFTA – nothing to report.

38 AGNC – nothing to report.

39 GCE – Councilor Leland said their next meeting would be on Friday, January 10, but the
40 packet for the meeting had included the 22019 fourth quarter report. He provided a copy
41 of that report to the council and staff.

42 EAB – Mayor A Riddile said that the EAB did not meet in January, however at last report
43 there were only three rigs operating in Garfield County, and 23 state wide.
44

45 **Council Comments**

46 Councilor Mariscal said she would not be at the January 17, 2020 special council meeting
47 because the federal government was sending her to Dallas for additional training.

48 Councilor Hazelton said that there did not seem to be many people using the new
49 charging station and he wondered if additional signage was needed. Administrator

1 Reynolds said that there were apps that electric vehicles used to locate charging stations,
2 but staff could look into additional signage.
3 Councilor Hazelton asked if the bulk water station was on the calendar to be built.
4 Administrator Reynolds said that it was, and would be a spring project.
5 Councilor Hazelton encouraged Councilor Mariscal and Councilor G Riddile to pick up their
6 candidate packet and run for reelection.
7 Councilor G Riddile asked if Kum & Go had been notified that they need to shovel their
8 sidewalk. Administrator Reynolds said he did not know, but will find out.
9 Councilor G Riddile asked about Clubhouse Drive as well and said he did not know if it was
10 an HOA responsibility or a town one. Administrator Reynolds said that in Lakota,, that was
11 all the responsibility of the HOA.
12 Councilor Leland apologized for the error in the newsletter that had Councilor Owens up
13 for re-election.
14 Councilor Leland said that Dr. Eicher would be retiring and there was a reception the next
15 day starting at 4:30 p.m.
16 Councilor Copeland asked if any decisions had been made regarding payment options for
17 the new bulk water systems. Reynolds said that it would be credit card and a customer
18 can choose how many gallons they needed and their card would be charged accordingly.
19 Councilor Copeland asked if Town Engineer Jeff Simonson had looked at the museum
20 building. Mayor A Riddile said that he had. Administrator Reynolds said that Engineer
21 Simonson said that the museum building had issues, but was not in imminent danger of
22 collapse. There were bricks that were crumbling and could be replaced.
23 Mayor A Riddile said that the Town of New Castle was in CDOT's planning region III, and
24 that CDOT had been creating a priority project list of necessary projects throughout the
25 state. He noted that historically, New Castle had not been on CDOT's radar, but in the
26 past few years things had changed. The roundabout for New Castle was now listed as
27 third on the region III priority list which was great news. Mayor A Riddile said that now
28 the state needed to secure funding, so hopefully the roundabout project could be in
29 process in the next few years.

30
31
32 **MOTION: Councilor A Riddile made a motion to adjourn. Councilor Owens**
33 **seconded the motion and it passed unanimously.**

34
35 The meeting adjourned at 9:05 p.m.

36
37
38 Respectfully submitted,

39
40
41
42
43 _____
44 Mayor Art Riddile

45 _____
46 Town Clerk Melody Harrison, CMC

DRAFT

1
2 **New Castle Town Council Special Meeting**
3 **Friday, January 17, 2020, 11:00 AM**
4

5 **Call to Order**

6 Mayor Riddile called the meeting to order at 11:00 a.m.
7

8 **Pledge of Allegiance**
9

10 **Roll Call**

11 Present	Councilor Hazelton
	Mayor A Riddile
	Councilor Leland
	Councilor G Riddile (via phone conference)
15 Absent	Councilor Mariscal
	Councilor Owens
	Councilor Copeland

18
19 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody
20 Harrison and members of the public.
21

22 **Meeting Notice**

23 Town Clerk Melody Harrison verified that her office gave notice of the meeting in
24 accordance with Resolution TC 2020-1.
25

26 **Conflicts of Interest**

27 There were no conflicts of interest.
28

29 **Agenda Changes**

30 There were no agenda changes.
31

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

33 There were no citizen comments.
34

35 **Items for Consideration**
36

37 Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority

38 **MOTION: Mayor A Riddile made a motion to recess the town council meeting and**
39 **to convene as the local liquor license authority. Councilor Hazelton seconded the**
40 **motion and it passed unanimously.**
41

42 **Consider an Application from EAT Bistro & Drinks, LLC for Modification of**
43 **Existing Liquor Licensed Premises**

44 Clerk Harrison told the council that the owners of EAT Bistro & Drinks, Molly Mogavero and
45 Jeff Ellis, had obtained the appropriate permits and were almost done with an expansion
46 of their restaurant building located at 316 W Main Street. The special meeting was being
47 held because the modification of their existing liquor license was something that had been

1 overlooked in the construction and expansion process. Clerk Harrison said that Ms.
2 Mogavero and Mr. Ellis had submitted the modification of premises application on January
3 2, 2020. She said that all the appropriate fees were paid and the application was
4 complete. The application included an updated lease from the landowners to include the
5 addition as well as a map that showed the current and proposed liquor licensed premises.
6 The council greeted Ms. Mogavero and asked about the grand opening. Ms. Mogavero said
7 there would be a soft opening on Saturday, and the grand opening was planned for
8 Wednesday, January 22, 2020. She said there would be specialty cocktails available but
9 other details had not been decided. She said that they were very excited about the new
10 restaurant addition.

11 **MOTION: Councilor Leland made a motion to approve the Application from EAT**
12 **Bistro & Drinks for Modification of an Existing Liquor Licensed Premises. Mayor A**
13 **Riddile seconded the motion and it passed unanimously.**

14
15 The council congratulated Ms. Mogavero on the expansion of her restaurant. Ms.
16 Mogavero thanked the council for convening a special meeting for her liquor application.
17

18 Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting
19 **MOTION: Mayor A Riddile made a motion to adjourn the local liquor license**
20 **authority and to reconvene the town council meeting. Councilor Leland seconded**
21 **the motion and it passed unanimously.**
22
23

24 **Council Comments**

25 There were no council comments.

26
27 **MOTION: Mayor A Riddile made a motion to adjourn. Councilor Hazelton**
28 **seconded the motion and it passed unanimously.**
29

30 The meeting adjourned at 11:07 a.m.
31
32

33 Respectfully submitted,
34
35
36
37

38 _____
39 Mayor Art Riddile

40 _____
41 Town Clerk Melody Harrison, CMC
42

Resolution No. TC-2020-3

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO, AUTHORIZING A MAIL BALLOT ELECTION ON APRIL 7, 2020 AND SETTING FORTH OTHER DETAILS RELATING THERETO.

WHEREAS, the Town of New Castle (the “Town”), is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of the Town; and

WHEREAS, the members of the Town Council of Town of New Castle (the “Council”) have been duly elected and qualified; and

WHEREAS, April 7, 2020, is the date of the next regular election in the Town; and

WHEREAS, pursuant to Article II, Section 2.6 of the Town Charter, the conduct of the election shall be governed by the Colorado Municipal Election Code of 1965 (the “Municipal Election Code”); and

WHEREAS, the Municipal Election Code provides, at C.R.S. § 31-10-102.7, that any municipality may provide by Resolution that it will utilize the requirements and procedures of the Uniform Election Code of 1992, Articles 1 to 13 of title 1, C.R.S. (the “Uniform Election Code”) in lieu of the Municipal Election Code, with respect to any election; and

WHEREAS, procedures and requirements for mail ballot elections are set forth in Article 7.5 of the Uniform Election Code; and

WHEREAS, the Town has determined that the Town Clerk will conduct the election on April 7, 2020 as an independent mail ballot election pursuant to C.R.S. §§ 1-7.5-104 and 31-10-908; and

WHEREAS, it is necessary to set forth certain procedures concerning the conduct of the election.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO, AS FOLLOWS:

Section 1. All action heretofore taken (not inconsistent with the provisions of this resolution) by the Town and the officers thereof, directed towards the election and the objects and purposes herein stated is hereby ratified, approved and confirmed.

Section 2. Unless otherwise defined herein, all terms used herein shall have the meanings defined in the Municipal Election Code.

Section 3. The Council hereby determines that the regular election of the Town to be held on April 7, 2020, shall be conducted as a mail ballot election pursuant to Part 9, Article 10, Title 31 and Article 7.5, Title 1 of the Colorado Revised Statutes. Pursuant to C.R.S. § 31-10-102.7 of the Municipal Election Code, the Town Council elects to utilize certain provisions of the Uniform Election Code with regard to the conduct of the regular Town Election to be held on April 7, 2020. The Council hereby determines that said election shall be conducted as a mail ballot election pursuant to Article 7.5 of the Uniform Election Code; however, to the extent that procedures for the election are not provided in Article 7.5 of the Uniform Election Code, the Municipal Election Code shall apply.

Section 4. The Town Clerk is hereby appointed as the designated election official of the Town for purposes of performing acts required or permitted by law in connection with the election, and she may execute such documents as may be required in furtherance of this power.

Section 5. The Town Clerk is authorized and directed to appoint election judges pursuant to C.R.S. § 31-10-401.

Section 6. If any section, paragraph, clause or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this resolution.

Section 7. All resolutions or parts of resolutions inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 8. The effective date of this resolution shall be immediately upon adoption.

SO RESOLVED, at a regular meeting of the Town Council of the Town of New Castle, Colorado, on January 21, 2020, by a vote of ___ to ___.

Mayor Art Riddle

ATTEST:

Town Clerk Melody Harrison, CMC

Submit to Local Licensing Authority

SPIRITS OF NEW CASTLE
PO BOX 105
New Castle CO 81647

Fees Due		
Renewal Fee	227.50	227.50
Storage Permit	\$100 X	\$
Sidewalk Service Area	\$75.00	\$
Additional Optional Premise Hotel & Restaurant	\$100 X	\$ -
Related Facility - Campus Liquor Complex	\$160.00 per facility	\$ -
Amount Due/Paid		\$

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

Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name K2 SPIRITS INC		Doing Business As Name (DBA) SPIRITS OF NEW CASTLE		
Liquor License # 07-92463-0000	License Type Liquor Store (city)	Sales Tax License # 07924630000	Expiration Date 02/27/2020	Due Date 01/13/2020
Business Address 302 WEST MAIN STREET New Castle CO 81647				Phone Number 9709843225
Mailing Address PO BOX 105 New Castle CO 81647			Email WirtKristi@aol.com	
Operating Manager Kristi Wirt	Date of Birth 6/18/64	Home Address 115 Current Dr, NC CO 81647		Phone Number 970 984-3163
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Rented* *If rented, expiration date of lease.				
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
3. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
4. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
5. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
6. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Affirmation & Consent I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.				
Type or Print Name of Applicant/Authorized Agent of Business Kristi Wirt				Title Pres
Signature Kristi Wirt				Date 12/20/19
Report & Approval of City or County Licensing Authority The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules. Therefore this application is approved.				
Local Licensing Authority For				Date
Signature		Title		Attest

Tax Check Authorization, Waiver, and Request to Release Information

I, Kristi Wirt am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of K2 Spirits Inc (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>K2 Spirits Inc dba Spirits of New Castle</u>		Social Security Number/Tax Identification Number <u>20-5888037</u>	
Address <u>302 W main st , PO Box 105</u>			
City <u>New Castle</u>		State <u>CO</u>	Zip <u>81647</u>
Home Phone Number <u>970 984-3163</u>		Business/Work Phone Number <u>970 984-3225</u>	
Printed name of person signing on behalf of the Applicant/Licensee <u>Kristi Wirt</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) <u>Kristi Wirt</u>			Date signed <u>1/7/20</u>

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).