

**New Castle Town Council Regular Meeting  
Tuesday April 16, 2024, 7:00 PM**

**Call to Order**

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

**Pledge of Allegiance**

**Roll Call**

Present	Councilor Carey
	Councilor Mariscal
	Mayor Pro Tem Hazelton (took over 8:30pm)
	Mayor A. Riddile (left at 8:30pm)
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile

Absent	None
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Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Mindy Andis, Town Treasurer Viktoriya Ehlers, Assistant Town Attorney Haley Carmer, and members of the public.

**Meeting Notice**

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

**Conflicts of Interest**

Councilor G. Riddile he would be recusing himself from item T&U. The discussion regarding the sale of the 6<sup>th</sup> Street lot.

**Agenda Changes**

There were no agenda changes.

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

There were no Citizen Comments.

**Consultant Reports**

Consultant Attorney –present for agenda items only.  
Consultant Engineer – not present

**Items for Consideration**

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



1 Clerk Andis swore in the newly elected members of the council: Councilor Grady Hazelton,  
2 Councilor Graham Riddile and Councilor Crystal Mariscal.

3  
4 **Roll Call**

5 Present Councilor Carey  
6 Councilor Mariscal  
7 Councilor Hazelton  
8 Councilor Copeland  
9 Councilor Leland  
10 Councilor G Riddile

11  
12 Absent None

13  
14 **Conflicts of Interest**

15 Councilor G. Riddile he would be recusing himself from item T&U. The discussion  
16 regarding the sale of the 6<sup>th</sup> Street lot.

17  
18 **Agenda Changes**

19 Town Attorney David McConaughy had suggested moving item O after the Oath of Office –  
20 Municipal Judge.

21  
22 **Oath Office – Municipal Judge Timothy Graves**

23 Clerk Andis swore in the newly appointed Municipal Judge Timothy Graves.

24  
25 **Consider Nominations for Mayor Pro Tem**

26 Councilor G. Riddile nominated Councilor Hazelton as Mayor Pro Tem. Councilor Hazelton  
27 accepted the nomination.

28  
29 **MOTION: Councilor G. Riddile made a motion to select Councilor Hazelton as**  
30 **Mayor Pro Tem. Councilor Mariscal seconded the motion and it passed**  
31 **unanimously**

32  
33 **Consider Appointment of Town Prosecutor**

34 Town Clerk Andis said since council had been appointed Mr. Timothy Graves as Municipal  
35 Judge who was the Municipal Prosecutor, the prosecutor position became vacant. The  
36 Assistant Municipal Prosecutor John Collins provided a letter of interest and a resume.  
37 Clerk Andis said Mr. John Collins had been the assistant prosecutor for a few years and  
38 has prosecuted a few cases in municipal court. Mr. John Collins introduced himself to the  
39 council and explained his qualifications for being the town prosecutor.

40 Councilor Leland asked how Mr. Collins handles juvenile cases. Mr. Collins said that he  
41 refers cases to YouthZone and he does a Deferred Prosecution meaning as long as the  
42 defendant complies with the conditions and recommendations of the court and YouthZone  
43 the case would not be prosecution and case dismissed.

44 Clerk Andis said the service agreement for the prosecutor is on the Consent Agenda with a  
45 month rate of \$600.00 per month.



1 **MOTION: Councilor Leland made a motion to appoint John Collins as Town**  
2 **Municipal Prosecutor with compensation of \$600.00 per month. Councilor Carey**  
3 **seconded the motion and it passed unanimously.**  
4

5 **Consider a Letter of Interest from Derek Anglemyer for Reappointment to Seat**  
6 **on Climate and Environment Commission**

7 Mr. Derek Anglemyer explained he was appointed to the commission and would like to  
8 continue to serve on the commission.

9 **Consider a Letter of Interest from Sharon Morris for Reappointment to Seat on**  
10 **Climate and Environment Commission**

11 Ms. Sharon Morris explained she was appointed to the commission and would like to  
12 continue to serve on the commission.

13 **MOTION: Councilor Leland made a motion to reappoint Derek Anglemyer and**  
14 **Sharon Morris to seats on the Climate and Environment Commission. Councilor G.**  
15 **Riddle seconded the motion and it passed unanimously.**  
16

17 **Consider a Letter of Interest from Brian Westerlind for Reappointment to Seat on**  
18 **Planning & Zoning Commission**

19 **Consider a Letter of Interest from Beth Sass for Reappointment to Seat on**  
20 **Planning & Zoning Commission**

21 Ms. Beth Sass explained she was appointed to the commission and would like to continue  
22 to serve on the commission.

23 **Consider a Letter of Interest from Alison Cotey for Reappointment to Seat on**  
24 **Planning & Zoning Commission**

25 Ms. Alison Cotey explained she was appointed to the commission and would like to  
26 continue to serve on the commission.

27 **Consider a Letter of Interest from Jason Auslander for Appointment to Seat on**  
28 **Planning & Zoning Commission**

29 Mr. Jason Auslander explained he was appointed to the commission and would like to  
30 continue to serve on the commission.

31 **Consider a Letter of Interest from Tyler McAnelly for Appointment to Seat on**  
32 **Planning & Zoning Commission**

33 Mr. Tyler McAnelly explained he was appointed to the commission and would like to  
34 continue to serve on the commission.

35 After a ballot vote council voted to appoint Brian Westerlind, Beth Sass and Alison Cotey.

36 **MOTION: Councilor Carey made a motion to reappoint Brian Westerlind, Beth**  
37 **Sass and Alison Cotey to seats on the Planning & Zoning Commission. Councilor**  
38 **Copeland seconded the motion and it passed unanimously.**  
39

40 **Consider a Letter of Interest from Richard Fletcher for Reappointment to Seat on**  
41 **Historic Preservation Commission**

42 **Consider a Letter of Interest from Mari Riddile for Reappointment to Seat on**  
43 **Historic Preservation Commission**

44 **MOTION: Councilor Copeland made a motion to reappoint Richard Fletcher and**  
45 **Mari Riddile to seats on the Historic Preservation Commission. Councilor Mariscal**  
46 **seconded the motion and it passed unanimously.**



1 **Consider Setting Terms for Council Members on Planning & Zoning Commission,**  
2 **Historic Preservation Commission, Economic Advisory Committee, Climate Action**  
3 **Advisory Commission, Public Works, Public Safety, Personnel and Finance**  
4 **Committees. Also Seats on RFTA, GCE, AGNC, Senior Programs and EAB**

5 The council and staff discussed the terms for each committee or commission and agreed  
6 who would be the representative for each. (**Exhibit A**)

7 **MOTION: Mayor A. Riddile made a motion to Setting Terms for Council Members**  
8 **on Planning & Zoning Commission, Historic Preservation Commission, Economic**  
9 **Advisory Committee, Climate Action Advisory Commission, Public Works, Public**  
10 **Safety, Personnel and Finance Committees. Also Seats on RFTA, GCE, AGNC,**  
11 **Senior Programs and EAB. Councilor Hazelton seconded the motion and it passed**  
12 **unanimously.**

13  
14 Recess the Town Council Meeting, Convene the Water and Sewer Enterprise

15 **MOTION: Councilor G. Riddile made a motion to recess the Town Council Meeting**  
16 **and Convene the Water and Sewer Enterprise. Councilor Hazelton seconded the**  
17 **motion and it passed unanimously.**

18  
19 **Executive Session (1) for the purpose of determining positions relative to**  
20 **matters that may be subject to negotiations, developing strategy for**  
21 **negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4)(e)**  
22 **concerning Tap Fee Refund**

23  
24 **Motion: Councilor Leland made a Motion at 7:49p.m. to go into Executive Session**  
25 **for the purpose of determining positions relative to matters that may be subject**  
26 **to negotiations, developing strategy for negotiations, and/or instructing**  
27 **negotiators under C.R.S. Section 24-6-402(4)(e) concerning Tap Fee Refund.**  
28 **Mayor Pro Tem Hazelton seconded the motion and it passed unanimously.**

29  
30 Executive session concluded.

31 At the end of the executive session, Mayor Pro Tem Hazelton made the following  
32 statement:

33 "The time is now 8:11p.m. and the executive session has been concluded. The  
34 participants in the executive sessions were: Councilor Mariscal, Councilor Carey,  
35 Councilors Copeland, Councilor G Riddile, Councilor Leland, Town Administrator Reynolds,  
36 Town Clerk Andis, Assistant Town Attorney Haley Town Attorney David McConaughy,  
37 Town Planner Paul Smith and Town Public Works Director John Wenzel. For the record, if  
38 any person who participated in the executive session believes that any substantial  
39 discussion of any matters not included in the motion to go into the executive session  
40 occurred during the executive session, or that any improper action occurred during the  
41 executive session in violation of the Open Meetings Law, I would ask that you state your  
42 concerns for the record."



1 No concerns were stated.

2  
3 **Consider Tap Fee Refund**

4 **MOTION: Councilor Hazelton made a motion to refund tap fee payment of**  
5 **\$9600.00 plus 8 percent interest for a total of \$12,093.24. Councilor G. Riddle**  
6 **seconded the motion and passed on a roll call vote: Councilor Mariscal: yes;**  
7 **Councilor Carey: yes; Councilor Hazelton: yes; Mayor Art Riddile: no; Councilor**  
8 **Copeland: yes; Councilor Leland: yes; Councilor Graham Riddile: yes.**

9  
10 Recess the Water and Sewer Enterprise, Convene the Council Meeting

11 **MOTION: Councilor G. Riddile made a motion to recess the Water and Sewer**  
12 **Enterprise and Convene the Town Council Meeting. Councilor Carey seconded the**  
13 **motion and it passed unanimously.**

14  
15 **Motion: Councilor Leland made a Motion at 8:17p.m. to go into Executive Session**  
16 **for a conference with the Town Attorney for the purpose of receiving legal advice**  
17 **on specific legal questions under CRS Section 24-6-402(4)(b) regarding pending**  
18 **litigation against Castle Valley Ranch Investors. Councilor Copeland seconded**  
19 **the motion and it passed unanimously.**

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

25  
26 **Motion: Councilor Leland made a Motion at 8:17p.m. to go into Executive Session**  
27 **for a conference with the Town Attorney for the purpose of receiving legal advice**  
28 **on specific legal questions under C.R.S. 24-6-402(4)(b) for the purpose of**  
29 **determining positions relative to matters that may be subject to negotiations**  
30 **concerning the 6th Street Lot. Councilor Copeland seconded the motion and it**  
31 **passed unanimously.**

32 Councilor G. Riddile left at 9:04 pm.

33 Councilor G. Riddile returned at 9:08p.m

34  
35 Executive session concluded.

36 At the end of the executive session, Mayor Pro Tem Hazelton made the following  
37 statement:

38 "The time is now 9:08p.m. and the executive session has been concluded. The  
39 participants in the executive sessions were: Councilor Mariscal, Councilor Carey,  
40 Councilors Copeland, Councilor Leland, Town Administrator Reynolds, Town Clerk Andis  
41 and Assistant Town Attorney Haley. For the record, if any person who participated in the  
42 executive session believes that any substantial discussion of any matters not included in  
43 the motion to go into the executive session occurred during the executive session, or that



1 any improper action occurred during the executive session in violation of the Open  
2 Meetings Law, I would ask that you state your concerns for the record.”

3  
4 No concerns were stated.

5 **Consider Purchase Agreement for the Sale of 600 W. Main Street (6<sup>th</sup> Street Lot).**  
6 **MOTION: Mayor Pro Tem Hazelton made a motion to approve the Purchase**  
7 **Agreement for the Sale of 600 W. Main Street (6<sup>th</sup> Street lot.) Councilor Leland**  
8 **seconded the motion, and it passed on a roll call vote: Councilor Copeland: yes;**  
9 **Councilor Mariscal: yes; Mayor Pro Tem Hazelton: yes; Councilor Carey: yes;**  
10 **Councilor Leland: yes.**

11  
12 **Consent Agenda**

13 April 2, 2024 minutes

14 Consider Approving a Service Agreement for Town Prosecutor

15  
16 **MOTION: Councilor G. Riddile made a motion to approve the consent agenda.**  
17 **Councilor Carey seconded the motion and it passed unanimously.**

18  
19 **Staff Reports**

20 **Town Administrator** – Administrator Reynolds said the town had received the two  
21 Federal Mineral Lease District (FMLD) grants which the town had applied for. The  
22 Traditional grant was for \$400,000 to go towards the round-about and the Spring Mini  
23 grant was for \$25,000 of a \$75,000 project to go towards the replacement of playground  
24 equipment at Kay Willimas Park. Administrator Reynolds said he has been talking with  
25 Town Treasurer Ehlers regarding the proceeds from the lot sale of 600 W. Main Street.  
26 Administrator Reynolds said the Ice Cream Meet & Greet with the council is tentatively  
27 scheduled for July 12, 2024, from 3pm-5pm in Burning Mountain Park. Staff have been  
28 researching the law regarding the plastic bag fee and what the money could be used for.  
29 The money is intended to create programs that don't already exists and working with  
30 Climate and Environment Commission (CEC) would be helpful. Any new programs would  
31 need to go before town council for approval. Councilor Leland asked Administrator  
32 Reynolds to attend the CEC meeting in June to explain how the bag fees could be used  
33 for. Administrator Reynolds said there have been meetings with the Wildfire Collaborative  
34 and he is on the steering committee. The meetings have been trying to figure out what  
35 the goals and aspirations for the Wildfire Collaborative are. Administrator Reynolds said  
36 the Colorado River Valley Economic Development Partnership has received a lot of interest  
37 for the economic development in the valley. Administrator Reynolds said the annual  
38 Garfield County Energy Symposium at New Hope Church starting Wednesday, April 17,  
39 2024, through Friday, April 19, 2024. Administrator Reynolds said at the Hotel Colorado is  
40 the City and County Managers Association annual conference. Administrator Reynolds said  
41 there will be an Arbor Day celebration at Bear Dance Park on Friday, April 26, 2024, at  
42 10:30am. The parks department will be at the park planting a tree. Administrator  
43 Reynolds said the owners of Drifters, Joe & Kyla Hemelt have submitted all the necessary  
44 paperwork to pull a building permit. Normally all the fees would need to be paid upfront  
45 before a permit can be issued. Mr. & Ms. Hemelt is asking to pull the permit and pay the



1 fees once they have come to council to ask for help with the fees. Staff are fine with  
2 issuing the permit and allow Mr. Ms. Hemelt to start work at their new location. Mr.  
3 Hemelt expressed concerns for the cost of remodeling the building and have been some  
4 unexpected costs which have come up. Anything the town could help with would be  
5 greatly appreciated.

6  
7 **Town Clerk** –Clerk Andis said she had nothing new to report.

8  
9 **Town Treasurer** – not present

10 **Town Planner** – not present

11 **Public Works Director** – not present

12  
13 **Commission Reports**

14 **Planning & Zoning Commission** – Councilor Carey said there was CUP for Drifters  
15 regarding allowing for food trucks on the property.

16 **Historic Preservation Commission** – Councilor Copeland said the commission finalized  
17 the open house to learn about historic destinations and the benefits. The open house will  
18 be Thursday, May 2, 2024, at 6:30pm.

19 **Climate and Environment Commission** – Commissioner Leland said Earth Day is  
20 Saturday, April 20, 2024, from 11am-2pm at City Market Plaza. Water bottles will be  
21 distributed from the town, Lions Club will distribute wildflower seeds, Mountain Waste,  
22 Zero Waste, there will be an electric car on display, New Castle Coffee Company, The  
23 Mountain Beekeepers, CLEER and GCE will all be at the event.

24 **Senior Program** – has not met

25 **RFTA** – no report

26 **AGNC** – has not met

27 **GCE** – has not met

28 **EAB** - has not met

29 **Detox** – Councilor Mariscal said the ribbon cutting was scheduled for May 23, 2024.

30 **Council Comments**

31 Councilor Graham Riddile said he had an idea for the proceeds from the 6<sup>th</sup>  
32 street lot sale was to explore an employee housing program. Administrator  
33 Reynolds said he has been seeing such ideas to help employees and one way is  
34 to help with a down payment or security deposit assistance program. The town  
35 would offer a program for a low or zero interest loan to staff members who  
36 needs help. Councilor Graham Riddile said he would only want the program to  
37 be offered to town employees only.

38  
39 Councilor Leland thanked Councilor Carey and family for representing the town  
40 at Spellabration. He also thanked Councilor Mariscal for helping. He asked  
41 about the traffic light at the four-way traffic stop at Highway 6 and Castle  
42 Valley Boulevard. Since the construction has started the light is gone. The light  
43 could be used at the intersection of 7<sup>th</sup> Street and Main Street or another  
44 location.

45  
46 Councilor Mariscal asked to continue the discussion regarding the survey about



1 the rec center going.

2  
3 Councilor Carey said she had attended the Club 20 meeting. She asked if there  
4 are still issues regarding the leash law. She has seen signs on dog bag stations  
5 that might help as a reminder about the leash law. Administrator Reynolds said  
6 he has received a request to have more bag stations placed around town. The  
7 answer is if the town puts a station everywhere one has been requested then  
8 the open areas would be littered with stations.

9  
10 Mayor Pro Tem Hazelton said it was nice to have Mayor Art Riddile back for a  
11 short time tonight. He said it was good to have Administrator Reynolds for  
12 being at the meeting and it's a good reminder of how important a person's  
13 health is. He said there is a safety issue at the crosswalks along the I70  
14 Overpass bridge. With the round-about being built now is the time to discuss  
15 the safety issues. Administrator Reynolds said staff have been looking into who  
16 is responsible for the maintenance of the bridge. So far what he has found was  
17 the town had agreed to maintain the actual bridge structure but, the roadway,  
18 the pavement, the curbing, and the striping is the responsibility of CDOT.

19  
20 **Items for Future Council Agenda**

21 Administrator Reynolds said Mr. & Ms. Hemelt are moving to the old Texaco  
22 building will be coming to council on May 7, 2024, to ask for help with town  
23 fees. Also, a Conditional Use Permit application (CUP) for Drifters to allow for  
24 food trucks to be on their property. The CUP will be coming before the council  
25 on May 7, 2024.

26 Councilor Carey said should have a presentation from the Colorado River  
27 Conservation District to discuss the Shoshone water rights purchase.

28  
29 **MOTION: Mayor Pro Tem Hazelton made a motion to adjourn. Councilor**  
30 **Carey seconded the motion and it passed unanimously.**

31  
32 The meeting adjourned at 9:47p.m.

33  
34 Respectfully submitted,

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42  
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45  

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Mayor Pro Tem Grady Hazelton

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Town Clerk Mindy Andis, CMC