

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
August 27, 2019

RECORD OF PROCEEDINGS

Work Session

1. 2020 Budget

Finance Officer Jones opened the meeting with discussion regarding the topics of the budget work session. Ms. Jones provided an overview explanation of each document included in the packet.

Discussion ensued regarding, building department funds, reserves required and recommended, dual budget presentations referencing the inclusion/exclusion of Back the Badge funds. Vista Intern Evan Bolt discussed marijuana revenues in other communities.

Work session adjourned at 610pm.

Roll Call

PRESENT

Mayor Charles Stewart

Mayor Pro-Tem Chelsea Bookout

Trustee Mary Bachran

Trustee William Bear

Trustee Karen Budinger

Trustee Dave Knutson

ABSENT

Trustee Samira Hart

Approval of Agenda

Motion to approve the agenda as presented.

Motion made by Trustee Bear, seconded by Trustee Bachran.

Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson, Mayor Pro-Tem Bookout.

Announcements

3. Announcements

Trustee Bachran - attended COGCC meeting on general rule-making.

Bill Brunner – 2nd Street – stated the citizen petition has been submitted to Town.

Recognition of Visitors & Guests

1. Visitors & Guests

Margaret Hollander – 3rd Street - doesn't understand why there is no talk about a community center. Would be wonderful to have a place for kids.

Suzanne Watson - Delta Avenue – believes the Town drop box and official posting board is inaccessible due to planters.

Consent Agenda

2. Special Event Permit: North Fork Valley Creative Coalition – Edesia – August 30th
Special Event Permit: Slow Food Western Slope – Edesia – September 21st

Motion made by Trustee Bear, Seconded by Trustee Knutson.

Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson
Abstaining: Mayor Pro-Tem Bookout.

Mayor's Report

3. Mayor's Report

Nothing to report.

Staff Reports

4. Clerk's Report

- Investigating grants for ongoing water projects
- Soliciting bids for tree removal at 4th and Onarga
- Removing tree stumps at 3rd and Box Elder before winter
- Election box to be delivered this week
- Wind surge caused electrical outage throughout town, the telephone CPU required replacement at a cost of \$1,300
- Poulos Park Pride project launch scheduled for September 1st
- Still accepting memorial brick contributions at Town Park

5. Public Works

- replacing meters throughout town
- pouring concrete along Samuel Wade Road
- working on mapping as part of rfp
- spilling at plants and springs

6. Police Report

- Pickin in the Park - no incidents
- Investigating high priority cases
- Training is ongoing

7. Treasurer's Report

Treasurer King was unable to attend.

Finance Officer Jones provided information to the Board.

- Reviewed payroll and disbursements
- Audit wrapping up to be submitted by end of this month
- began preliminary budget process for 2020

8. USDA Loan Refinance

Finance Officer Jones presented documents to the Board regarding refinancing existing USDA loans with a savings of approximately \$200,000 over the lifetime of the loan.

Presentation of the timeline for approval and implementation.

Motion to proceed.

Motion made by Trustee Bachran, Seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart.

Voting Nay: Trustee Knutson.

Disbursements

9. Disbursements

Motion made to approve disbursements as presented and discussed.

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Budinger.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Unfinished Business

10. Public Hearing Continued: South Clark Avenue Major Subdivision

Public Hearing continued from July 23rd. Mayor Stewart provided information regarding procedure for hearing.

Lynn Mattingly re-introduced the proposed subdivision project for South Clark Avenue.

Jeff Ruppert - representing Odisea Engineering - addressed alternatives to Clark Avenue access which included grades not permitted by Town and drainage issues for the area. The proposed plan will keep driveways at grade. The alternatives will also result in smaller homes on smaller lots and increased driveway lengths.

Discussion ensued regarding the benefits with remaining with the initial plan and the need for moderately priced properties. Each unit designed to include up to 5 off-street parking lots.

Board Questions:

- How the parking would be enforced.
- Potential for sidewalks along Clark Avenue.
- Variances requested.
- Use of Stewart Ditch Water for irrigating the properties.
- Implementation of a deed restriction against using potable water for irrigating the properties.
- Setback requirements.

Public Comment -

Kirby Wade - Clark Avenue - questioned size of the proposed homes and noted traffic issues.

Paul Davis - Clark Avenue - noted the doubling of the neighborhood as presented. Major subdivision should have its own access.

Sheri Dangramond - Poplar Avenue- concerned Town will be paying for paving and sidewalk.

Laura Lee Yates - Clark Avenue - responsible developer and loves access. The property will get developed at some point and density could be a lot worse. Important to try to make this project work.

Tom Gifford - Clark Avenue - Does the Town own the road above existing homes. Have the proponents addressed the parking and egress concerns? Why was it dubbed a PUD? How will the Town make sure concerns are enforced?

Prima Merry - Clark Avenue - great neighborhood but more traffic will not keep it a great neighborhood. Access should go through to Colorado Avenue.

Michelle Pattison - 2nd Street – is it feasible to have centralized parking instead of individual parking or developer willing to pay for Clark Avenue paving.

Nick Lypps - Colorado Avenue - access off Colorado is too steep.

Lisa Jae - If each individual owner will buy and begin construction, how many years will construction will be ongoing.

Suzanne Watson - 2nd Street - listed pros and cons regarding snow removal, property levels and turn around.

Mary Beth Gifford - prefers access off Colorado Avenue.

Constantine Hirschfeld - Rio Grande - questioned how much water available to homeowners further down with ditch rights.

Hearing closed at 7:55pm.

Deliberation discussion:

- Proper restrictions for parking.
- Issues with current plan layout.
- Development in-town is necessary.
- Concerned with the lack of knowledge of how the parcels would be developed.

Motion made to approve development with parking and water restrictions on the deed plat - outside irrigation from Stewart Ditch and 3 parking per unit.

Motion made by Trustee Budinger, Seconded by Trustee Knutson.

Voting Yea: Trustee Budinger, Trustee Knutson.

Voting Nay: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Hart.

Meeting recessed for five (5) minutes.

11. Paonia Teen Center Roof Replacement

Mayor Stewart provided information regarding the Teen Center Roof replacement.

Bob Bushta available on behalf of the Paonia Youth Center Board to answer questions.

Motion made to award the teen center roof replacement to Clissett LLC as presented.

Motion made by Trustee Bear, Seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

12. Trash Truck Acquisition

Public Works Director Loberg solicited three additional bids for the acquisition of a new trash truck for the Town.

Suzanne Watson - Questioned the total cost of the truck?

Motion made to accept bid provided by Curbtender.

Motion made by Trustee Bear, Seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

13. Ordinance 2019-05 Business Registration

Town Attorney Nerlin requests the Town table discussion to the next meeting.

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

14. CHC – North Fork Mancos Master Development Plan – Letter of Protest

Andrew Forkes-Gudmundson provided background regarding the North Fork Mancos Master Development Plan and informed the Board the process is starting and will be back before the Board in the near future to file an objection. A statement was read to the Board and attached to the packet.

Motion to permit the Town LGD to request consultation with the COGCC on behalf of the Town.

Motion made by Mayor Pro-Tem Bookout seconded by Trustee Knutson.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Budinger, Trustee Hart, Trustee Knutson. Voting Nay: Trustee Bear.

New Business

15. Bart Eller - Paonia Soil Company Use of Existing Access Agreement

Clerk Ferguson provided information regarding the approval and addition of contingencies recommended by staff.

Motion made to direct Attorney Nerlin to modify easement to state Paonia Soil Co usage falls under accepted uses with condition the culvert be modified to Town specifications and pay for modification of CDOT permit.

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Bachran.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

16. Delta County - Opportunity Zone Funding Request

Paonia was named as part of the opportunity zone. Delta County is taking lead to solicit businesses coming in and are asking Towns to contribute to the project.

Motion made to authorize payment of \$1,000 to opportunity zone designation.

Motion made by Trustee Budinger, Seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Executive Session

Executive Session - For a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); and for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the employment contract of Mr. Ken Knight under C.R.S. 24-6-402(4)(e)(I).

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Entered at 9:30pm.

Returned at 10:16pm.

Participants were: Mayor Stewart, Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson, and Attorney Nerlin.

No issues noted.

Motion made to set special meeting for Wednesday September 4th at 6:00pm to discuss Mr. Knight termination under terms of contract.

Motion made by Mayor Pro-Tem Bookout Seconded by Trustee Hart. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Committee Reports

- 17. Finance & Personnel
- 18. Discussion Regarding Hiring of Interim/Permanent Town Administrator
- 19. Delegation of Town Administrator’s Authority to Town Clerk

Trustee Budinger recommended the Board appoint an interim administrator - Proposing the appointment of Town Clerk as interim effective today - and salary increased accordingly.

Mayor Stewart stated the Town needs someone to have administrative capacity and believes it makes sense to delegate administrator authority to Clerk Ferguson. If Ms. Ferguson agrees to be hired as interim there needs to be an agreement and appropriate compensation.

Trustee Knutson added there needs to be a provision for chain of command for the temporary reporting of Chief Ferguson to the Board.

Motion to delegate administrator authority to Clerk Ferguson, instruct Attorney Nerlin to draft a contract to for Clerk Ferguson as interim Town administrator and for Chief Ferguson to direct report to Mayor Stewart.

Motion made by Mayor Pro-Tem Bookout seconded by Trustee Hart.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Discussion ensued regarding the application process for a permanent Town Administrator.

Recommending the Board consider splitting the job of public works director to public works director and utilities director as well as hiring additional person as clerk to public works, utilities, and the police department to provide timely reports to state.

Motion to extend meeting to 11:00pm.

Motion made by Trustee Budinger seconded by Trustee Knutson.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson. Voting Nay: Trustee Hart.

- 20. Public Works-Utilities-Facilities

Discussed:

- backflow prevention - business compliance
- 2mg liner - no quotes yet
- spring line repairs
- pipeline completed
- water studies
- card reader site - working - looking for new system
- tree trimming
- lees park ditch water
- sidewalks

- 21. Governmental Affairs & Public Safety

None

- 22. Space 2 Create

None

- 23. Tree Board

None

Adjournment

Meeting adjourned at 10:46pm

J. Corinne Ferguson, Town Clerk

Charles Stewart, Mayor