

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
April 11, 2023

RECORD OF PROCEEDINGS

Mayor Bachran calls the meeting to order at 6:30 pm.

Roll Call

PRESENT

Mayor Mary Bachran

Trustee/Mayor Pro-Tem Thomas Markle

Trustee Dave Knutson

Trustee Paige Smith

Trustee Dave Weber

ABSENT

Trustee John Valentine

Trustee Rick Stelter

Correspondence Received

No comments were made.

Approval of Agenda

Motion made by Trustee Smith, Seconded by Trustee/ Mayor Pro-Tem Markle to accept public comment for the Interim Administrators report due to the content being important to both the Board and community.

Aye: Trustee Markle, Trustee Knutson, Trustee Smith

Nay: Trustee Weber

The motion carries.

Motion made by Trustee Weber, Seconded by Trustee/Mayor Pro-Tem Markle to approve the agenda.

The motion carries unanimously.

Announcements

Trustee Weber announces his resignation from the Board, thanks staff and states his admiration for their hard work. He believes that the water and sewer issues that he originally joined to help fix are in good hands, headed in a good direction and now he is ready to concentrate on fishing.

Public Comment

S. Watson: Spring Clean-up comments and says ordinance cannot be trumped by resolution and believes that people are being over-charged on trash due to that.

Consent Agenda

Disbursements

Motion made by Trustee Weber, Seconded by Trustee/Mayor Pro-Tem Markle to approve the disbursements.

Trustee/ Mayor Pro-Tem Markle states for the record that we are placing a lot of public trust in the finance committee to look over disbursements carefully. This is the third time that disbursements have not been able to be viewed before the meeting.

Town Clerk Vetter explains that that invoices are in the system, but that staff needs to call the accounting program company to be walked through the check printing process. Staff has a large learning curve and will get them finished and out to the rest of the Board and public as quickly as possible and they will all be in the next packet as well.

Interim Administrator Klusmire adds that the staff has had a very stressful couple of weeks with many unexpected issues and asks the Board to please be patient with them.

Motion carries unanimously.

Staff Reports

Interim Town Manager- PUBLIC COMMENT:

S. Patterson: asks about an investigative report and whether one will be available for the public to see.

S. Watson: Asks about whether the meters are radio reads or hand entry and asks questions about funds.

Interim Administrator Klusmire says that the priorities survey shows that Town is generally supported by community, water and sewer, of course, wins hands down, gives an update on the sewer collapse, and that a future possibility of staff equipment could mean public works could maybe do some of the smaller jobs themselves.

She also gives a brief summary on the financial accounting situation, explaining that it is complicated and harder to use than it needs to be, gives a summary of funds, fees and government accounting.

Trustee Weber states his concerns about the way the whole situation was dealt with.

Trustee Markle says Trustee Weber's concerns are better saved for the executive session.

He supports the Board implementing some accountability when it comes to the accounting, which he feels has been missing so far.

Police Chief Laiminger talks about the training reimbursement program they are using, mental health resources coming in handy but trending upwards and community outreach. Public Works Director Heiniger gives a verbal report due to the business, the delta water leak is fixed and should be online tomorrow (April 12). He also explains the old handheld vs the new handheld for meter reads and software and the issues that staff has had while trying to implement it.

Actions & Presentations

Other Items

1. International Society of Arborists- Rocky Mountain Chapter Event in the Park Approval

Kelly Mazur gives a summary of the event they are seeking approval to have in the Town Park.

Public Comment:

S. Watson: asks if the arborists use spikes during their events and is told no, they do not.

Motion made by Trustee Weber, Seconded by Trustee/Mayor Pro-Tem Markle, to approve the International Society of Arborists - Rocky Mountain Chapter event.

The motion carries unanimously.

2. Letter of Support for River District Grant

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith, to approve the Letter of Support for River District Grant.

The motion carries unanimously.

3. Staff recommendation about USFS prescriptive burn in the West Elks around Town of Paonia Springs

Jeremiah Garcia gives a summary of his concerns about the proscriptive burn. Interim Administrator Klusmire also shares her experience on the subject and the importance of environmental impacts and watershed issues. District Ranger Levi Broyles with United States Forest Service provides information and says there will be no fire on the ground until fall of 2024 so there is plenty of time to talk and address concerns before it happens. They also discuss the process of mechanical treatment first and working together with the Town for proper infiltration.

Trustee Weber asks if they will be working with the Town to protect the infiltration galleries and Town property.

Public Comment:

S. Watson: asks what the term 'mechanical' means.

Trustee Weber makes a motion, Seconded by Trustee Smith, to approve sending the letter to the USFS.

The motion carries unanimously.

4. Approval of MOU between Paonia Police Department and Bureau of ATFE

Police Chief Laiminger explains that the MOU brings the police department access to the Bureau of Alcohol, Tobacco, Firearms and Explosives databases and that even though it isn't used all the time it is a valuable tool.

Trustee Weber makes a motion, Seconded by Trustee Knutson to approve the Police Department signing the MOU with the Bureau of ATFE.

The motion carries unanimously.

5. Approval of funding for repairs to Town financial system

M. Pattison: Thanks Interim Administrator Klusmire for her work and attention to this issue

A discussion occurs about whether it should say Broomfield or Delta County in the contract.

Town Attorney Cotton-Baez advises that it can be changed to Delta County if Professional Management Solutions are willing.

Trustee Smith makes a motion, Seconded by Trustee Weber, to approve the funding, pending the change of county and affirmative review by the Town Attorney.

6. Ratification of funding approval for emergency sewer repair

Interim Town Administrator Klusmire provides an overview of emergency meetings, adds updates, and asks for ratification of the emergency motion.

Trustee Weber makes a motion, Seconded by Trustee Smith, to ratify the funding decision made at the April 7 Emergency Meeting to approve funding up to \$350,000 for the collapsed sewer repair.

Trustee/ Mayor Pro-Tem Markle asks questions about staging, planning and work start time and whether there were any responses from other firms for bids.

The motion carries unanimously.

Trustee Smith asks if Roop Excavation is doing the repair work.

Interim Administrator Klusmire adds that they will but are also doing some training with Town staff both to keep costs down and help us prepare for doing some future work ourselves.

7. Relationships with North Fork Pool, Park and Recreation District and North Fork Creative Coalition

Town Attorney Cotton-Baez provides an overview of past agreements with both groups and changes that he advises need to be made in Intergovernmental Agreement's that may not be advantageous to the Town and could be used for renegotiations.

Trustee Knutson asks if the Town can combine the MOU's for the organization into one broader agreement that deals with both the management and relationship aspects.

Trustee Weber asks if a new agreement could also include the expansions to the skate park.

Trustee Smith asks that there be a clearly defined process for reporting hazards or the Town giving direction to close the sites included in the new agreements. She also asks that the issue of payments to be made by the Town to the NFPP&R District be looked into.

Trustee Knutson makes a motion, Seconded by Trustee Smith to authorize the Town Attorney to begin negotiations for a new MOU with the North Fork Pools, Parks & Recreation District.

The motion carries unanimously.

The discussion the turns to Resolution 2013-04 Town Support of Creative District Designation and the actions the Board resolved to do, including appointing a representative to the North Fork Valley Creative Coalition Board, Town staff support of the NFVCC, and support and promotion of the Coalition events, with no clear definition of what those commitments may be. The Town Attorney suggests that entering into a formalized agreement could improve and refine the working relationship between the Town and the NFVCC.

Trustee Smith asks about clarifying some of the language about staff work time and the drafting of letters of support and asks if the resolution can be rescinded and superseded with the MOU.

Trustee Knutson would prefer that the Mayor sign all Town agreements.

Mayor Bachran points out that the Town needs to keep Resolution 2013-04 as it is state level and needs to be in place while there is a Creative District, but having an agreement with the NFVCC, who is running the Creative District is a separate issue.

Trustee Smith makes a motion, Seconded by Trustee/ Mayor Pro-Tem Markle to direct the Town Attorney to draft an MOU between the Town and the North Fork Valley Creative Coalition and suggest needed changes to Resolution 2013-04.

The motion carries unanimously.

8. Intergovernmental Agreement Growth Management Plan with Delta County Approval Reviewing Planning Commission recommendations.

Trustee Weber makes a motion, Seconded by Trustee Smith, to approve the IGA with the Planning Commission recommended changes and Section 8.

Public Comment:

M. Pattison: Questions about whether the Town or County drafted the agreement in the packet.

S. Watson: comments about reviewing the rules and be realistic when applying Town rules to properties in the Growth Management area that are far outside of town limits.

Trustee Smith asks about enclaves and annexation and asks where section 8 is?

Trustee/ Mayor Pro-Tem says thank you to Planning Commission for putting recommendation together and addressing issues that people had bad feelings about.

Main motion: to approve the IGA with the Planning Commission recommended changes and Section 8.

Motion carries unanimously.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith for a five-minute recess.

Motion passes unanimously.

Meeting resumes

Trustee Weber makes a motion, Seconded by Trustee/ Mayor Pro-Tem Markle, to move the Executive Session up on the agenda, while they have a quorum.

The motion carries unanimously.

9. Tabled to next regular meeting.

10. Tabled to next regular meeting.

11. Tabled to next regular meeting.

Executive Session

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Weber to enter Executive Session, pursuant to Section 24-06-402(40(b), C.R.S., for purposes of conferencing with the Town Attorney for the purposes of receiving legal advice on specific legal questions related to the removal of officers pursuant to Section 31-4-307, C.R.S.

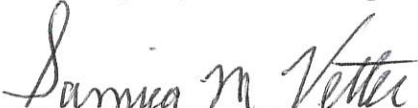
Motion carries unanimously.

Executive Session starts: 8:22 pm

Executive session ends: 9:16 pm

Adjournment

Meeting Adjourns at 9:20 pm


Samira M Vetter, Town Clerk




Mary Bachran, Mayor

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