



**TOWN OF PAONIA**  
**214 GRAND AVE**  
**THURSDAY, JANUARY 19, 2023**  
**SPECIAL TOWN BOARD MEETING AGENDA 2:30 PM**  
**[HTTPS://US02WEB.ZOOM.US/J/82701717682](https://us02web.zoom.us/j/82701717682)**  
**MEETING ID: 827 0171 7682**  
**ONE TAP MOBILE**  
**17193594580**

**Roll Call**

**Approval of Agenda**

**New Business**

Discussion and direction to the Town Attorney and Interim Administrator on code language specific to Ordinance 2020-01 Water Moratorium.

**Adjournment**

**Section 9. Unacceptable Behavior.** Disruptive behavior shall result in expulsion from the meeting.

**Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings.** These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

## **II. CONSENT AGENDA**

**Section 1. Use of Consent Agenda.** The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

**Section 2. General Guidelines.** Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

**Section 3. Removal of Item from Consent Agenda.** One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

## **III. EXECUTIVE SESSION**

**Section 1.** An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed "in as much detail as possible without compromising the purpose for which the executive session is authorized." In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

**Section 2.** During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

**Section 3.** Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

## **IV. SUBJECT TO AMENDMENT**

**Section 1. Deviations.** The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

**Section 2. Amendment.** The Board may amend these Rules of Procedures Policy from time to time.

**Minutes**  
**Special Town Board Meeting**  
**Town of Paonia, Colorado**  
**January 19, 2023**

**RECORD OF PROCEEDINGS**

Mayor Bachran calls meeting to order at 2:30 pm

**Roll Call**

PRESENT

Mayor Mary Bachran

Trustee/Mayor Pro-Tem Thomas Markle

Trustee Dave Knutson

Trustee Paige Smith

Trustee Dave Weber

Trustee John Valentine

Trustee Rick Stelter

**Approval of Agenda**

Motion made by Trustee Weber, Seconded by Trustee Stelter to approve the agenda.

Motion carries unanimously.

**New Business**

Discussion and direction to the Town Attorney and Interim Administrator on code language specific to Ordinance 2020-01 Water Moratorium.

Interim Town Administrator Klusmire and Town Attorney Cotton-Baez provide an outline of language that needs clarification in the water moratorium.

Motion made by Trustee/Mayor Pro-Tem Markle, Seconded by Trustee Weber to direct the Interim Town Administrator and Town Attorney to rephrase Ordinance 2020-01 Section 13-1-31 to indicate that it applies to extensions to additional units as well as new taps.

Trustee Markle uses a visual demonstration to show the water supply issue and what the purpose of the moratorium is.

Board discussion topics include definitions of water delivery pipes, service lines & taps, new usage vs extension of usage, intent of the voters, water usage, prohibitive vs permissive language, water pressure, housing shortage, meters and the need to clarify the ordinance language

Motion made by Trustee Weber, Seconded by Trustee Stelter to amend the motion to say no additional taps or meters except where already established allowable before moratorium.

Board discussion includes, in town vs out of town users, IGA's, and the need for MOU's with water companies.

**Public Comments:**

L. Howe: asks a question for clarification.

Motion made by Trustee Smith, Seconded by Trustee Knutson to allow Mr. Brunner 5 minutes to speak.

Motion carries unanimously

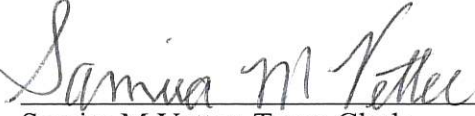
W. Brunner: talks about initial concern that prompted the moratorium and his expectation of fairness to citizens, what the original intent was, and asks them to also look at the sewer ordinance while cleaning up code language.

K. Rosen: Encourages the town to get the work of repairing done before they look to growth and development.

Motion carries unanimously.

**Adjournment**

Meeting adjourns at 3:47pm

  
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Samira M Vetter, Town Clerk



  
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Mary Bachran, Mayor