

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
May 26, 2020

RECORD OF PROCEEDINGS

Roll Call

Mayor Bachran
Trustee Bear
Trustee Budinger
Trustee Knutson
Trustee Pattison
Trustee Johnson
Trustee Meck

Approval of Agenda

Motion by Trustee Bear, supported by Trustee Meck to approve amended agenda. motion carried unanimously

Motion by Trustee Knutson, supported by Trustee Bear to remove item 9 addition of personnel handbook and item 8 ordinance 2020-TBD amending chapter 18, article 9, section 10 - fence, hedges, and walls until a future in-person meeting is held.

Motion by Trustee Knutson, supported by Trustee Johnson to amend the main motion to remove item 9 and table fence ordinance for discussion. Motion carries with Trustee Bear voting nay.

Executive Session

Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific questions under C.R.S. 24-6-402(4)(b) regarding the case of Eric Pace v. Town of Paonia

Executive Session For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(e) for matters subject to negotiation regarding the employment of Ms. Corinne Ferguson as Town Administrator

- Entered into executive session 6:44 pm
- Returned to the public meeting at 8:05 pm.

Motion made by Trustee Bear, Seconded by Trustee Pattison. To enter into **Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific questions under C.R.S. 24-6-402(4)(b) specific to the case of Eric Pace v. Town of Paonia and Executive Session - For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(e) for matters subject to negotiation specific to the employment of Ms. Corinne Ferguson as Town Administrator**

In attendance were Mayor Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck, Admin Ferguson, and Attorney Nerlin

Announcements

- None.

Recognition of Visitors & Guests

- Thomas Markle - suggested looking into a concrete scarifier machine as an alternative to repair sidewalks.

Consent Agenda

Regular Meeting Minutes:
04/28/2020

Motion made by Trustee Bear, Seconded by Trustee Budinger to approve the consent agenda as presented. Motion carries unanimously.

Mayor's Report

- Board and staff retreat to be scheduled in June 2020.

Staff Reports

Administrator Reports:

- COVID-19 - update
- Cherry Days 2020 has announced that they have canceled the event due to COVID-19
- BMW Rally 2020 pursuing canceling event due to COVID-19
- Delta County variance update - restaurants will be able to open in-person dining at 50% not to exceed 50 people and are still required to follow social distancing of 6 feet apart.
- Discussed the possibility of having outdoor dine-in service with an extension to the liquor license for those who serve liquor.
- Town Attorney suggested looking into Town of Ridgeway's outdoor dine-in seating.
- Discussed the concerns of closing or blocking certain areas of streets.

Public Works Report:

- O road had another water leak and was fixed
- Working on getting parts to replace the pressure release vault (PRV) on the O road line.
- Public Works has mowing and replacing sprinklers in the parks
- Town park and Apple Valley park are mowed regularly, and all other parks are mowed on a bi-weekly basis.

Police Report:

- Met with a kennel to house dogs at large on 05/25/20. Police Department will have a place to take dogs in 2 weeks.
- Announced Officer Andrew Vassel's resignation. Last day is June 06, 2020
- Written complaints are required for the police officers to move forward with the complaint.
- Interviews for the Judge position will begin May 26, 2020.
- Police officers write red tags for weeds that have gone wild, not citations.
- Police blotter was included in the packet.

Disbursements

Treasurer King was absent, and Finance Officer Cindy Jones proceeded to report.

- Reviewed disbursements and payroll
- The auditor will have a draft by the end of the week
- The auditor is scheduled to do the audit presentation on June 23, 2020

- A request of \$33,041.88 to move to COLA trust where the Town has its reserves.
- Disbursements were included in the packet.

Motion made by Trustee Knutson, Seconded by Trustee Budinger. To approve disbursements as presented with the transfer \$33,041.88 to the Town's reserve at COLA Trust.

Unfinished Business

SCADA (Supervisory Control and Data Acquisition) and Operations System – Clock Water Treatment System (1MG Plant).

Continued discussion regarding the SCADA (Supervisory Control and Data Acquisition) and Operations System – Clock Water Treatment System (1MG Plant).

- Referral documents were included in the packet by other communities who have used Browns Hill Engineering & Controls services.
- Multiple people can be trained to operate the system
- The asset inventory will not be affected by updating the system
- Trustee Pattison questioned if the bonding could be excluded from the contract.
- Documents of the SCADA proposal from Browns Hill Engineering & Controls were included in the system.

Motion made by Trustee Bear, Seconded by Meck. To accept Browns Hill Engineering & Controls to provide the equipment under the lease agreement with the numbers presented. Motion carries with 4 ayes and 2 Nays: Trustee Knutson, Trustee Pattison.

Ordinance 2020-05 Modification of Municipal Code Article 7 - Tree Board – First Reading

- Discussion ensued about having a sick tree day.
- The draft Ordinance 2020-05 Modification of Municipal Code Article 7 - Tree Board – First Reading was included in the packet.

Public Concerns regarding the Tree Board having a sick tree day:

- Tree Board evaluating trees on private property.

Motion made by Trustee Knutson, Seconded by Meck. To approve Ordinance 2020-05 Modification of Municipal Code Article 7 - Tree Board – First Reading. Motion carries unanimously.

Ordinance 2020-TBD Modification of Ordinance 2019-02 Amending Fences, Hedges and Walls – Discussion Only.

- The item was tabled. Comments by Trustee Pattison regarding the issue.
- Governmental Affairs & Public Safety will meet on 05/27/20 to review and discuss the Ordinance 2020-TBD Modification of Ordinance 2019-02 Amending Fences, Hedges, and Walls.
- Trustee Pattison commented on the possibility to waive the variance fee for a community member who has been patiently waiting for the process of modifying the fence ordinance to be finalized.
- Attorney Nerlin suggested to take it under advisement only.

Addition to the Personnel Handbook

This item was removed during the approval of the agenda for additional review by the committee.

New Business

Discussion Regarding Town Administrator

- Discussion Regarding the Town Administrator contract will be discussed.
- Options for the appointment of the Paonia Town Administrator documents were included in the packet.

Motion made by Trustee Knutson, Seconded by Meck. To approve a (1 yr.) one-year town administrator contract – Corinne Ferguson as the town administrator and pay half of the medical cost of \$137 per pay period starting the new contract and, post new contract to the public. Approval of the contract will be at the first meeting in June 2020 and. Motion carried unanimously.

Motion made by Trustee Knutson, Seconded by Johnson. To continue Corinne Ferguson's interim Town Administrator contract through June 10th, 2020. Motion carried unanimously.

Intergovernmental Agreement - Shared Victim's Advocate

- Chief Ferguson spoke about the Intergovernmental Agreement - Shared Victim's Advocate and the benefits of the program. This program is shared between the Town of Hotchkiss and the Town of Cedaredge.
- The Intergovernmental Agreement was included in the packet.

Motion made by Trustee Bear, Seconded by Trustee Pattison. To approve the Intergovernmental Agreement - Shared Victim's Advocate. Motion carried unanimously.

Medical & Retail Marijuana Discussion - November Election Participation

- Discussion about adding Medical & Retail Marijuana to the ballot
- (1) One person in favor of having the Medical & Retail Marijuana on the ballot and (1) one person against it.
- (2) Two trustees in favor of having an open discussion with the community.
- (1) One community member in favor of Medical & Retail Marijuana on the ballot and another member recommended researching the pros and cons of having Medical & Retail Marijuana shops in town.
- Recommendation to have a workshop meeting.
- The direction was given to Trustees Johnson and Pattison to research Medical & Retail Marijuana shops

Motion made by Trustee Knutson, Seconded by Trustee Budinger. To extend the meeting until 9:45 pm. Motion carried unanimously.

Discussion of Resuming In-Person Meetings and Public Participation Options

- Discussion ensued to resume in-person meetings and public participation.
- (1) One person was not in favor to continue with virtual meetings.
- Town Attorney commented that the town can resume in-person meetings with consideration of meeting the social distancing rule.
- (1) One person suggested having an outdoor venue.
- A suggestion from a community member to have a hybrid meeting, this is where a group of people attending the meeting is located in the same place while other participants join the meeting virtually.
- Discussed the restrictions of holding an in-person meeting are.

- Suggestions to hold the in-person meeting at a different venue.
- The direction was given to research in the next (2) two weeks the options of different venues.

Committee Reports

Finance & Personnel

- Nothing to Report

Governmental Affairs & Public Safety

- Meeting at 2 pm on Wednesday and there for every second Wednesday.
- An email was received from Suzanne Watson regarding zoning. One board member suggested meeting with her about the issue and another board member suggested meeting with Planning and Zoning Committee to discuss the issue.
- Food truck discussion is on hold until there an in-person meeting is held.

Public Works-Utilities-Facilities:

- Meeting June 1st, 2020 at 9:15 am.

S2C:

- Nothing to report.

Tree Board:

- Trustee Meck and Tree Board member John Valentine looked at trees on Third Street and Box Elder and agreed with the Town regarding trees that are causing sidewalk issue to be removed.

Adjournment

Motion made by Trustee Bear, Seconded by Trustee Budinger. To adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 9:40 pm.

Amanda Mojarro, Deputy Clerk

Mary Bachran, Mayor