

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
August 13, 2019

RECORD OF PROCEEDINGS

Roll Call

1. Roll Call

PRESENT

Mayor Charles Stewart

Mayor Pro-Tem Chelsea Bookout

Trustee Mary Bachran

Trustee William Bear

Trustee Karen Budinger

ABSENT

Trustee Samira Hart

Trustee Dave Knutson

2. Work Session - 2018 Audit Detail Discussion

Services provided:

Compiling Financial Statements

Provide opinion

Review policies and procedures

Review Grant agreements and correspondence

Motion to adjourn work session.

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

1. Roll Call

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Approval of Agenda

2. Agenda Approval

Mayor Stewart informed the Board that Mr. Stahl requests the items related to his annexation be tabled.

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

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

Announcements

3. Announcements

None

Recognition of Visitors & Guests

1. 2018 Audit Presentation

Lisa Hemann - Chadwick Steinkirchner and Davis - presented during work session prior to meeting. Ms. Hemann provided a brief overview of the audit for the Board and public.

Motion made to accept the audit as presented, with grammatical corrections and to direct the Town auditor to file with the state auditor's office.

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

Discussion ensued regarding posting of the report to management.

Motion made to post audit and auditors report to website upon completion of corrections.
Motion made by Trustee Bachran seconded by Mayor Pro-Tem Bookout. Voting Yea:
Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger

2. Alyssa Logan - Senator Bennet Draft Rural Infrastructure Proposal
Alyssa Logan - Regional Representative from Senator Bennet's office was present. Ms. Logan provided an introduction to the Board and public, including her roots in Paonia.

Ms. Logan will have in office hours August 22nd at the Paonia Public Library from 10:30am to 2:00pm.

Ms. Logan provided information regarding Senator Bennet's draft infrastructure bill supporting rural communities.

3. Visitors & Guests
Ashley Sargent - requested to be on the first agenda in September to discuss 5g installation concerns. Mayor Stewart advised Ms. Sargent to contact the Clerk to request to be on the agenda.
Constantine Hirschfeld - Rio Grande – requested speed sign be placed between 3rd and 4th street on Rio Grande.
Bart Eller - Purchase 38784 Marsh Rd - Planning to move Paonia Soil to the location. Currently there is an agricultural access - wants to use the access easement as the primary use for the business. Mayor Stewart suggested he request to be on the agenda and update the easement agreement definition to include Paonia Soil use.

Consent Agenda

4. Minutes: July 9, 2019
Minutes: July 15, 2019 – Special Meeting
Minutes: July 23, 2019
Minutes: July 30, 2019 – Special Meeting
Minutes: August 1, 2019 – Special Meeting
The Cirque Cyclery dba Remedy – Liquor License Renewal and Modification of Premise

Mayor Pro-Tem Bookout recused herself from the liquor license renewal.
Trustee Bachran - recused herself from the August 1, 2019 minutes.

Motion to approve consent agenda minutes.
Motion made by Trustee Bear seconded by Mayor Pro-Tem Bookout. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger

Motion to approve The Cirque Cyclery dba Remedy Liquor License Renewal and Modification of premise.
Motion made by Trustee Bachran seconded by Trustee Budinger. Voting Yea: Trustee Bachran, Trustee Bear, Trustee Budinger

Mayor's Report

5. Mayor's Report
Nothing to report.

Staff Reports

6. Clerk's Report
 - Census 2020 address canvassing is beginning this week.
 - Remote Area Medical inaugural event a huge success and scheduled for a return next year.
 - Enlighten Energy Solar Production information included in the packet.

- Water system Analysis RFP circulating.
- Meeting with DOLA representative this week.
- Teen Center Roof will be on the next agenda.
- Received USDA notice of compliance from the compliancy audit.
- Ballot box delivered, installation to come.
- Poulos Park Pride project planning group meeting weekly to work on phase plan.
- Letters of support require signature in absence of Town Administrator.
- Delta County requests follow-up regarding Opportunity Zone buy-in from the Town.

Motion made to include Opportunity Zone Funding on the next agenda.

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

7. Public Works

- Working on tree trimming rfp - publishing next week.
- Working on rough draft of mapping rfp - plan to complete by next meeting
- Received bid documents and plans for Stahl Road and Price Road sewer line.
- Revised bid documents for Clark alley sewer and storm sewer out this week.
- 1MG plant spilling 144,000 gallons a day.
- 2MG plant spilling 40,000 gallons a day.
- Spring-line repairs underway.

8. Trash Truck Acquisition

Public Works Director Loberg provided information regarding the request to purchase a new truck. The Truck is 20 years old and requires multiple expensive repairs yearly. Multiple bids were not included in the packet due to the inability to find trucks that had the specifications looking for. Cost estimate is \$249,000, coming from reserve and \$10,000 out of capital improvement fund.

Discussion ensued regarding different types of cans, dumpsters, and trucks.

Motion made to direct Public Works Director to solicit more bids and on put next agenda.

Motion made by Trustee Bear seconded by Trustee Bachran. initial vote ended in Tie.

Mayor Stewart voted aye. Motion carried.

9. Police Report

- Blotter included in packet.
- Large and small investigations taking a lot of patrol time.
- Completed active shooter training at Hotchkiss K-8.
- Next Wednesday is the first day of school - fine double in school zones. - be aware.
- Officer Patterson will resume her SRO duties in the schools.

10. Treasurer's Report

- Reviewed payroll and disbursements.
- Reviewed and finalized audit report.

Disbursements

11. Disbursements

Motion 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

12. Basics of Budget Process

Finance Officer Cindy Jones provided a slideshow presentation regarding the budget process, including definitions of funds and how the monies are allocated.

First budget work session scheduled for the next regular meeting at 5pm.

Unfinished Business

13. Public Hearing: Stahl Addition

The petitioner has requested to continue the public hearing.

Motion to continue Public Hearing and related items for the first meeting in September.

Motion made by Trustee Bear seconded by Trustee Bachran.

Motion to amend to continue until requested by petitioner or first meeting in September.

Motion made by Trustee Budinger seconded by Trustee Bear. Voting Yea: Trustee

Bachran, Trustee Bear, Trustee Budinger Voting Nay: Mayor Pro-Term Bookout

Main amended motion. Voting Yea: Mayor Pro-Term Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger

14. Atlasta Solar Center

Matt Fowler was present on behalf of Atlasta Solar – Solar charging electrical meter is in place, trench is open, rough-in inspection conducted. DMEA has upgraded the transformer on the pole near the location. Town Attorney Nerlin suggested the Town utilize the 90 day notice as to not include a multi-year fiscal responsibility in the contract.

Motion to approve lease agreement with a 90-day written notice to terminate and lease in the amount of \$1 per month.

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

Voting Yea: Mayor Pro-Term Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger

Motion to authorize Mayor Stewart to sign the contract on behalf of the Town.

Motion made by Mayor Pro-Term Bookout seconded by Trustee Bachran. Voting Yea:

Mayor Pro-Term Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger

15. Western Slope Conservation Center – Letter of Support – Community Conservation Proposal

Ben Katz - Public Lands Program Director - provided background regarding the Grand Mesa Uncompaghre and Gunnison National Forest draft proposals upcoming, including the Community Conservation Proposal, like the North Fork Alternative Plan, which is a collection of landscape designations throughout the land and wilderness areas.

The goal is to have the Board sign a letter of support for the specific areas that are of an impact to the Town.

Board Questions:

When public comment is open again.

Use of off-road/road-less areas.

Time utilized by the Board to continue to address issues outside the Town limits.

Change in access for hunters and other users.

Value in retaining wild areas.

Appropriateness of providing comments and feedback as representatives of the community.

Public Comment:

Constantine Hirschfeld - the more land designated wilderness, the less access for ohv and bicycle users.

Motion made to set item for second meeting in September to begin drafting letter based on information provided.

Motion made by Mayor Pro-Term Bookout seconded by Trustee Bachran.

Voting Yea: Mayor Pro-Term Bookout, Trustee Bachran, Trustee Budinger

Voting Nay: Trustee Bear

16. Ordinance 2019-05 Business Registration

The draft ordinance requires businesses within the Town to register their business with the Town. Mayor Stewart read for the Board and public the opening caption for the record.

Questions raised were:

- How do we define business?
- What are fees and how much will it cost?

Deborah Spiegel - Orchard Avenue - requested additional information regarding the definition of a business.

Thomas Markle - Second Street - Feels the language is very broad.

Debbie Kimball – Questioned if a business is registered out of Town with and in-Town office will be responsible to register as well.

Michelle Pattison - Understands the goals and needs. Believes ordinance is confusing. Mayor Pro-Tem Bookout recommended a checklist for business owners use.

Motion made to continue to next meeting with a better-defined business use.

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

17. Ordinance 2019-06 Amending Home Occupation Process

Second read before the Board and public. Mayor Stewart read the draft ordinance caption for the record.

Motion to adopt Ordinance 2019-06 as corrected.

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

New Business

18. Ordinance 2019-TBD – Formula Businesses

Referred to Planning Commission July 31st, sent to Board August 1st for first reading.

Second reading opened for the Board. Mayor Stewart read the draft ordinance caption for the record.

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

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

19. Ordinance 2019-TBD - Creation of the Highway 133 Corridor Overlay District & Highway 133 Corridor Development Submittal Requirements & Design Standards

Referred to Planning Commission July 31st, sent to Board August 1st for first reading.

Second reading opened for the Board. Mayor Stewart read the draft ordinance caption for the record.

Motion to adopt Ordinance 2019-tbd as corrected.

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

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

20. Resolution 2019-13 – Stahl Addition Finding of Fact

Continued to September 10th Regular Meeting.

21. Ordinance 2019-10 – Stahl Addition Approval of Annexation

Continued to September 10th Regular Meeting.

22. Ordinance 2019-TBD – Stahl Addition Zoning

Continued to September 10th Regular Meeting.

23. VISTA Intern Supervisor Designation

Mayor Stewart - provided an overview of the supervisor position.

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

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

24. North Fork Valley Creative Coalition – Memorandum of Understanding

Evan Bolt - Vista Intern and Susie Lowe - President of North Fork Valley Creative Coalition presented information regarding the signage plan for an entryway sign.

Intern Bolt provided an overview of the requirement from CDOT for the Town to assume responsibility of the sign. Options for the location of the sign were discussed.

Ms. Lowe suggested the Town and Creative Coalition write a maintenance responsibilities memorandum of understanding regarding shared responsibility for maintenance.

Motion to approve memorandum of understanding as presented and authorize Mayor Stewart to sign on behalf of the Town.

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

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

25. Colorado Oil & Gas Conservation Commission- Town Designee

The Local Governmental Designee serves as a conduit for information and is not part of decision-making. Discussion ensued regarding designee time commitment and authority. Motion to appoint Trustee Bachran with Trustee Knutson as alternate, any decision would need Board approval.

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

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

26. Discussion Regarding Hiring of Interim/Permanent Town Administrator

Trustee Bachran recommended that Town be in conversation with Sam Mamet, former CML president for direction. It is a Town benefit to contact him and get his input and help in this process.

Linda McCone - second street - seems situation could have been avoided with more in depth vetting of previous administrator and hopes it will be used in the future.

Direction given for the finance and personnel committee to make a recommendation to Board at next meeting.

Committee Reports

27. Finance & Personnel

Nothing to report.

28. Public Works-Utilities-Facilities

Discussions regarding:

Bulk fill station.

2mg tank lining next year.

Spring repairs ongoing.

Tracking the water needs to be addressed.

Meter at elementary school installed outside of the school.

Second Street and Grand Avenue storm water plan ongoing.

29. Governmental Affairs & Public Safety

Committee members not in attendance.

30. Space 2 Create

Meeting sporadically.

31. Tree Board

Creating a website that will link to Town website to put up information to people regarding appropriate trees in certain area, will include a sick tree day - where an expert can give advice. Plan to inventory all Town trees.

Adjournment

Motion to adjourn.

Motion made by Trustee Budinger, Seconded by Trustee Bachran.

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

Adjourned at: 9:25pm

J. Corinne Ferguson, Town Clerk

Charles Stewart, Mayor