

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
November 26, 2019

RECORD OF PROCEEDINGS

Roll Call

1. Roll Call
PRESENT
Mayor Charles Stewart
Trustee William Bear
Trustee Karen Budinger
Trustee Dave Knutson
Mayor Pro-Tem Chelsea Bookout
Trustee Mary Bachran

ABSENT
Trustee Pattison

The Regular Town Board Meeting held Tuesday, November 26, 2019, was called to order at 6:30 PM by Mayor Charles Stewart followed by the Pledge of Allegiance.

Approval of Agenda

2. Agenda Approval

Motion to approve the agenda as presented.

Motion made by Trustee Bear Seconded by Trustee Budinger.

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

Announcements

3. None

Recognition of Visitors & Guests

1. None

Consent Agenda

4. Regular Minutes: November 12, 2019

Motion to approve the consent agenda.

Motion made by Trustee Knutson seconded Trustee Bachran. Voting Yea: Trustee

Budinger, Trustee Bear, Trustee Knutson, Mayor Pro-Tem Bookout, Trustee Bachran.

Mayor's Report

5. None.

Staff Reports

6. Interim Administrators Report:
 - Poulos Park – kids holiday activities
 - Code brought up to date

Administrator/Town Clerk Ferguson informed the board regarding Silver Leaf's as-built have not been completed for over (1) one year. The Town of Paonia has not received the as-built from Silver Leaf. The Town will not accept responsibility of the installed utility lines for 12-months following receipt of the as-builts.

7. Public Works

- Leaf vacuum – going well and will start back up with weather permitting
- 2mg spilling 36,000gl per day
- 1mg spilling 52,000gl per day
- 238,000gl producing per day
- 3 springs still spilling

Public Works Director Travis Loberg stated the sewer line project encountered an issue. The initial survey was inaccurate. The plans were re-surveyed as well as re-engineered. The sewer line recently installed will be takeout and dropped 2.5 feet. underground. A change order will be forthcoming.

8. Police Report

Acquisition of Electric Car

Chief Neil Ferguson brought forth to the Board the purchasing policy requirements regarding the purchase of budgeted electric car. The purchasing policy states that under (\$10,000) ten thousand dollars the town administrator is able to approve the purchase without three bid process. Considering the relationship with the town administrator/town clerk Corinne Ferguson. Chief Neil Ferguson is requesting board approval for the purchase of the electric car in the amount up to \$8,000.

Discussion Points:

- Electric car budgeted for 2019
- Explore the Western Slope area for a more affordable price
- Electric car beneficial to town events
- The electric car is used (4) four months out of the year
- The electric car will be parked at the town shop when not in use
- The old electric car will be declared surplus

Public Comments:

Suzanne Watson disagrees with the purchase of a new electric car considering it is only used (4) four months out the year. Ms. Watson recommended looking into bikes.

Motion to eliminate the (3) three bid process and authorize the purchase of the electric car by Chief Neil Ferguson for up to (\$10,000) ten thousand dollars.

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

9. Treasurer's Report - absent

- Reviewed payroll and disbursements

Disbursements

10. Disbursements

Motion to approve disbursements as presented and discussed.

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

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

Unfinished Business

11. Public Hearing Budget 2020

Mayor Stewart provided a history of the budget 2020 process to the public and opened the public hearing for comment. Mayor Stewart stated the budget 2020 resolution will be on the December

10, 2019 agenda. Copies of the revised 2020 draft budget were handed out to the board of trustees and were available to the public.

Public Comment:

Deborah Spiegel addressed the board of trustees regarding a local building inspector not being considered for the town building inspector.

Mayor Stewart indicated the decision taken by the Board to contract with a company vs an individual.

12. Resolution 2019-19 - Utility Relief Program

Mayor Stewart read staff notes.

Town Administrator/Town Clerk Ferguson stated the sewer rate is set by ordinance therefore per the board of trustee sewer rates that were considered for the utility relief program need to be set by ordinance for review at a future date.

Discussion Points:

- Customers qualified year-round
- Adding a line item in budget showing the actual expense
- Qualification period - December through February
- Application period November-April
- Payout is two times
- Program computer to set the 20% for each account

Motion to adopt resolution 2019-19 utility relief program. Motion made by Trustee Bachran seconded by Trustee Knutson.

Main Motion modified to adopt resolution 2019-19 utility relief program and require that the Finance Director Cindy Jones add a line item showing actual expense for utility. Main Motion Modified by Trustee Bear seconded by Trustee Knutson. Voting Yay: Trustee Bear, Trustee Knutson, Trustee Budinger, Trustee Bachran, Mayor Pro-Tem Bookout.

Motion to approve the amended motion. Motion made by Trustee Budinger seconded by Trustee Bachran. Voting Yay: Trustee Bear, Trustee Knutson, Trustee Budinger, Trustee Bachran, Mayor Pro-Tem Bookout.

13. Medical and Commercial Marijuana Sales Discussion Only

Trustee Budinger requested the Board to consider the legalization of medical and commercial marijuana sales within the Town. Trustee Budinger indicated how other communities have seen an impact on growth in their communities by taxing marijuana and could see the Town having a "Pot for Potholes" campaign. Marijuana newspaper excerpts provided by Treasurer King were distributed to the Board.

Town Vista Intern Evan Bolt stated in regard to his research on other communities that he has done. Mancos has legalized marijuana and seen positive outcomes in the town. A spreadsheet of marijuana sales tax revenue in Colorado municipalities compatible with the Town of Paonia was included in the packet

Chief Neil Ferguson indicated an expectation that issues with legalizing marijuana would be no different from the issues of alcohol and tobacco. The Police Department collected crime stats related to marijuana was included in the packet.

Discussion Points:

- Crime
- Taxation issue

- Taxation and associated fees need to be included in the ballot if the board chooses to move forward.
- Economic opportunity
- Marijuana survey currently circulating - town vista Evan Bolt
- Vote by the Citizens
- Ethical Concerns

Public Comment:

Naropa Sabine indicated how Colorado being the first state to legalize marijuana. Paonia is known for the cultivation of hemp and the use of marijuana.

Suzanne Watson indicated how the plastic used by cultivators is tilled into the ground and harming the environment. Ms. Watson recommended Marijuana shops be away from town and near Highway 133 if permitted.

Another citizen asked the Board to consider the mental health and addiction by minors.

Shari Dangermond agrees to legalize marijuana.

13. Asset Inventory (RFP) Request for Proposal Award

Mayor Stewart read staff notes in regard to the asset inventory RFP.

The Public Works committee and staff reviewed the proposals from qualified engineers and recommend SGM.

Motion to select SGM to do the asset inventory project.

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

16. CIRSA- No-Fault Optional Coverage Renewal

Administrator/Town Clerk Ferguson provided information regarding the CIRSA optional coverage.

Discussion Points:

- No claims have been paid out
- Property owners need to provide documents requested to town when making a claim
- PRV valves - failure
- Coverage option 1 vs option 2

CIRSA - no-fault optional coverage renewal document was included in the packet.

Motion to select option 2 for an annual premium of \$1,733.00 CIRSA 2020 no-fault water line rupture and/or sewer back-up coverage. Motion made by Trustee Bear seconded by Trustee Knutson Voting Yay: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Bear, Mayor Pro-Tem Bookout.

17. U.S Geological Survey Gaging Station Annual Agreement Update

Documents of the U.S Geological survey gaging station annual agreement with the Town of Paonia were included in the packet.

Motion to approve U.S Geological survey gaging station annual agreement with the Town of Paonia. Motion made by Trustee Bear seconded by Trustee Bachran. Voting Yay: Trustee Bachran, Trustee Budinger, Trustee Bear, Trustee Knutson, Mayor Pro-Tem Bookout.

Committee Reports

18. Finance & Personnel-Unused Paid Time Off

Mayor Pro-Tem Bookout indicated that Administrator/Town Clerk Ferguson along with Finance Director Cindy Jones and Public Works Director Travis Loberg all have worked long hours and were unable to take time off, therefore, leaving them with a maxed accrual of paid time off. Therefore, Finance & Personnel Committee requests the Board approve and additional payout of 80 hours to Administrator/Town Clerk Ferguson, 80 hours to Finance Director Cindy Jones, and 40 hours to Public Works Director Travis Loberg.

Documents were included in the packet.

Motion to approve paid time off - payout request of 80 hours to Administrator/Town Clerk Ferguson, 80 hours to Finance Director Cindy Jones, and 40 hours to Public Works Director Travis Loberg. Motion made by Mayor Pro-Tem Bookout seconded by Trustee Budinger. Voting Yea: Trustee Bachran, Trustee Budinger, Trustee Bear, Trustee Knutson, Mayor Pro-Tem Bookout.

28. Public Works-Utilities-Facilities

Trustee Bear reiterated the meeting with staff in regard to the asset inventory RFP held on November 25, 2019.

Public Works Director Travis Loberg stated the ongoing process of replacing meters with radio read meters. Mr. Loberg indicated schools will get replaced in the summer of 2020.

29. Governmental Affairs & Public Safety

Trustee Knutson indicated the continued process of working with the building inspector Dan Reardon in updating the building code.

30. Space 2 Create

Trustee Bachran stated S2C will be on vacation until January 2020.

31. Tree Board

Trustee Bachran indicated John Valentine will have a report of all the tree board has done at the next meeting.

Adjournment

Motion to adjourn.

Motion made by Trustee Bear, Seconded by Trustee Bachran.

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

Adjourned at: 8:37 pm

s/s
Amanda Mojarro, Deputy Clerk

s/s
Charles Stewart, Mayor