

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
April 09, 2019

RECORD OF PROCEEDINGS
WORK SESSION 5:30

Roll Call

PRESENT
Mayor Charles Stewart
Mayor Pro-Tem Chelsea Bookout
Trustee Mary Bachran
Trustee William Bear
Trustee Karen Budinger
Trustee Samira Hart
Trustee Dave Knutson

Town Administrator Review - Goals and Objectives

Mayor Stewart provided an overview of the plan to review and discuss the sixteen (16) goals and objectives identified during the annual Administrator review. No action can be taken during a work session. The work session discussion is also included on the regular agenda.

1. Research, evaluate, and present options for water treatment system improvement, to include possible addition of storage.
2. Work with appropriate staff and Town Boards to prepare and present an updated Master Plan.
3. Begin developing a streets and drainage master plan.
4. Explore right-of-way between Clark Avenue & Minnesota Avenue.

RECORD OF PROCEEDINGS
REGULAR MEETING 6:30

Roll Call

PRESENT
Mayor Charles Stewart
Mayor Pro-Tem Chelsea Bookout
Trustee Mary Bachran
Trustee William Bear
Trustee Karen Budinger
Trustee Samira Hart
Trustee Dave Knutson

Approval of Agenda

Approval of Agenda

Motion made by Trustee Hart, Seconded by Trustee Bachran to approve the agenda as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Announcements

None

Recognition of Visitors & Guests

Barry Smith – Price Road – requested an update regarding the water incident and follow-up report. Administrator Knight explained the Town is awaiting the after-action report which we will then publish and schedule a special meeting to discuss the items included.

Consent Agenda

Regular Minutes – March 26, 2019

Curiel LLC dba Rio Bravo Liquor License Renewal

WSCC – Annual River Festival

Motion made by Trustee Budinger, Seconded by Trustee Hart to approve the consent agenda as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Mayor's Report

Arbor Day 2019 Proclamation

Mayor Stewart read the Arbor Day Proclamation for April 26, 2019 for the record.

Staff Reports

Town Administrators Report

Administrator Knight reported:

- Out of the office May 27th to June 10th.
- Rural Philanthropy Days are the week of June 11th - 15th.

Clark Avenue Parking - Notice to Public of Potential Parking Regulation Changes
Administrator Knight requested Board direction regarding parking on Clark Avenue, specifically, direction for staff in drafting of an ordinance limiting parking to the east side of Clark Avenue.

Trustee Bear believes the parking should be limited to one side of the street.

Tomas Markle - 2nd Street - What is the width of Clark Avenue and are their other roads in

Town that may need to be one side parking.

Motion by Trustee Budinger supported by Trustee Bookout to direct staff to prepare an ordinance for review, limiting Clark Avenue to one-side parking as discussed. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

RFP – Water Engineer for the Study of Adding Raw Water Storage to Lone Cabin Reservoir and/or Roeber Reservoir

RFP – Water Engineer for Study of Water Treatment Capacity and Raw Water Availability

Administrator Knight provided information regarding the combination of multiple items and rfp's and submission to DOLA for grant funding. Items to be included:

- Raw water storage
- System capacity
- Raw water availability

RFP – Mapping of Water and Sewer System in format that can be added to County GIS
The RFP will include mapping of the water and sewer system, collection system, manholes, drains, etc, which will help to analyze the systems and capacity. The Town may be eligible for a DOLA administrative grant to fund the project in part.

Bill Brunner - 2nd Street - Noted the RFP's discussed as presented are not new, simple or cheap and believes that until the storage capacity is increased the perception is the Town is taking away water for a tap that has already been purchased. Mr. Brunner suggested the Board place a moratorium to tap sales.

Christina Patterson - Price Road - Would the engineer be a full-time position or specific to the RFP. - Specific to the RFP.

Thomas Markle - 2nd Street - questioned if the criteria of the Town water ordinance is met.

Barry Smith - Price Road - asked for a procedural explanation of how a moratorium would be enacted.

Eric Goold - KVNF - Asked how the reservoirs to be investigated would be decided.

Kris Kendall - Minnesota Creek Road - questioned why the Town is only looking at reservoirs and not looking in to tank storage.

Public Works Report

Public Works Director Loberg reported:

- Spring cleanup scheduled for May 20 - 24th. Dumpsters at Town Park will be available from May 17th - 28th.

- Working with Town Clerk on spreadsheet for water usage, production, spilling, and selling.
- Park cleanup is underway, including wood chips and painting.
- The street sweeper will be running. Be aware of dust.
- Receiving bids for street and parking lot striping.
- Completing the tree trimming RFP.
- Apple Valley irrigation will need repairs where the creek flooded.

Police Department Report

Chief Ferguson reported:

- Blotter included in packet.
- Busy few weeks.
- Officer Patterson completed advanced SRO training.
- Officer at training for last two-weeks.
- Just completed 2 days of training.
- Multiple DUI's over last two weeks.
- Heavily enforcing stop sign violations.
-

Eric Goold - KVNf - any progress regarding tree cut in Apple Valley - none.

Town Treasurer Report

Treasurer King reported:

- Reviewed payroll and disbursements.
- Continue to research purchasing policies to meet state and federal guidelines.
- May be bringing grant processing and managing of information to the Board for review and direction.
- Finance Director spending considerable time preparing information for the new auditing firm. Requesting patience from the Board.

Disbursements

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart to approve disbursements as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Unfinished Business

Tree Board Vacancy – Appointment

John Valentine and Simon Wain supplied letters of interest for the tree board.

Tamie Meck - Mr. Valentine attended the last meeting and is very impressive and very knowledgeable.

Motion made by Trustee Bachran, Seconded by Trustee Hart to appoint Mr. Valentine to the Paonia Tree Board. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Town Administrator Review – Goals and Objectives

Motion by Mayor Pro-Tem Bookout, supported by Trustee Bachran to continue to next regular meeting, to include a work session prior to the meeting at 5:30pm. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Motion by Mayor Pro-Tem Bookout, supported by Trustee Bachran to direct attorney to draft an extension for the Administrator contract to June 11th. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Single Use Plastic Bag Ban – DRAFT Ordinance - Discussion

Town Attorney Nerlin provided information regarding the request from his office for the Board of Trustees to review and provide direction for the draft ordinance regarding plastic bag ban. The draft does not include fruit bags, hardware store nut bags, meat, produce, and fish bags. It also includes a violations section which was left blank for Board direction.

Discussion ensued regarding weight restrictions on cloth bags, difficulties with implementations in other municipalities, lead time prior to adoption of the ordinance, citizen and commercial support, penalty structure, and single use plastic bag ban including special events.

Trustee Hart requested that the Town reach out to business owners for their input.

Open for public comment.

Tom Camp - 4th Street - a study shows bans are not very effective, and a fee seems to be more effective.

Melissa Munoz - 5th Street - Thanked the Board for considering the ban, which is just a start to address waste in the community.

Adriane Panciera - 4th Street - suggested promoting compostable use bags for dogs as well.

Motion by Mayor Pro-Tem Bookout seconded by Trustee Bachran to refer to Government Affairs to work on the ordinance and bring back at next meeting. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

5-minute recess.

Lifting of Water State of Emergency

Motion made by Trustee Bear, Seconded by Trustee Hart to lift the Paonia State of Emergency. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

New Business

Friends of the Paonia Skatepark

Jay Canode was present to discuss a grant opportunity to improve the Town skate-park. A minimum goal is \$100,000 cost, 25% matching funds to be raised to obtain a GOCO grant. Mr. Canode requests Board approval to sponsor the GOCO grant for skate park improvements. The skate park receives minimal improvement and maintenance, primarily provided by the North Fork Pool Park and Recreation District (NFPPR), who's contract expires in the next year.

Mr. Canode included information regarding the eclectic group who utilize the skate-park and provided a video of an example of a park within the expected budget.

Administrator Knight added the Town would be the applicant for the grant as the owner of the property and suggests the Town negotiate for the NFPPR to continue managing the skate park.

Discussion ensued regarding the need for older kids' activities, funding mechanisms, and disbursements.

Sarah Shearer - Secretary for the NFPPR - the main issue is that the Town owns the property and believes the Town is the better applicant as property owner. Ms. Shearer also suggested the Town sponsor Mr. Canode to attend Rural Philanthropy Days.

Esiah Mendoza - 5th Street - said he loves the skate park and would love to see it bigger.

Adriane Panciera - 4th Street - in support of improvement at the skate park. Concerned with light pollution and the chain link fence running between the park and the residential neighborhood.

Tom Camp - 4th Street - Suggested the definition of managing the skate park be better defined in any renewed agreement.

Jeremy Diamond - offers a free skate class on Friday's at the skate park. Suggested multiple ideas to address many ideas and concerns for an expanded skate park.

Motion made by Mayor Pro-Tem Bookout seconded by Trustee Hart fir the Town to partner with Friends of Paonia Skate Park for a grant application for the skate park. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Motion by Mayor Pro-Tem Bookout seconded by Trustee Hart to continue item 19 to next Town meeting. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

WSCC – Letter of Support – CORE-Act

Patrick Dooling - Executive Director of the WSCC - was present to discuss the agenda item. Mr. Dooling requests the Board submit a letter of support for the CORE Act.

Mr. Dooling provided an overview of the CORE Act by reading the submitted letter included in the packet.

Discussion ensued regarding mineral extraction, restrictions for motorized vehicles, hunting, impacts on communities.

Trustee Bear stated he does not believe the Town should participate in issues outside of the community and does not believe Trustee members who members of the WSCC should vote.

Trustee Knutson disclosed his membership on the WSCC and added he has no conflict.

Trustee Knutson - called the question - motion failed.

Discussion ensued regarding coal mining methane capture, hunters, and revenues.

Monica Foguth - believes the impact will be felt in our community when it directly surrounds the community.

Kris Kendall does not believe the Town should speak on behalf of the entire community and that community members should do what they think is right.

Motion made by Trustee Bachran seconded by Mayor Pro-Tem Bookout to instruct the Town Administrator to write letter of support to Senators Bennett and Gardner and Representatives Tipton and Neguse. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Hart, Trustee Knutson Voting Nay: Trustee Bear, Abstain: Trustee Budinger

Annexation of County Road – Stahl Road and County road section of Grand Avenue to the bridge

Administrator Knight provided information about previous discussions regarding a request to Delta County to annex sections of Stahl Road and Grand Avenue and provided information regarding the desire to include sections of Colorado Avenue, Price Road, and Clock Road.

Motion made by Trustee Bear seconded by Trustee Knutson to extend the meeting for 30 minutes. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Motion made by Mayor Pro-Tem Bookout seconded by Trustee Hart to continue discussion and add additional sections of roads to agenda for next meeting. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Trustee Knutson requested information be included regarding maintenance of the additional roads.

Barry Smith – Price Road - are there any implications to the homeowners if Town took over the roads.

Tamie Meck – DCI - questioned why the extension had not been addressed previously.

Sewer Tap Purchase - 470 Stahl Road

Mr. Stahl requests a sewer tap for 470 Stahl Road. A pre-annexation agreement is in place. Administrator Knight recommends the Board grant the sewer tap sale at the in-town rate.

Motion by Trustee Bear seconded by Trustee Knutson to approve the request and to sell the tap to Mr. Stahl at out-of-town rate.

Discussion ensued regarding rates given in the past in the area under discussion.

Motion to amend main motion by Trustee Knutson seconded by Trustee Hart selling tap at in-town rate. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Budinger, Trustee Hart, Trustee Knutson Voting Nay: Trustee Bear

Town Clerk Ferguson confirmed the in-town rate is included in the County Highway 133 IGA.

Minor Subdivision – Huntley Subdivision – Recommendation to Board of County Commissioners

Motion made by Mayor Pro-Tem Bookout seconded by Trustee Budinger to extend meeting to 10:30. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

The property in the Town and County planning area has requested to subdivide. The Highway 133 Planning Agreement states the Town will participate in the planning area. The approval process has been delegated to the Town.

Administrator Knight has reviewed - consistent with all codes and requirements. Will require 1 sewer tap and 1 water tap. Administrator Knight recommends sale at in-town rates and approval. According to the Highway 133 agreement sewer taps are to be sold at in-town rates and water taps at a 25% discount.

Motion by Trustee Knutson seconded by Trustee Hart to recommend BOCC to approve the minor subdivision and stay consistent with policy for tap rate sales. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

Minor Subdivision Approval – Rio Grande

Barger minor subdivision request - Administrator Knight provided an overview of the minor subdivision request. There is no in-Town moratorium on tap sales. Administrator Knight made the recommendation for approval of the minor subdivision.

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

Committee Reports

Finance & Personnel

Nothing to report.

Public Works/Utilities/Facilities

Nothing to report.

Governmental Affairs/Public Safety

Nothing to report.

Meeting on the 16th at 6pm.

Tree Board

Nothing to report.

Tree Board

Nothing to report.

Adjournment 10:06PM

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

_____/s/_____
J. Corinne Ferguson, Town Clerk

_____/s/_____
Charles Stewart, Mayor