

**Minutes**  
**Special Town Board Meeting**  
**Town of Paonia, Colorado**  
**November 18, 2019**

**RECORD OF PROCEEDINGS**

The Regular Town Board Meeting held Tuesday, November 18, 2019, was called to order at 5:00 PM by Mayor Charles Stewart, followed by the Pledge of Allegiance.

**Roll Call**

1. Roll Call  
PRESENT  
Mayor Charles Stewart  
Trustee William Bear  
Trustee Karen Budinger  
Trustee Dave Knutson  
Trustee Mary Bachran  
Mayor Pro-Tem Chelsea Bookout - arrived at 5:01 PM.

A quorum was present, and Mayor Stewart preceded with the meeting.

**Approval of Agenda**

2. Agenda Approval

Motion to approve the agenda as presented.

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

**Unfinished Business**

1. **The continued budget of 2020 - no comments**

2. **Ordinance 2019-12 Sewer rates**

Included in the packer was the draft ordinance 2019-12 regarding sewer rates. Notes from staff were included in the summary to consider the topic regarding billing for wastewater based on the water consumption of the customer. Currently, the town does not charge for this service.

Administrator/Town Clerk Ferguson stated only change to the draft ordinance was the reduction of the rate increase to (\$4) four dollars from (\$5) five dollars.

Trustee Bear was not in favor of the (\$4) four-dollar increase. Trustee Knutson is in support of the (\$4) four dollar increase to the sewer rate.

Motion to modify the rate increase to (\$1) one dollar across the board.

Motion made by Trustee Bear. The motion failed due to a lack of a second.

Motion to increase rate to nearest (\$1) one dollar across-the-board and raise stand by fees to regular rates. Motion made by Trustee Pattison seconded by Trustee Bear. Motion failed due to lack of votes.

Motion to adopt Ordinance 2019-12 sewer rate charges as presented. Motion made Trustee Bachran seconded Trustee Knutson. Voting aye: Trustee Bachran, Trustee Knutson, Trustee Budinger, Mayor Pro-Tem Bookout. Voting nay: Trustee Pattison, Trustee Bear. Motion Carries.

### **3. Ordinance 2019-17 - Garbage Rates**

Included in the packet was the draft ordinance 2019-17 garbage rates. Staff recommends single can rate increase by (\$1) one dollar, the other rates will be as presented in the ordinance 2019-17.

Trustee Bear was not in favor of raising trash fees. Discussion ensued regarding the increase of tipping fees by county and the cost of maintenance of the new trash truck.

Discussion Points:

- Spring clean - extra trash fee
- Reserve ending amount
- Larger communities have lower trash rates vs. Smaller communities

Public Comment:

Thomas Markle questioned the cost of new truck maintenance.

Erica McCarney stated that larger communities pay less for trash.

Suzanne Watson stated that having roll off dumpsters during spring clean is costly to the town.

Lulu Volkhausen stated a way to have the option to opt-out of trash service.

Administrator/Town Clerk Ferguson stated the board of trustees has the option to rewrite the garbage ordinance.

Motion to adopt Ordinance 2019-17 garbage rate. Motion made by Trustee Budinger seconded by Trustee Bachran. Voting aye: Trustee Budinger. Voting nay: Trustee Bachran, Trustee Bear, Trustee Knutson, Trustee Pattison, Mayor Pro-Tem Bookout. Motion failed with five nays, one aye.

### **4. Resolution 2019-18- Water Rate**

Included was the draft resolution 2019-18 water rate. Discussion ensued regarding the proposed water rate and the new tier rate. No changes made to the draft resolution 2019-18

Trustee Bachran commented on the new tier rates. As a result, water usage will decrease. Therefore, some customers will have a lower water usage bill.

Discussion ensued on the water rates regarding the in town and out of town rates Trustee Bear was not in favor of both in/out of town rates being different.

Public concerns regarding the resolution 2019-18 water rate and charges.

- Hardship for those on a fixed to low income
- Water company's hardship with the state-mandated cost for water testing
- Water companies - form one water district – water companies could purchase the infrastructure at a high cost or consolidate into on whole company.
- Citizens concerned with water usage cost with new rate tiers
- Mayor Stewart stated the water system is operated as a whole for services for in/out of town water.
- Higher rates would affect the business cost to go up.

Motion to adopt resolution 2019-18 water rate and charges. Motion made by Trustee Bachran seconded by Trustee Budinger.

Main motion to amend in/out of town base rate increase of \$2.45 be the same for both. Motion made by Trustee Bear seconded Trustee Knutson. Voting aye: Trustee Bear, Trustee Knutson. Voting nay: Trustee Bachran, Trustee Budinger, Trustee Pattison, Mayor Pro-Tem Bookout. Motion failed with 4 nays and 2 ayes.

Motion to adopt resolution 2019-18 water rate and charges. Motion made by Trustee Budinger seconded by Trustee Bachran. Voting aye: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Bear, Mayor Pro-Tem Bookout. Motion carries.

Motion for a 5-minute recess. Motion made by Trustee Bachran seconded Mayor Pro-Tem Bookout. Voting aye: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Bear, Mayor Pro-Tem Bookout. Motion carries.  
The meeting resumed at 7:35 PM.

## **5. Establishing Utility Relief**

Discussion ensued regarding (LEAP) Low Income Energy Assistance Program. Staff is requesting that the Board allow town staff to establish and implement a program to offer relief on customers water and sewer base rates.

Discussion Points:

- Winter relief program months November – April
- Interim Administrator Ferguson contacted communities who use LEAP
- Cedaredge uses LEAP – currently, 80 people applied
- Funding – no other financing will be coming in
- LEAP vouchers
- LEAP is household-based not individual

Motion that Administrator/Town Clerk Ferguson works with Town Attorney Nerlin on a resolution for the utility relief program. Motion made by Trustee Bachran seconded by Mayor Pro-Tem Bookout.

Main motion amended to add water and sewer in the resolution for utility relief. Amended motion made by Trustee Knutson seconded by Mayor Pro-Tem Bookout. Voting aye: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Bear, Mayor Pro-Tem Bookout. Motion carries.

Motion by Trustee Pattison, seconded by Trustee Mayor Pro-Tem Bookout to add discussion of creating a water committee on the agenda for next meeting.

Main motion modified to add discussion of creating a water committee on the agenda for the second meeting in January 2020. Voting aye: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Bear, Mayor Pro-Tem Bookout. Motion carries.

## **Adjournment**

Motion to adjourn.

Motion made by Trustee Bachran, Seconded by Trustee Budinger.

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

Adjourned at: 7:58 PM

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Amanda Mojarro, Deputy Clerk

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Charles Stewart, Mayor