

TOWN OF PAONIA



Regular Town Board Meeting, Tuesday, February 22, 2022

Mayor Bachran
Mayor Pro-Tem Knutson
Trustee Budinger
Trustee Johnson
Trustee Meck
Trustee Smith
Trustee Thompson

February 22, 2022

Regular Meeting Minutes

6:30 pm

Mayor Mary Bachran called the Regular Meeting of the Town of Paonia to order at 6:30 pm.

Roll Call

Finance Clerk Candy Wuollet called the roll and those present were Mayor Bachran, Trustees Johnson, Meck, Budinger, Knutson, Thompson, and Smith.

Approval of the Agenda

Motion made by Trustee Knutson, Seconded by Trustee Smith to moved to approve the agenda as presented with two (2) changes – omitting agenda item #1 and adding the Water Advisory Committee Report. Motion carried unanimously.

Motion made by Trustee Meck, Seconded by Trustee Budinger to amend the motion to include JDS Hydro Progress Report to the agenda. Motion carried unanimously.

Announcements:

Trustee Johnson notified the public and Board of the passing of Dave Dobbs and requested a moment of silence in his honor. He will be missed by all who knew him.

Recognition of Visitors and Guest

None

Consent Agenda including Approval of Prior Meeting Minutes

Motion made by Trustee Smith, Seconded by Trustee Knutson to approve the consent agenda with corrections identified by Trustee Smith. Motion carried unanimously.

Mayor's Report

Motion made by Trustee Knutson, Seconded by Trustee Smith to have Mayor Bachran provide the Board information about possible AARP community grants, to include resources the Town would be responsible for. Motion carried unanimously.

Staff Reports

No written reports were provided. Several updates were given, and Administrator Ferguson answered questions regarding administration, the public works department, the hire of new Public Works Director Cory Heiniger, and the police department.

Motion made by Trustee Knutson, Seconded by Trustee Budinger to modify the comment period for the work session only – Monday, February 28, 2022. The public will have the opportunity to write their questions and Mayor Bachran will ask the questions of the presenter. Motion carried unanimously.

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Public Hearing

Davis-Minor Subdivision Variance Application Review- TBA Niagara Avenue
The public hearing was postponed until March 24, 2022.

Discussion regarding JDS-Hydro Infrastructure Analysis change order progress report

Motion made by Trustee Meck, Seconded by Trustee Smith to continue the discussion of the JDS Hydro progress report to the next Board meeting March 10, 2022, when a JDS Hydro representative will be in attendance. Motion carried unanimously.

Unfinished Business

Possible action regarding the continuation or cancellation of the annual subscription to Archive Social for archiving of the Town of Paonia Facebook Pages

Motion made by Trustee Meck, Seconded by Trustee Budinger to cancel the Archive Social annual membership, keeping the Town of Paonia Facebook page active with a pinned post stating the Town will no longer respond or accept comments through Facebook. Motion carried unanimously.

The Paonia Tree Board also requests to shut down their Facebook website.

Motion made by Trustee Budinger, Seconded by Trustee Smith to take a 10-minute recess. Motion carried unanimously.

Review of and possible action on citizen initiative ordinance regarding increased local accountability, records access, fees associated with CORA requests, and public challenge of staff, Board, and Ordinance actions in municipal court

Motion made by Trustee Budinger, Seconded by Trustee Knutson to refer the initiative to a public vote at a special election to be held on May 3, 2022, Motion carried unanimously.

Motion made by Trustee Smith, Seconded by Trustee Johnson to direct Attorney Conklin to draft an alternative ordinance addressing records access for a special meeting at 5:00 pm, February 28, 2022. Motion carried unanimously.

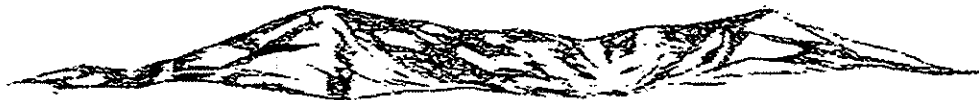
Motion made by Trustee Meck, Seconded by Trustee Smith directing the Board to create an Ad-Hoc committee to review and ensure that the Town's public records policy is up to date with the Colorado Open Records Act. Motion carried with five (5) Ayes and one (1) Nay. Trustee Meck and Mayor Bachran volunteered to be on the Ad-Hoc committee.

Trustee	Aye	Nay
Budinger		X
Johnson	X	
Knutson	X	
Meck	X	
Smith	X	
Thompson	X	

Review for possible action-Redline Ordinance 01-2022- Modification of Ordinance 2020-09 Advisory Water Committee

Motion made by Trustee Budinger, Seconded by Trustee Meck to strike the last 2 sentences Robert's Rules of Order page 2 from 2-10-40. Motion carried unanimously.

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Motion made by Trustee Smith, Seconded by Trustee Knutson to adopt the Ordinance 01-2022 to remove 2 of the wear as in the wear as section, the 2nd and 5th wear as were approved to be deleted. Motion carried unanimously.

New Business

Review and possible action on Solid Solution Geosciences (SSG) contract extension

Motion made by Trustee Thompson, Seconded by Trustee Budinger to accept the extension of SSG contract as presented. Motion carried unanimously.

Discussion and possible Board action regarding Solid Solution Geosciences letter to the Board of Trustee-treatment plant access

At Board member request the Solid Solution Geosciences letter to the Board regarding access to plant facilities was presented. Ms. Briana Greer, president of SSG and author of the letter, presented what she found to be inappropriate access to the Lamborn Mesa Water Treatment plant by two (2) trustees and one (1) advisory water committee member. Ms. Greer stated it was inappropriate for Trustees acting outside the direction of the Board to approach contractors for access to Town facilities and requested a retroactive waiver of liability.

Discussion ensued with topics that include:

- Trustee responsibilities
- Contractor insurance coverage
- Town insurance coverage
- When trustees should be granted access
- When trustees should not be granted access

Motion by Trustee Smith, Seconded by Trustee Knutson to instruct Attorney Conklin to create a waiver of liability for the three (3) individuals that toured the water plant to protect SSG, Josh Moore, and the Town of Paonia from any unforeseen issues that could occur. Motion carried unanimously.

At 9:42 pm Trustee Tamie Meck stated that she felt she was a liability for this board, is willing to sign the waiver, resigned her seat on the Board, and left the meeting.

Motion made by Trustee Knutson, Seconded by Trustee Budinger to extend the meeting 20 minutes. Motion carried unanimously.

Discussion continued.

Motion made by Trustee Knutson, Seconded by Trustee Budinger to extend the meeting 10 minutes. Motion unanimously passed.

Review and possible action regarding the expenditure of funds for maintenance repair by Filtertech at the Lamborn Mesa Water Treatment Plant

Motion made by Trustee Knutson, Seconded by Trustee Smith to approve the proposed repairs by Filtertech not to exceed 10% over the proposal as presented. Motion carried unanimously.

ASF- Review and possible action on a letter of intent to participate in the multi-jurisdictional Hazard Mitigation Plan update

Motion made by Trustee Knutson, Seconded by Trustee Budinger to extend the meeting to 10:20 p.m. Motion carried unanimously.

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Motion made by Trustee Budinger, Seconded by Trustee Johnson to support and participate in Multi-jurisdictional Mitigation plan update and to write a letter in support of the Grant for Delta County Emergency Management as presented. Motion carried unanimously.

Review and possible action on Delta County Letter of support for a Hazard Mitigation Planning Grant to perform the required update to the multi-jurisdictional Hazard Mitigation plan

The Board unanimously voted to write a letter of support under the previous agenda item.

Presentation of information regarding community room sound system and hardware/software upgrades in response to coronavirus

Motion made by Trustee Budinger, Seconded by Trustee Knutson to continue this item until the next meeting. Motion carried unanimously.

Disbursements

The Board of Trustees and the public were given an opportunity to ask questions regarding disbursements.

Motion made by Trustee Budinger, Seconded by Trustee Knutson to except and pay disbursements as presented. Motion unanimously passed.

Motion made by Trustee Smith to extend the meeting an additional (5) five minutes. Motion died for lack of a second.

Committee Reports


Continued until the next meeting.

Discussion and possible action regarding Ad-Hoc committee recommendation for the Trustee meeting policy and procedures


Continued until the next meeting.

ADJOURNMENT:

The Regular Council Meeting was adjourned at 10:31 pm.


Candy Wuollet, Finance Clerk




Mary Bachran, Mayor