

Minutes  
Regular Town Board Meeting  
 Town of Paonia, Colorado  
 January 26, 2021

**RECORD OF PROCEEDINGS**

The Regular Meeting held via zoom on Tuesday, January 26, 2021, was called to order at 6:31 p.m. by Mayor Mary Bachran, followed by the Pledge of Allegiance. Formal Video Record at [https://www.youtube.com/watch?v=EuY\\_f7KmvvM](https://www.youtube.com/watch?v=EuY_f7KmvvM)

**Roll Call**

PRESENT  
 Mayor Bachran  
 Trustee Bear  
 Trustee Budinger  
 Trustee Knutson  
 Trustee Pattison  
 Trustee Johnson  
 Trustee Meck

**Approval of Agenda**

🚩 Motion made by Trustee Bear, Seconded by Trustee Budinger and unanimously carried to approve the agenda as presented.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

**Announcements**

None.

**Recognition of Visitors & Guests**

Visitors & Guests:

- A community member questioned how the franchise fee in the sales taxes are collected on the DMEA utility bill.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

🚩 Motion made by Trustee Bear, Seconded by Trustee Knutson and unanimously carried to add the DMEA franchise tax fee discussion on the next agenda.

**Staff Reports**

Administrator's Report:

- The Administrator's report was included in the packet.
- COVID-19 update.
  - Delta County continues to register those eligible who want to receive a vaccine.
  - For more information on the registration, they can visit the Delta County's website.

- Trustee Meek requested an update on the Parks, Trails, and Recreation Master Plan.
  - Western Slope Consulting is finalizing the community schedule. For information refer to [www.paoniaimotion.com](http://www.paoniaimotion.com)

Public Works report:

- The Public Works report was included in the packet.
- There was a water leak at the base of Dry Gulch and was repaired.
- Status of the supervisory control and data acquisition SCADA system at the 1mil water tank.
  - The service that the system was put on was Verizon and the signal is weak. The issue will be getting fixed the week of February 1<sup>st</sup>.

Public Comment:

- A community member questioned why water sales were higher than water produced for November 2020.
- Public Works Travis Loberg explained the sales overage would have come from the 2-million-gallon reservoir.

Police Report:

- The police blotter was included in the packet.
- Picking up newly purchased patrol vehicle from Hellman's in Delta.
  - Patrol vehicle will be taken to get appropriate decals applied.
  - On February 1<sup>st</sup> the Police Chief will be working on getting the new patrol vehicle installed with all the equipment necessary to be driven by an officer.
  - Will be working with Town Attorney Nerlin in establishing laws regarding the use of underage vaping and then will meet with the Governmental Affairs and Public Safety committee to review the laws.

Attorney Report:

- The attorney's report was included in the packet.
- Discussed and summarized the policy and the Town Municipal code in the report regarding public comment.
  - Trustee Knutson suggested looking into alternative ways to conducting meetings.

- 🚩 Motion made by Trustee Knutson, Seconded by Trustee Bear, and unanimously carried to add on the next agenda discussion about alternative meeting formats.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meek	X			
Trustee Patison	X			
Mayor Bachran				

- Discussed individual signing as trustees on letters.

- 🚩 Motion made by Trustee Knutson, Seconded by Trustee Bear, and unanimously carried to add a discussion about individual signing as trustees on a letter for the next agenda.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meek	X			
Trustee Patison	X			

Mayor Bachran			
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**Disbursements**

Treasurer’s Report:

- The Finance Officers report was included in the packet.
- Reviewed disbursements and payroll.
  - Disbursements were included in the packet.
- Treasurer and Finance Officer are working on a reserve policy.

Disbursements Report:

- Trustee Pattison went over her questions that she e-mailed the Town Administrator/Clerk.

🚩 Motion by Trustee Knutson and seconded by Trustee Budinger and unanimously carried to approve the disbursements as provided.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

**Regular Business**

2020 Sanitary Survey Follow-Up #3:

- The third report regarding actions taken to clear the deficiencies identified in the 2020 Sanitary Survey were included in the packet.
  - Information was supplied regarding discharge permits and completion by the February 5<sup>th</sup> deadline.
- Public notices will be reviewed and released no later than the end of March.
- Trustee Knutson suggested attaching a letter explaining the State’s notices.

Administrator Evaluation Results:

- Discussed the Town Administrator’s evaluation – evaluation was in the packet.
  - Findings of the evaluation were included in the report.

🚩 Motion made by Trustee Knutson, Seconded by Trustee Meck, and unanimously carried to approve the Administrator evaluation as presented.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

Town Administrator Amended Contract:

- Discussed the base salary.
  - Mayor stated that the salary raise was a voted by the Board and the Administrator/Clerk had deferred the salary raise.
- Trustee Pattison suggested amending the date from January 1, 2021, to November 1, 2021, under section 4, performance review to follow along with the budget process. The Town attorney stated the agreed-upon wage should be in the contract and it is at the Administrators discretion to defer acceptance of the increase.

Public Comment:

- A community member questioned the reason why the professional ICMA membership was not a requirement.
  - The Administrator/Clerk will look into how the membership will benefit the Town.

Discussed minor corrections that needed to be made in the contract:

- Under recitals, E. states that Ms. Ferguson is willing to serve as continue Town Administrator – as continue should be amended to read - continue as.
- Amend degree to equivalent under exhibit A – final, education, and experience.

- 🚩 Motion made by Trustee Budinger, Seconded by Trustee Knutson and unanimously carried to approve the Administrator contract as amended.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

**Consent Agenda**

Regular Minutes:

- 11/24/2020 – revised.
- 1/12/2021

- 🚩 Motion by Trustee Bear, Seconded by Trustee Budinger and unanimously carried to approve consent agenda with the corrections' made to 1/12/2021 regular minutes.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

**Mayor's Report**

Mayor's Report was included in the packet.

**Committee Reports**

Finance & Personnel report:

- Nothing to report.

Governmental Affairs & Public Safety report:

- Working with Town Attorney Nerlin and Town Administrator/Clerk Ferguson on a draft ordinance for additional dwelling units (ADU's)
- Update on the Let's Talk session about short term rentals (STR's)
  - A survey will be released to the public on the STR's subject.
- Meeting 2/08/2021 at 3:00 pm via zoom.

Public Works-Utilities-Facilities report:

- Met 1/20/2021 at 9:00 a.m.
- Discussed multiple projects.
  - Sewer plant operations
  - The rise in ammonia levels in the sewer plant.
  - Snow shoveling near the curbs and gutters.
  - Repairing the ditch pipe near the Town Park before irrigation season

- Updating street and traffic control signs.
- Adding 5mph speed sign in the alleys.
- Suggested to look into adding an ATV speeding sign – Administrator/Clerk will be looking into it.

Tree Board:

- Discussed the 2020 tree ordinance.
- Discussed including trees in the Parks and Recreational master plan update.
- Tree Board is improving their website.
- Discussed 2021 Arbor Day celebration
  - Planning a tree planting at the Paonia Elementary School.
- Discussed hosting another sick tree day.
- Discussed hosting a sick sidewalk day regarding sidewalks that have been compromised by tree roots.

**Executive Session**

🚩 Motion by Trustee Bear, Seconded by Trustee Knutson and unanimously carried to enter into an executive meeting - For a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specific to Eric Pace v. Town of Paonia.

Council Member	For	Against	Abstain	Absent
Trustee Bear	X			
Trustee Budinger	X			
Trustee Johnson	X			
Trustee Knutson	X			
Trustee Meck	X			
Trustee Pattison	X			
Mayor Bachran				

- Entered at: 7:41 p.m.
- Returned to open meeting at 7:59 p.m.
- No action was taken.
- Attendees: Mayor Bachran, Trustees Bear, Budinger, Johnson, Knutson, Meck, and Pattison, Administrator/Town Clerk Corinne Ferguson, and Town Attorney Bo Nerlin

**Adjournment**

The meeting was adjourned by Mayor Bachran at 8:00 pm

  
Amanda Mojarró, Deputy Clerk

  
Mary Bachran, Mayor

