



**TOWN OF PAONIA**

**214 GRAND AVE**

**WEDNESDAY, FEBRUARY 08, 2023**

**SPECIAL TOWN BOARD MEETING AGENDA 5:00 PM**

**[HTTPS://US02WEB.ZOOM.US/J/88988592795](https://us02web.zoom.us/j/88988592795)**

**MEETING ID: 889 8859 2795**

**ONE TAP MOBILE**

**17193594580**

**Roll Call**

**Approval of Agenda**

**Personnel Matter**

1. Executive Session pursuant to C.R.S. Sections 24-6-402(4)(b) and (4)(f), for the purpose of conferencing with the Town Attorney to receive legal advice on specific legal questions, and discussing a personnel matter concerning a Town employee who has not requested that matter be discussed in open meeting.
2. Decision on Personnel Matter

**Adjournment**

**Section 9. Unacceptable Behavior.** Disruptive behavior shall result in expulsion from the meeting.

**Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings.** These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

## **II. CONSENT AGENDA**

**Section 1. Use of Consent Agenda.** The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

**Section 2. General Guidelines.** Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

**Section 3. Removal of Item from Consent Agenda.** One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

## **III. EXECUTIVE SESSION**

**Section 1.** An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed "in as much detail as possible without compromising the purpose for which the executive session is authorized." In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

**Section 2.** During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

**Section 3.** Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

## **IV. SUBJECT TO AMENDMENT**

**Section 1. Deviations.** The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

**Section 2. Amendment.** The Board may amend these Rules of Procedures Policy from time to time.

**Minutes**  
**Special Town Board Meeting**  
**Town of Paonia, Colorado**  
**February 08, 2023**

**RECORD OF PROCEEDINGS**

Mayor Bachran calls the meeting to order at 5 pm.

**Roll Call**

PRESENT

Mayor Mary Bachran

Trustee/Mayor Pro-Tem Thomas Markle

Trustee Dave Knutson

Trustee Paige Smith

Trustee Dave Weber (attended by Zoom)

Trustee John Valentine

Trustee Rick Stelter

**Approval of Agenda**

Motion made by Trustee/Mayor Pro-Tem Markle, Seconded by Trustee Stelter, to approve the agenda as written.

Motion passes unanimously.

**Personnel Matter**

1. Motion made by Trustee/Mayor Pro-Tem Markle, Seconded by Trustee Smith, to go into Executive Session pursuant to C.R.S. Sections 24-6-402(4)(b) and (4)(f), for the purpose of conferencing with the Town Attorney to receive legal advice on specific legal questions, and discussing a personnel matter concerning a Town employee who has not requested that matter be discussed in open meeting.

Motion carries unanimously.

Executive Session Starts: 5:02 pm

Executive Session Ends: 5:19 pm

Present during the Executive Session: Mayor Bachran, Trustee/Mayor Pro-Tem Markle, Trustee Knutson, Trustee Valentine, Trustee Stelter, Trustee Smith, Trustee Weber, Town Attorney Nick Cotten-Baez, Interim Administrator Leslie Klusmire, Public Works Director Cory Heiniger and Public Works Supervisor Jason Erickson.

2. Motion made by Trustee Weber, Seconded by Trustee Stelter to grant Interim Administrator Leslie Klusmire the authority to hire and terminate employees and to direct the Town attorney to amend her contract to give that authority.

Voting Yea: Trustee/Mayor Pro-Tem Markle, Trustee Smith, Trustee Weber, Trustee Valentine, Trustee Stelter

Voting Abstaining: Trustee Knutson

Trustee Knutson state for the record that he abstained due to poor hearing on the Zoom and the lack of a personnel manual on hand.

**Adjournment**

Meeting adjourns at 5:22 pm.

*Samira M Vetter*  
Samira M Vetter, Town Clerk



*Mary Bachran*  
Mary Bachran, Mayor