

**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**October 10, 2023**

**RECORD OF PROCEEDINGS**

Mayor Bachran calls the meeting to order at 6:30pm

**Roll Call**

**PRESENT**

Mayor Mary Bachran  
Mayor Pro-Tem Dave Knutson  
Trustee Paige Smith  
Trustee John Valentine  
Trustee Morgan MacInnis  
Trustee Kathy Swartz

**ABSENT**

Trustee Rick Stelter

**Approval of Agenda**

Trustee MacInnis makes a motion, seconded by Mayor Pro-Tem Knutson, to approve the agenda.

Motion carries unanimously.

**Announcements**

October 9th was the first Town celebrated Indigenous People's Day, the Mayor noted that it is such a new thing, several Town staff members showed up to work.

Mayor Pro-Tem Knutson notes that the trail system work done by BLM was successful and the trail looks fantastic.

**Public Comment**

Suzanne Watson makes a comment that now that she has been appointed to the Planning Commission, it means there is an opening on the Zoning Board of Adjustments & Appeals.

**Consent Agenda**

Trustee MacInnis makes a motion, seconded by Trustee Smith, to approve the consent agenda. Trustee Smith makes a motion, seconded by Trustee Swartz, to amend the motion to approve the consent agenda, with the reduction of Phoenix Rising Resources Invoice of \$9,940.00 from disbursements, until further information is provided.

The motion carries unanimously.

**Staff Reports**

**Town Administrator**

Town Administrator Wynn goes over his report which will be posted to his page on the Town website. He covers Dorris Sewer Line repair, automated meters process, FY-2022 audit, new processes for encumbrances, budget process, upcoming deadlines, changes to budget line item, ClearGov, Public Works accomplishments & project completion, leak repairs, fire hydrant flow testing, data gathering, winter preparation and sign-up sheet for leaves.

**Police Department**

Chief Laiminger reported that Mountain Harvest Festival was safe and successful, thank you to all of those who worked so hard to make it that way and went over his written report.

### **Actions & Presentations**

#### Agenda Item #1 Consideration and Approval of Resolution 2023-16 Opposing Proposition HH

Town Administrator Wynn and Mayor Bachran provide background on this issue and why CML and local governments oppose it and how it would affect us as a municipality.

Public Comment:

T. Meck: High Country Shopper, questions about TM report.

Board discussion includes revenue from property tax, cutback increases vs tax revenue decreases, effects on the Town's budget, TABOR refunds, property tax increases vs decreases, mill levy changes, effect on low-income people, effects on renters and homeowners both, balance between best for Town and best for people, what it would effect specifically in the community, TABOR fund redistribution.

Mayor Pro-Tem Knutson makes a motion, seconded by Trustee Smith to approve Resolution 2023-16 Opposing Proposition HH.

Voting Yea: Mayor Pro-Tem Knutson, Trustee Smith, Trustee MacInnis, Trustee Swartz

Voting Nay: Trustee Valentine

The motion carries.

#### Agenda Item #2: Approval to Submit a WaterSmart Water Strategy Planning Grant

Mayor Bachran provides background on the project and what it would be used for as well as the reasoning behind applying for the grant and how it will help provide a full comprehensive plan of our water system from Springs to distribution to ditches.

Public Comment:

C. Kendall: makes a comment on the timing and water company buy-in.

S. Patterson: makes a comment about expenditures and taxes.

Board discussion: effects on other important grants and studies, grant matches, flow charts, keeping track of the different grants effectively, hydrogeological study a priority, contractors and project updates would be helpful, deadline 10/17/23, later notice and time to see if our project fit the Town needs, grant rewards notification vs RFP timeline, amended RFP is possible, physical part of study starts in Spring when mountain is accessible again, Town & water companies will be directly involved during the grant process.

Trustee Smith makes a motion, seconded by Trustee Swartz to submit a WaterSmart Water Strategy Planning Grant.

The motion carries unanimously.

#### Agenda Item #3: Ratification of Approval for Emergency Sewer Line repairs at Emergency Meeting

Mayor Pro-Tem Knutson makes a motion, seconded by Trustee Smith, to approve the quote for repairs from Roop Excavating with a not-to-exceed price up to \$75,000.00 & to approve the workers camping in Apple Valley Park on Friday October 6th and October 7th, 2023.

The motion carries unanimously.

Agenda Item #4: Ratification of Approval to Allow BLM Workers to Camp in Apple Valley Park While Working on Trail System, at Emergency Meeting

Decision ratified in same motion as Agenda Item #3

Agenda Item #5: Approval of Memorandum of Understanding with the Department of Revenue for Retail Marijuana Sales Tax Access

Mayor Pro-Tem Knutson makes a motion, seconded by Trustee Smith, to approve Town Administrator, Stefen Wynn, signing the Retail Marijuana Sales Tax Memorandum of Understanding with the Department of Revenue for 2024.

The motion carries unanimously.

**Executive Session**

Mayor Pro-Tem Knutson makes a motion, seconded by Trustee MacInnis, to enter into Executive Session, pursuant to C.R.S. Section 24-6-402, subsections (4)(e) and (4)(f), for discussion of a personnel matter that does not involve any employee who has requested discussion of the matter in open session, any member of this body or any elected official, the appointment of any person to fill an office of this body or of an elected official, or personnel policies that do not require the discussion of matters personal to a particular employee; and for purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators; relative to the terms and conditions of the Police Chief's employment with the Town, and the obligations of a certain former Town employee under a training reimbursement agreement with the Town.

The motion carries unanimously.

Executive Session begins: 7:47 pm

Executive Session ends: 8:56 pm

Attending the Executive Session are Mayor Bachran, Mayor Pro-Tem Knutson, Trustee Smith, Trustee Valentine, Trustee MacInnis, Trustee Swartz, Town Administrator Wynn, Chief Laiminger and Town Attorney Cotton-Baez.

No objections are noted for the record.

**Mayor & Trustee Reports**

Mayor Bachran gives a verbal report on the River District meeting.

Trustee Smith makes a comment about having a forum for water issues and education that promotes discussion and education. Discussion continued about what could fill the gap, quarterly round table discussions with Department Heads, project updates and the community updates in contractor contracts so that information is accurate.

**Adjournment**

The meeting adjourns at 9:10 pm

*Samira M Vetter*

Samira M Vetter, Town Clerk



*Mary Bachran*

Mary Bachran, Mayor