

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
October 27, 2020

RECORD OF PROCEEDINGS

The Special Meeting held Tuesday, October 27, 2020, was called to order at 6:30 p.m. by Mayor Mary Bachran, followed by the Pledge of Allegiance. Formal Video Record at:

<https://www.youtube.com/watch?v=Jp3eszO0QG4>

Roll Call

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

Approval of Agenda

Agenda Approval

- 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

- Trustee Pattison wanted to clarify her communication statement for the Administrator's goal – stating that it was a comment and not a critique in any kind of way towards the Administrator.
- Mayor Bachran wished the chief of police a happy birthday.

Recognition of Visitors & Guests

Shop Safe, Shop Local Recognition:

- Mayor Bachran presented Shop Safe, Shop Local Recognition to:
 - The Delta County Libraries.
 - West Elk Wine and Spirit
 - Root and Vine Market
 - High Country Shopper

Visitors & Guests:

- Loise Doll a concerned citizen stated her concerns regarding the Back the Badge proceeds and if they were going to go to the police officers.
- Aaron Watson a member of the Dark Skies wanted to remind the Board of Trustees regarding the dark sky ordinance submission and would like to see steps being made towards setting the ordinance in place.
- Suzanne Watson a concerned citizen stated her concern regarding neighbors installing LED lights on their porches and the nuisance this would cause.

Staff Reports

Administrator’s Report:

- COVID-19 update can be seen on Delta County's website.
- The administrator provides updated information on the Governors' response to COVID-19 – see the State of Colorado’s website for detailed information.
- Updated on the continued research of the municode cost to update the system with gender-neutral language and reference to the State Law.
- The new SIPA website transition has been completed.
- SGM GIS mapping scheduled for mid-November and the capital improvement plan/inventory project estimated to be completed by end of December 2020.
- JDS Hydro infrastructure analysis is estimated to be completed by end of March 2021.
- Water Board applications have been posted on the new website - applications will be open until November 13, 2020.

Public Works report:

- The spring line repair is complete.
- Work on a storm sewer tie on the 2nd and Grand Avenue intersection will begin October 28 - November 9th.
- Vacuuming leaves have been stopped momentarily due to weather. As soon as weather permits vacuuming up leaves resume.
- The inventory program is still in the works.

Police Report:

- Police Officers are completing the required training.
- Chief has been working night shifts for training and will be back on a regular schedule starting October 28th.
- Police Officers will be patrolling the streets on Halloween night and handing out candy to the children.
- Trustee Knutson stated as a reminder to discuss the Judge's salary.
- Trustee Meck suggested using a dog shelter named Tailies as a place to take the dogs running loose in town.
- A citizen suggested that there might be dog groomers or volunteers who would like to shelter dogs.

Attorney Report:

- Discussed the Marijuana tax - marijuana ballot initiative.
- Working on the franchise agreement with Charter Cable and the proposed agreement to be presented on November 10th in the board packet.
- The attorney memorandum was included in the packet.

Disbursements

Treasurer’s Report:

- Reviewed disbursements and payroll
- Disbursements were included in the packet.
- Treasure King reiterated the additional covenants and requirements (exhibit F) this is concerning the audit requirements of the reserve fund/rate.
 - Under exhibit F - Rate study - it stated that "if Revenues collected during the fiscal year are not sufficient to the requirements outlined in the Rate Covenant contained in paragraph 5. of Exhibit A of this Loan Agreement, the Government agency shall, with 90 days of the end of such fiscal year, cause an independent firm of accountants or consulting engineers, to prepare a rate study to recommend a schedule of rates, charges"
 - Document of Additional covenants and requirements - Exhibit F was included in the packet.

Disbursements Report:

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

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

New Business

Larksfoot Minor Subdivision-

- o The administrator's report, Minor Subdivision application, and documents were included in the packet.

Motion made by Trustee Knutson, Seconded by Trustee Budinger, and carried with 5 ayes and 1 abstain. Voting Abstaining: Trustee Pattison abstained because it is work-related.

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				

Colorado Code Consulting Contract-

Discussion ensued regarding the Colorado Code Consulting Contract - building department. Documents related were included in the packet.

Board & Staff discussion points:

- The current building official Dan Reardon was present and explained the plan review fee process.
- Town Attorney Bo Nerlin stated the boards' option in regards to the Colorado Code Consulting contract with the Town.
 - o Have an executive session to discuss any legal or negotiations.
 - o Board could terminate the contract and the building official will serve to the end of the contract - December 2020.
 - o Board could negotiate the contract with amendments and direct staff to draft a revised contract and present it to the board at the November 1st meeting.
- A suggestion from Trustee Pattison was to add amendments to the contract.
- A suggestion from Trustee Johnson was to terminate the contract and then amend the contract.
- A suggestion from Trustee Budinger was to terminate the contract and ask Colorado Code Consulting to reply to the RFP with the amendment to the contract.
- Trustee Meck was in favor of putting out an RFP.
- Trustee Knutson has concerns with hiring a new building inspector.

Public Comment:

- A community member suggested to adopt the Colorado Code Consulting fees and upload them on the website.
- A community member suggested looking into setting up a board of appeals.

Motion made by Trustee Knutson, Seconded by Trustee Meck and unanimously failed to pass to continue contract into the next year 2021 and extend the contract for one year.

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 Pattison to terminate the contract with Colorado Code Consulting and propose a revised contract for 3 months with a potential for renewal pending additional terms.

Motion amended by Trustee Pattison, Seconded by Trustee Knutson and unanimously carried to terminate the contract with Colorado Code Consulting at the end of 2020 and ask to establish a 3-month contract with the for the first quarter of 2021 with automatic one-month extensions pending negotiations.

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				

Staff Retirement Plan Review and Update-

The discussion ensued during the work session under the employee staff retirement plan review.

Motion made by Trustee Knutson, Seconded by Trustee Budinger and unanimously carried to adopt recommendations of representative Shane Squibb for the employee retirement with Empowered Retirement.

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				

Public Water System Discharge Permit Inspection Results

- The Public Water System Discharge Permit Inspection Results from the State of Colorado and recommendations from staff were included in the packet.
- No action was required documents were for informational purposes

Building Permit Fee Structure-

- Continued discussion by the Board regarding the building permit fee schedule.
- The proposed fee schedule was included in the packet.
- The current and proposed permit fee project valuation was in the packet.
- The three scenarios using existing and proposed structure was included in the packet.
- Trustee Pattison suggested adopting the simple fee schedule.
- Town Attorney Bo suggested to use information from the 2018 building code and have input from the building official.
- Trustee Knutson and Town Administrator suggested having a meeting with the Planning and Zoning Committee regarding this matter.

Motion made by Trustee Knutson, Seconded by Trustee Bear, and unanimously carried to table discussion.

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				

Revised 2021 Budget Calendar-

- Discussion ensued by the board on setting the next meeting day and time.
- Mayor Bachran stated the Board of Trustees budget work session meeting is to meet on Tuesday, November 3rd at 2:30 pm

Braver Angels America Hold America Together discussion and possible action item Requested by Trustee Knutson.

- Discussion ensued by Trustee Knutson regarding his requesting the Town signing the Braver Angels letter of support and that the board approves placement of a banner at the Twin Lakes property.
- The support letter was included in the packet.
- Two board members were not in favor of signing the letter or the placement of the banner.
- Three community members were not in favor of the town signing the letter.
- Suggestions were made and encouraged individuals to sign the letter.

Consent Agenda

Regular Minutes:

10/13/2020

Special Minutes:

8/20/2020

Motion by Trustee Bear, Seconded by Trustee Budinger and unanimously carried to approve consent agenda with corrections to October 13, 2020, regular minutes - add bullet points of Constantine Herchfields statement, add the rest of the Planning and Zoning commissioner members, and separate the Tree board from the committee reports.

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

- Honoring the Capital Christmas Tree event.
 - Lights and sirens starting from the Highway down into Grand Ave.
 - Paonia Junior-Senior High choir will be singing.
 - Purchased 2 banners with the monies from COVID-19 and the banner located near the High School was vandalized.
- Administrator Fergusons goals are ready to send to the Mayor.

Committee Reports

Finance & Personnel report:

- Meeting October 28, 2020, at 9:30 pm

Governmental Affairs & Public Safety report:

- Meeting November 9th at 3:00 pm

Public Works-Utilities-Facilities report:

- Met October 19, 2020, with the Administrator and Public Works Director.
- PHS meter is in the works in getting completed.
- Boxelder is in the works in getting completed.
- Discussed the mapping project.
- Inventory of equipment is in the works
- The bulk station is in the works.
- Discussed the creation of the water storage project.
- Discussed the water production.
- No meeting has been set.

Space to Create:

- Meeting one more time.

Tree Board:

- Met October 20th
- The creation of a draft tree management plan is in the works.
- The board would like to update the web with an updated pathway.
- Paula Martin is working on the process for the tree city 2021 application.

Adjournment

The meeting was adjourned by Mayor Bachran at 8:41 pm

Amanda Mojarro, Deputy Clerk

Mary Bachran, Mayor