



TOWN OF PAONIA
TUESDAY, MARCH 24, 2020
REGULAR TOWN BOARD MEETING AGENDA
6:30 PM

Roll Call

Approval of Agenda

[Agenda Approval](#)

Announcements

Recognition of Visitors & Guests

Consent Agenda

1. [Regular Minutes:](#)
[February 25, 2020](#)
[Liquor License Transfer:](#)
[En Passant, LLC dba Salt Pollen to Flying Fork Café](#)

Mayor's Report

Staff Reports

2. [Board Approval to Suspend Disconnection of Services, Waive Late Fees, and Offset Online Payment Fees Through April 30, 2020](#)

Disbursements

3. [Disbursements](#)

Unfinished Business

4. [Modifications to Mayor Duties – Requested by Finance & Personnel](#)

New Business

5. [Board Ratification of Town Administrator COVID-19 Response Plan](#)
6. [Discussion & Potential Adoption of Resolution 2020-06 Authorizing Town Administrator to Close the Administrative Offices to the Public Without a Declaration of Emergency](#)
7. [Discussion & Potential Adoption of Local Disaster – C.R.S. 24-33.5-709](#)
8. [Resolution 2020-04 – Virtual Meetings in Emergency and/or Due to Coronavirus \(COVID-19\) Disaster Declaration](#)

Committee Reports

9. [Finance & Personnel](#)
[Governmental Affairs & Public Safety](#)
[Public Works-Utilities-Facilities](#)
10. [Space 2 Create](#)
11. [Tree Board](#)

Adjournment

12. [Adjournment](#)

I. RULES OF PROCEDURE

Section 1. Schedule of Meetings. Regular Board of Trustees meetings shall be held on the second and fourth Tuesdays of each month, except on legal holidays, or as re-scheduled or amended and posted on the agenda prior to the scheduled meeting.

Section 2. Officiating Officer. The meetings of the Board of Trustees shall be conducted by the Mayor or, in the Mayor's absence, the Mayor Pro-Tem. The Town Clerk or a designee of the Board shall record the minutes of the meetings.

Section 3. Time of Meetings. Regular meetings of the Board of Trustees shall begin at 6:30 p.m. or as scheduled and posted on the agenda. Board Members shall be called to order by the Mayor. The meetings shall open with the presiding officer leading the Board in the Pledge of Allegiance. The Town Clerk shall then proceed to call the roll, note the absences and announce whether a quorum is present. Regular Meetings are scheduled for three hours, and shall be adjourned at 9:30 p.m., unless a majority of the Board votes in the affirmative to extend the meeting, by a specific amount of time.

Section 4. Schedule of Business. If a quorum is present, the Board of Trustees shall proceed with the business before it, which shall be conducted in the following manner. Note that all provided times are estimated:

- (a) Roll Call - (5 minutes)
- (b) Approval of Agenda - (5 minutes)
- (c) Announcements (5 minutes)
- (d) Recognition of Visitors and Guests (10 minutes)
- (e) Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)
- (f) Mayor's Report (10 minutes)
- (g) Staff Reports: (15 minutes)
 - (1) Town Administrator's Report
 - (2) Public Works Reports
 - (3) Police Report
 - (4) Treasurer Report
- (h) Unfinished Business (45 minutes)
- (i) New Business (45 minutes)
- (j) Disbursements (15 minutes)
- (k) Committee Reports (15 minutes)
- (l) Adjournment

* This schedule of business is subject to change and amendment.

Section 5. Priority and Order of Business. Questions relative to the priority of business and order shall be decided by the Mayor without debate, subject in all cases to an appeal to the Board of Trustees.

Section 6. Conduct of Board Members. Town Board Members shall treat other Board Members and the public in a civil and polite manner and shall comply with the Standards of Conduct for Elected Officials of the Town. Board Members shall address Town Staff and the Mayor by his/her title, other Board Members by the title of Trustee or the appropriate honorific (i.e.: Mr., Mrs. or Ms.), and members of the public by the appropriate honorific. Subject to the Mayor's discretion, Board Members shall be limited to speaking two times when debating an item on the agenda. Making a motion, asking a question or making a suggestion are not counted as speaking in a debate.

Section 7. Presentations to the Board. Items on the agenda presented by individuals, businesses or other organizations shall be given up to 5 minutes to make a presentation. On certain issues, presenters may be given more time, as determined by the Mayor and Town Staff. After the presentation, Trustees shall be given the opportunity to ask questions.

Section 8. Public Comment. After discussion of an agenda item by the Board of Trustees has concluded, the Mayor shall open the floor for comment from members of the public, who shall be allowed the opportunity to comment or ask questions on the agenda item. Each member of the public wishing to address the Town Board shall be recognized by the presiding officer before speaking. Members of the public shall speak from the podium, stating their name, the address of their residence and any group they are representing prior to making comment or asking a question. Comments shall be directed to the Mayor or presiding officer, not to an individual Trustee or Town employee. Comments or questions should be confined to the agenda item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks.

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.

AGENDA SUMMARY FORM

	Agenda Approval		
Summary:			
Notes:			
Possible Motions: Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

	<p>Regular Minutes: February 25, 2020 Liquor License Transfer: En Passant, LLC dba Salt Pollen to Flying Fork Café</p>		
<p>Summary:</p>			
<p>Notes:</p>			
<p>Possible Motions:</p> <p>Motion by: _____ 2nd: _____ vote: _____</p>			
<p>Vote:</p>	<p>Trustee Bachran:</p>	<p>Trustee Bear:</p>	<p>Trustee Budinger:</p>
<p>Trustee Diehl:</p>	<p>Trustee Knutson:</p>	<p>Trustee Pattison:</p>	<p>Mayor Stewart:</p>

Minutes
Regular Board Meeting
Town of Paonia, Colorado
February 25, 2020

RECORD OF PROCEEDINGS

The Regular Board Meeting held Tuesday, February 25, 2020, was called to order at 6:32 PM by Mayor Charles Stewart, followed by the Pledge of Allegiance.

Roll Call:

Board members present were as follows:

- Mayor Charles Stewart
- Trustee William Bear
- Trustee Mary Bachran
- Trustee Karen Budinger
- Trustee Dave Knutson
- Trustee Michelle Pattison
- Trustee Diehl

A quorum was present, and Mayor Stewart proceeded with the meeting.

Approval of Agenda

Motion by Trustee Budinger, seconded by Trustee Bachran to amend the agenda adding the recognition of Judge Brad Coleman. Voting aye: Trustee Bear, Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Announcements

Recognition of service – Judge Brad Coleman

Mayor Stewart presented Judge Brad Coleman with a plaque for his service from 1988 – 2019.

Visitors and Guests

Bill Brunner expressed his concerns in regard to the Erick Pace case.

Consent Agenda

Regular Minutes – January 28, 2020

Special Event Permit – Elsewhere Studios – Edesia Kitchen.

Discussion ensued by Administrator Ferguson regarding the non-compliant status of Elsewhere Studios non-profit certificate of good standing.

Motion by Trustee Knutson, seconded by Trustee Bear to approve the consent agenda with (3) three corrections made to the January 28, 2020 meeting minutes. Voting aye: Trustee Bear, Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Motion by Trustee Knutson, seconded by Trustee Bear to remove Special Event Permit – Elsewhere Studios from consent agenda. Voting aye: Trustee Bear, Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Motion by Trustee Bachran, seconded by Trustee Pattison to approve Special Event for Elsewhere Studios contingent to the Colorado Secretary of State website of an updated certificate

of good standing, showing status as compliant. Voting aye: Trustee Bear, Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Mayor's Report

Discussion ensued by Mayor Stewart regarding the agenda.

- No additional documents will be added to the agenda after the agenda meeting - only in an emergency – meeting is held on Thursday mornings.
- Agenda scheduling requirements and Preparation of the packet - 24 hours in advance to add additional document to the agenda before its posted.

Staff Reports

Administrators Report

- Received energy impact assistance for the asset inventory grant – first meeting with SGM will be in April 2020.
- Preliminary planning of the asset inventory will begin in April 2020
- Working in conjunction with Town Attorney Nerlin on proper procedure to address a town property zoned as dual zoning.
- Administrator Ferguson discussed the occurrence of the Town e-mail spoofing. A twostep verification will be in place.
- Last master plan community meeting February 26, 2020.
- Planning and Zoning building code review meeting February 27, 2020.
- Administrator Ferguson attended the Delta County Economic Alliance – continued to work on the IGA and MOU between individual municipalities, along with delta County Economic Alliance, and Delta County.
- Invited an executive member of th Delta County Economic Alliance and the Mayor of Hotchkiss to provide an update and discuss the Towns participation – request to be on the agenda for March.
- Administrator Ferguson attended a Commissioners meeting to review a boundary adjustment outside of Town that affects an in-Town lot.
- Administrator Ferguson attended a Commissioners meeting – correction to the map was noted of a Town road easement. Once the correction is made the Commissioners will review.

Public Works Report

- Continue to fill potholes.
- Found 3 main line leaks on an old line they were repaired.
- Found 1 service line leak on an old line they were repaired.
- 2 M – spilling 93,000 gallons per day.
- 1 M – 93,000 gallons per day.
- Water production 159,000 per day.

Police Report

- 3 Police Officers will be at a trial
- Investigating a sex assault incident.
- Met with Sheriffs and Chiefs regarding Back the Badge.
- Police blotter was included in the packet.

Treasurer's Report

- Payroll and disbursement were reviewed.
- Reviewed Resolution 2020-03 – recommended approval
- Reviewed financial documents – recommended to move forward.
- Financial account analysis document were in the packet.

Resolution 2020-03 – 2019 budget amendment

Resolution 2020-03 was presented to the Board of Trustees to amend the 2019 budget.

Resolution 2020-03, and document comparison of the original budget, and revised budget were included in the packet.

Discussion points due to changes made throughout the year.

- Bridge project did not move forward.
- Grant revenue
- Collected extra tap fee charges.
- Reconciled 2019 budget with 2020 actual expenses.

Discussion point due to the non-budgeted items:

- Clark project cost
- Trash truck repairs
- Up dated budget included depreciation.

Motion by Trustee Budinger, seconded by Trustee Knutson to adopt Resolution 2020-03 to amend the 2019 budget. Voting aye: Trustee Bear, Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Disbursements

Motion by Trustee Budinger, seconded by Trustee Knutson to approve disbursements as presented. Voting aye: Trustee Bear, Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison Trustee Diehl. Motion carries.

Disbursement documents were included in the packet.

Unfinished BusinessAMKO Advisers Filing Services Agreement Engagement Letter - Discussion Continued

The continued discussion on the AMKO Advisers regarding the bond counsel engagement letter by the Board of Trustees and Town staff. Bond council letter along with AMKO Advisers letter addressed to Mayor Stewart, and the Acknowledgment were included in the packet.

Discussion Points:

- AMKO Advisers bond - \$10,000 bond counsel services payable upon closing the loan
- Email from AMKO Advisers confirming the fees was received and sent out by Finance Officer Cindy Jones.
- Language not clear.

Motion by Trustee Bear seconded by Trustee Bachran to approve and authorize Mayor Stewart to sign AMKO Advisers engagement letter. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

Ordinance 2020-TBD-Refund Water and Sewer Revenue Bond Series 2006-06 and Issuance of Revenue Refunding Bond Series 2020A.

Mayor Stewart read the proposed Ordinance 2020-TBD caption. An updated ordinance 2020-TBD was included in the packet.

Discussion Points:

- Town reserves
- Discussed section 1. (c) Findings of the Ordinance 2020-TBD
- Discussed section 6. Prior Redemption (a) Optional Redemption of the Series 2020A Bonds.

- Discussed section 18. Flow of Funds (a) The Town hereby creates the following special accounts. (i) rebate account.
- Cost of process
- Treasurer King received a memorandum of fees from AMKO Advisors.

Public concerns:

- Enterprise funds – revenue is secured by the enterprise not the assets of the funds.
- Failure to pay bonds – will cause Town to raise rates.

Motion by Trustee Bachran, seconded by Trustee Budinger to adopt Ordinance 2020-TBD. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

Updated Preliminary Official Statement - AMKO Bond Refinance

Discussion ensued regarding the updated preliminary official statement. A revised preliminary official statement was included in the packet. Town Attorney Nerlin reviewed and stated more time is needed to review the documents further.

Discussion Points:

- Discussed page 12. The Bonds
- Discussed the inclusion of the moratorium – stated on page 16 under Moratorium on Additional Water Taps.
- Discussed page 21. Water system customers section regarding no bill – no bill states town properties accounts that receive no billing.
- Change the expiration date on page 27. Board of Trustees - Trustee Knutson term - change from 2022 to 2020.
- Change the wording on page 27. - Administrator to Interim Administrator.
- Final statement to be presented to the board for approval.

Motion by Trustee Bachran, seconded by Trustee Budinger to approve the Preliminary Official Statement. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

Main motion amended by Trustee Bachran, seconded by Trustee Budinger to adopt the Preliminary Official Statement with amendments. Amend the expiration date of Trustee Knutson's term from 2022 to 2020 and amend wording on page 27. Administrator to Interim Administrator. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

AMKO - Filing Services Agreement

Discussion ensued regarding the AMKO filing services agreement. Agreement was included in the packet.

Discussion points:

- AMKO filing service agreement provides filing assistance to the town.

Motion by Trustee Bachran, seconded by Trustee Knutson to approve and authorize Mayor Stewart to sign AMKO filing services agreement. Voting aye: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Bear, Trustee Pattison. Voting nay: Trustee Diehl. Motion carries with 5 ayes and 1 nay.

New Business

Western Slope conservation Center – 2020 Riverpark Project Updates

Jake Harter; Watershed Coordinator proceeded to update the board on the 2020 Riverpark projects.

Discussion Points:

- Received grant
- Add an outdoor shade structure to the picnic area.
- Riverpark outdoor amphitheater coming summer 2021
- Working on the adjacent property at the Paonia High School area to put in a trail system - coming summer 2021.
- GOCO grant failed for replacement of the Minnesota bridge.

Citizens for a Healthy Community – Council on Environmental Quality Rulemaking to Amend National Environmental Policy Act Regulations – Comment Letter.

Discussion ensued by Natasha Ledger; CHC Executive Director asked the board members to engage in the council of environmental quality.

Discussion Points:

- Draft letter of support from Citizens for a Healthy Community was included in the packet
- Draft a shorter letter of support - due March 10, 2020
- Possibility of a litigation process
- Set a special meeting for further discussion.
- Town Administrator to draft a letter of support.

Motion by Trustee Bachran, seconded by Trustee Pattison to set a special meeting. Voting aye: Trustee Bachran, Trustee Pattison. Voting nay: Trustee Bear, Trustee Knutson, Trustee Budinger, Trustee Diehl. Motion fails with 4 nays and 2 ayes.

Motion by Trustee Knutson to direct the Governmental Affairs Committee to draft a letter of response for the Town and submit the draft letter for review by the board at the next meeting. Motion fails for lack of a second.

Motion by Trustee Budinger to direct the Governmental Affairs Committee to draft a letter of response and include the points of public input, environmental, and judicial review for the Town and Authorize Town Administrator to sign. Motion fails for lack of a second.

Motion by Trustee Pattison, seconded by Trustee Bachran to direct the Governmental Affairs Committee in communication with Town staff to draft a letter of support and have it signed by the Town staff that includes the bullet points from the top half of page 168. Section 3. Voting aye: Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison. Voting nay: Trustee Diehl, Trustee Bear. Motion carries with 4 ayes and 2 nays.

Motion to modify main motion by Trustee Pattison, seconded by Trustee Knutson to direct staff to draft letter of support based on the (4) four bullet points of page 168. Section 3 and authorize Town Administrator to sign and submit on behalf of the Town. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

Main motion amended by Trustee Knutson, seconded by Trustee Pattison to exclude the wording from the (4th) fourth bullet point Silencing the Public. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

Dark Skies Paonia – Ordinance Discussion

Ordinance discussion moved to the next meeting in March 2020.

Paonia Land Sale Procedure

Discussion ensued by Town Administrator regarding the policies and procedures of Paonia land sale.

Discussion points:

- Town Administrator reached out to Delta County regarding their process and procedures – Delta County’s resolution outlines their process and procedures for the sale of property.
- Town Administrator asked the boards approval to move forward and continue to work on the Town’s revision of policies and procedures with Town Attorney Nerlin using the Delta County’s resolution as a template and bring it to the Board for approval at a later date.

Electrical Repairs – Town Hall

Town Administrator Ferguson reported the issue with lighting throughout the Town Hall building.

Discussion points:

- Receiving additional bids for lighting
- (1) one bid came in and is within budget.

GOCO Grant Award – Park, Recreation, and Trails Master Plan

Town Administrator Assistant Evan Bolt proceeded to report to the Board of Trustees regarding the GOCO grant award.

Discussion points:

- Received (4) four proposals – selected (2) two
- Selected Western Slope Consulting and TH and Design.
- Town Administrator Assistant Evan Bolt recommended Western Slope Consulting.
- Travel cost – Western Slope Consulting will be here (7) seven times - included in the bid cost.
- Town was awarded a great outdoors grant in September 2019.
- Request more time to review the proposals received.

Motion by Trustee Knutson, seconded by Trustee Budinger to delay decision to award until next meeting. Voting aye: Trustee Budinger, Trustee Bachran, Trustee Knutson, Trustee Bear, Trustee Pattison, Trustee Diehl. Motion carries.

Committee Reports

Finance & Personal

- Review mayor duties during the (60) sixty-day period before April 2020 election.
- Employee liaison – appoint new member.
- Nominate a Citizen for liaison – Mayor appoints.

Governmental Affairs & Public Safety

- Chief Ferguson will present a revised plan and fee structure for dogs at large.
- Governmental Affairs to draft a revision of the fence ordinance.
- Building inspector will review the draft revision of the fence ordinance
- Draft revision to be presented to the board for approval.

Public Works – Utilities – Facilities

- Scheduling a meeting.

Space 2 Create

Nothing to report.

Tree Board

- Reviewed the Tree Ordinance and Tree Board duties.

Executive Session

Executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); relative to Clark Alley Sewer Line Project.

Motion to enter executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); Specific to: Clark Alley Sewer Line Project for identification purposes only. Motion made by Trustee Bachran, Seconded by Trustee Pattison. Voting aye: Trustee Bear, Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Entered executive session at 8:35pm.

Returned to open meeting at 8:56pm.

In attendance were: Mayor Stewart, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Pattison, Trustee Knutson, Trustee Diehl, Town Attorney Nerlin, Administrator Ferguson, Public Works Director Travis Loberg.

No issues noted.

Motion by Trustee Bear, seconded by Trustee Bachran to direct Town staff to issue final settlement payment as necessary for Clark sewer line project. Voting Yea: Trustee Bear, Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Motion by Trustee Bear, seconded by Trustee Diehl to direct Town Attorney Nerlin to draft a settlement agreement for the contractors involved with the Clark sewer line project. Voting Yea: Trustee Bear, Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Adjournment

Motion by Trustee Bear, seconded by Trustee Diehl to adjourn the meeting. Voting aye: Trustee Bear, Trustee Bachran, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Diehl. Motion carries.

Meeting adjourned at 8:58pm.

Amanda Mojarro, Deputy Clerk

Charles Stewart, Mayor

Colorado Liquor Retail License Application

New License
 New-Concurrent
 Transfer of Ownership
 State Property Only
 Master file

• All answers must be printed in black ink or typewritten
 • Applicant must check the appropriate box(es)
 • Applicant should obtain a copy of the Colorado Liquor and Beer Code: www.colorado.gov/enforcement/liquor

1. Applicant is applying as a/an
 Individual
 Limited Liability Company
 Association or Other
 Corporation
 Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation
FLYING FORK CAFE, LLC FEIN Number
 01-0760835

2a. Trade Name of Establishment (DBA) State Sales Tax Number Business Telephone
Flying Fork Cafe **01820374** **970-527-9075**

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
101 3rd. Street

City County State ZIP Code
Paonia **Delta** **CO** **81428**

4. Mailing Address (Number and Street) City or Town State ZIP Code
PO Box#1825 **Paonia** **CO** **81428**

5. Email Address
info@flyingforkcafe.com

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA) EN PASSANT, LLC	Present State License Number 03-11367	Present Class of License Hotel/Restaurant	Present Expiration Date 03/17/2020
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Section A Nonrefundable Application Fees*	Section B (Cont.) Liquor License Fees*
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<input type="checkbox"/> Application Fee for New License\$1,550.00 <input type="checkbox"/> Application Fee for New License w/Concurrent Review\$1,650.00 <input checked="" type="checkbox"/> Application Fee for Transfer\$1,550.00	<input type="checkbox"/> Liquor-Licensed Drugstore (County)\$312.50 <input type="checkbox"/> Lodging & Entertainment - L&E (City)\$500.00 <input type="checkbox"/> Lodging & Entertainment - L&E (County)\$500.00
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Section B Liquor License Fees*

<input type="checkbox"/> Add Optional Premises to H & R.....\$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex\$75.00 X _____ Total _____ <input type="checkbox"/> Add Sidewalk Service Area.....\$75.00 <input type="checkbox"/> Arts License (City)\$308.75 <input type="checkbox"/> Arts License (County)\$308.75 <input type="checkbox"/> Beer and Wine License (City).....\$351.25 <input type="checkbox"/> Beer and Wine License (County).....\$436.25 <input type="checkbox"/> Brew Pub License (City)\$750.00 <input type="checkbox"/> Brew Pub License (County).....\$750.00 <input type="checkbox"/> Campus Liquor Complex (City).....\$500.00 <input type="checkbox"/> Campus Liquor Complex (County)\$500.00 <input type="checkbox"/> Campus Liquor Complex (State).....\$500.00 <input type="checkbox"/> Club License (City)\$308.75 <input type="checkbox"/> Club License (County)\$308.75 <input type="checkbox"/> Distillery Pub License (City).....\$750.00 <input type="checkbox"/> Distillery Pub License (County)\$750.00 <input checked="" type="checkbox"/> Hotel and Restaurant License (City)\$500.00 <input type="checkbox"/> Hotel and Restaurant License (County)\$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City)\$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County).....\$600.00 <input type="checkbox"/> Liquor-Licensed Drugstore (City)\$227.50	<input type="checkbox"/> Manager Registration - H & R\$75.00 <input type="checkbox"/> Manager Registration - Tavern\$75.00 <input type="checkbox"/> Manager Registration - Lodging & Entertainment\$75.00 <input type="checkbox"/> Manager Registration - Campus Liquor Complex\$75.00 <input type="checkbox"/> Optional Premises License (City).....\$500.00 <input type="checkbox"/> Optional Premises License (County)\$500.00 <input type="checkbox"/> Racetrack License (City).....\$500.00 <input type="checkbox"/> Racetrack License (County)\$500.00 <input type="checkbox"/> Resort Complex License (City).....\$500.00 <input type="checkbox"/> Resort Complex License (County)\$500.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (City)\$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (County)\$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (State).....\$160.00 <input type="checkbox"/> Retail Gaming Tavern License (City)\$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County)\$500.00 <input type="checkbox"/> Retail Liquor Store License-Additional (City).....\$227.50 <input type="checkbox"/> Retail Liquor Store License-Additional (County)\$312.50 <input type="checkbox"/> Retail Liquor Store (City).....\$227.50 <input type="checkbox"/> Retail Liquor Store (County)\$312.50 <input type="checkbox"/> Tavern License (City)\$500.00 <input type="checkbox"/> Tavern License (County)\$500.00 <input type="checkbox"/> Vintners Restaurant License (City)\$750.00 <input type="checkbox"/> Vintners Restaurant License (County)\$750.00
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*** Note that the Division will not accept cash**

Questions? Visit: www.colorado.gov/enforcement/liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$
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Application Documents Checklist and Worksheet

1.

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable. **Questions? Visit: www.colorado.gov/enforcement/liquor for more information**

Items submitted, please check all appropriate boxes completed or documents submitted

I. Applicant information

- A. Applicant/Licensee identified
- B. State sales tax license number listed or applied for at time of application
- C. License type or other transaction identified
- D. Return originals to local authority (additional items may be required by the local licensing authority)
- E. All sections of the application need to be completed
- F. Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application

II. Diagram of the premises

- A. No larger than 8 1/2" X 11"
- B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.)
- C. Separate diagram for each floor (if multiple levels)
- D. Kitchen - identified if Hotel and Restaurant
- E. Bold/Outlined Licensed Premises

III. Proof of property possession (One Year Needed)

- A. Deed in name of the applicant (or) (matching question #2) date stamped / filed with County Clerk
- B. Lease in the name of the applicant (or) (matching question #2)
- C. Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant
- D. Other agreement if not deed or lease. (matching question #2)

IV. Background information (DR 8404-I) and financial documents

- A. Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members)
- B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved state vendor. **Do not complete fingerprint cards prior to submitting your application.**
The Vendors are as follows:
IdentoGO – <https://uenroll.identogo.com/>
Phone: 844-539-5539 (toll-free)
IdentoGO FAQs: <https://www.colorado.gov/pacific/cbi/identification-faqs>
Colorado Fingerprinting – <http://www.coloradofingerprinting.com>
Appointment Scheduling Website: <http://www.coloradofingerprinting.com/cabs/>
Phone: 720-292-2722 Toll Free: 833-224-2227
- C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license
- D. List of all notes and loans (Copies to also be attached)

V. Sole proprietor/husband and wife partnership (if applicable)

- A. Form DR 4679
- B. Copy of State issued Driver's License or Colorado Identification Card for each applicant

VI. Corporate applicant information (if applicable)

- A. Certificate of Incorporation
- B. Certificate of Good Standing
- C. Certificate of Authorization if foreign corporation (out of state applicants only)

VII. Partnership applicant information (if applicable)

- A. Partnership Agreement (general or limited).
- B. Certificate of Good Standing

VIII. Limited Liability Company applicant information (if applicable)

- A. Copy of articles of organization
- B. Certificate of Good Standing
- C. Copy of Operating Agreement (if applicable)
- D. Certificate of Authority if foreign LLC (out of state applicants only)

IX. Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application

- A. \$75.00 fee
- B. Individual History Record (DR 8404-I)
- C. If owner is managing, no fee required

1. (01/22/20)

Flying Fork Café, llc

Type of License
hotel / restaurant

Account Number
03-11367

7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years? Yes No

8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):
 a. Been denied an alcohol beverage license? Yes No
 b. Had an alcohol beverage license suspended or revoked? Yes No
 c. Had interest in another entity that had an alcohol beverage license suspended or revoked? Yes No
 If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. Yes No
 Same location listed in Item#3, 101 3rd St., Paonia CO 81428- Good Standing - 2003 - 20019

10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? Yes No
 or
 Waiver by local ordinance? Yes No
 Other: _____

11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. Yes No

12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. Yes No

13 a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016? Yes No

13 b. Are you a Colorado resident? Yes No

14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee. Yes No

15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement? Yes No
 Ownership Lease Other (Explain in Detail) _____
 a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:

Landlord	Tenant	Expires

b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16. Yes No

c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".

16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage

Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:
 Has a local ordinance or resolution authorizing optional premises been adopted? Yes No
 Number of additional Optional Premise areas requested. (See license fee chart) _____

18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

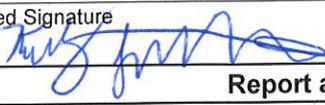
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following:
 a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? Yes No
 If "yes" a copy of license must be attached.

15

1.

(01/22/20)

Flying Fork Café, llc	Type of License hotel / restaurant	Account Number 03-11367		
20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation				
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?	<input type="checkbox"/>	<input type="checkbox"/>		
b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?	<input type="checkbox"/>	<input type="checkbox"/>		
c. How long has the club been incorporated?				
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?	<input type="checkbox"/>	<input type="checkbox"/>		
21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:				
a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)	<input type="checkbox"/>	<input type="checkbox"/>		
22. Campus Liquor Complex applicants answer the following:				
a. Is the applicant an institution of higher education?	<input type="checkbox"/>	<input type="checkbox"/>		
b. Is the applicant a person who contracts with the institution of higher education to provide food services? If "yes" please provide a copy of the contract with the institution of higher education to provide food services.	<input type="checkbox"/>	<input type="checkbox"/>		
23. For all on-premises applicants.				
a. Hotel and Restaurant, Lodging and Entertainment, Tavern License and Campus Liquor Complex, the Registered Manager must also submit an Individual History Record - DR 8404-I and fingerprint submitted to approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.				
b. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit a Manager Permit Application - DR 8000 and fingerprints.				
Last Name of Manager <p style="text-align:center;">Steinmetz</p>	First Name of Manager <p style="text-align:center;">Kelly</p>			
24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				
	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
25. Related Facility - Campus Liquor Complex applicants answer the following:				
a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.				
b. Designated Manager for Related Facility- Campus Liquor Complex				
Last Name of Manager	First Name of Manager			
26. Tax Information.				
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?		<input type="checkbox"/>		
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?		<input type="checkbox"/>		
27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members . In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant . All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.				
Name <p style="text-align:center;">Steinmetz, Kelly</p>	Home Address, City & State <p style="text-align:center;">PO Box#1825</p>	DOB <p style="text-align:center;">[REDACTED]</p>	Position <p style="text-align:center;">Owner</p>	%Owned <p style="text-align:center;">100</p>
Name <p style="text-align:center;">n/a</p>	Home Address, City & State	DOB	Position	%Owned
Name <p style="text-align:center;">n/a</p>	Home Address, City & State	DOB	Position	%Owned
Name <p style="text-align:center;">n/a</p>	Home Address, City & State	DOB	Position	%Owned
Name <p style="text-align:center;">n/a</p>	Home Address, City & State	DOB	Position	%Owned
** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: <input checked="" type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.				

1.	4 (01/22/20)	Flying Fork Café, llc	Type of License hotel / restaurant	Account Number 03-11367
Oath Of Applicant				
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.				
Authorized Signature 		Printed Name and Title Kelly Steinmetz		Date  3/22/20
Report and Approval of Local Licensing Authority (City/County)				
Date application filed with local authority		Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)		
The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:				
<input type="checkbox"/> Fingerprinted <input type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants				
That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license				
(Check One)				
<input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority				
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,00000?				Yes No <input type="checkbox"/> <input type="checkbox"/>
<input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,00000?				<input type="checkbox"/> <input type="checkbox"/>
NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.				
<input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?				<input type="checkbox"/> <input type="checkbox"/>
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. Therefore, this application is approved.				
Local Licensing Authority for		Telephone Number		<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title	Date	
Signature	Print	Title	Date	

3RD. STREET

1.

ROOF

STORAGE

8'X11'

DOOR

OFFICE

11'X10'

WINE/LIQUOR
Storage

Storage

DOOR

DOOR

S
T
A
I
R
S

LOUNGE
AREA

18'X11'

18'X11'

RESTROOM

DOOR

SERVICE AREA
STORAGE

8'X10'

ROOF

MAIN. STREET

WEST

FLYING FORK 2ND FLOOR

FEBUARY 22, 2020 - KLS

ROOF

18

3RD. STREET

1.

OUTDOOR STAIRS TO STREET

DOOR

7'X11'

DRY STORAGE

DOOR

BEER/WINE storage

7'X13'

COOLER

WALKIN

DOOR

10'X16'

PREP AREA

MUSIC AREA

DOOR

10'X20'

BAR AREA

S T A I R S

BAR

OPEN

ARCHWAY

15'X22'

DINING AREA 1

15'X14'

KITCHEN

15'X10'

DISH AREA

OPEN

ARCHWAY

14'X22'

DINING AREA 2

SERVICE HALLWAY

RESTROOM

RESTROOM

MOP/ICE UTILITY

HALLWAY

DOOR

OUTDOORS

22'X22'

DINING PATIO

GARDEN

WALKWAY

EXIT

MAIN STREET

WEST

FLYING FORK 1ST FLOOR/ GROUND LEVEL

FEBRUARY 22, 2020 - KLS

19

THERE IS TRELLIS FENCING ALL AROUND THE GARDEN/PATIO AREA

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

FLYING FORK CAFE, THE, LLC

is a

Limited Liability Company

formed or registered on 01/06/2003 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20031003471 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/20/2020 that have been posted, and by documents delivered to this office electronically through 02/21/2020 @ 21:23:36 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 02/21/2020 @ 21:23:36 in accordance with applicable law. This certificate is assigned Confirmation Number 12101754 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****
Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/bic/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

Notice: This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business FLYING FORK CAFE, LLC		Home Phone Number [REDACTED]	Cellular Number [REDACTED]		
2. Your Full Name (last, first, middle) STEINMETZ, KELLY, LEWIS		3. List any other names you have used N/A			
4. Mailing address (if different from residence) PO BOX#1825		Email Address KELLY@FLYINGFORKCAFE.COM			
5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary)					
	Street and Number	City, State, Zip	From	To	
Current	70 BOX ELDER DRIVE	PAONIA, CO 81428	7/2017	PRESENT	
Previous	520 BOXELDER AVE	PAONIA, CO 81428	2011	2016	
6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary)					
	Name of Employer or Business	Address (Street, Number, City, State, Zip)	Position Held	From	To
	FLYING FORK CAFE, LLC (SELF)	101 3RD STREET, PAONIA, CO 81428	OWNER	2003	PRESENT
	Esalen Institute	55000 CA-1, Big Sur, CA 93920	Exec.Chef	6/18	12/18
7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.					
	Name of Relative	Relationship to You	Position Held	Name of Licensee	
	N/A	N/A	N/A	N/A	
8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
HOTEL AND RESTAURANT LICENSE - 2003 - 2019 - FLYING FORK CAFE , LLC DBA FLYING FORK CAFE, 101 3RD STREET, PAONIA CO 81428					
9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					

1. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.) Yes No
 When I was 16-17yrs old I was convicted of a misdemeanor violation of possession of criminal tools with intent.

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.) Yes No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.) Yes No

Personal and Financial Information

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth [redacted] b. Social Security Number [redacted] c. Place of Birth [redacted] d. U.S. Citizen Yes No
 e. If Naturalized, state where [redacted] f. When [redacted] g. Name of District Court [redacted]
 h. Naturalization Certificate Number [redacted] i. Date of Certification [redacted] j. If an Alien, Give Alien's Registration Card Number [redacted] k. Permanent Residence Card Number [redacted]
 l. Height 6'1" m. Weight 200# n. Hair Color brown o. Eye Color grn/brwn p. Gender male q. Do you have a current Driver's License/ID? If so, give number and state. Yes No # [redacted] State CO

14. Financial Information.
 a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ 35,000
 b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ 35,000
 * If corporate investment only please skip to and complete section (d)
 ** Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount
Cash	Checking	United Business Bank	5,000
Stocks/Cash	Brokerage	Ameritrade	10,000

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount
n/a				

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
Jim & Elain Brett	[redacted]	2yrs	Equipment Lien	20,000

Oath of Applicant

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

22 [Signature] Print Signature Kelly Steinmetz Title Owner Date 3/06/20

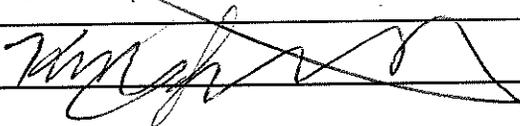
Affidavit - Restrictions On Public Benefits

I, Kelly Steinmetz, swear or affirm under penalty of perjury under the laws of the State of Colorado that **(check one)**:

- I am a United States citizen.
- I am not a United States citizen but I am a Permanent Resident of the United States.
- I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.
- I am a foreign national not physically present in the United States.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature



Date (MM/DD/YY)

03/22/2020

REAL ESTATE PROPERTY TAX NOTICE
2019 TAXES DUE IN 2020

DELTA COUNTY TREASURER
501 PALMER ST, SUITE 202
DELTA, CO 81416-1784
www.deltacounty.com



1.OUNT# R019948
CEL # 324506128028
DISTRICT # BR-

TAX AUTHORITY	MILL LEVY	TOWN-MILL LEVY CREDIT	GENERAL TAX	VALUATION	ACTUAL	ASSESSED
DELTA COUNTY SCHOOL	22.67100	0.00000	1,064.49	LAND	39,000	11,310
DC SCHOOL DIST 50 - BOND	4.97400	0.00000	233.55	IMPROVEMENTS	167,835	35,644
DELTA COUNTY	15.29600	1.77200	718.20	NET TOTAL	206,835	46,954
TOWN OF PAONIA	8.32200	0.00000	390.75			
PAONIA CEMETERY DISTRICT	0.83800	0.08100	39.35			
FIRE DISTRICT #2	3.15900	0.59800	148.33			
NF WATER CONS DIST	0.56100	0.00000	26.34			
COLORADO RIVER WATER CONS	0.23500	0.01800	11.04			
NORTH FORK MOSQUITO ABATE	1.64200	0.16000	77.10			
DELTA COUNTY MEM HOSPITAL	0.93600	0.04900	43.95			
NF AMBULANCE HEALTH SERV	5.55400	0.00000	260.78			
NF POOL, PARK & REC	2.50000	0.00000	117.38			
DELTA COUNTY LIBRARY	3.00000	0.00000	140.86			
COUNTY ROAD & BRIDGE	0.50000	0.00000	23.48			
PAONIA ROAD & BRIDGE	0.50000	0.00000	23.48			
TOTAL		NET LEVY -> 70.68800	3,319.08			
		GRAND TOTAL	3,319.08			

MESSAGES
PROPERTY TAX PAYMENTS MAY ALSO BE MADE AT THE NORTH FORK COUNTY ANNEX BUILDING LOCATED AT 196 W. HOTCHKISS AVENUE, HOTCHKISS, COLORADO. CHECKS ARE THE PREFERRED METHOD OF PAYMENT AT THE HOTCHKISS OFFICE.

S B 25 -- In absence of State Legislative Funding, your School General Fund mill levy would have been 107.798

UNPAID PRIOR YEAR TAXES

No

Contact Treasurer's Office immediately if a message appears above.

PAYMENT	DUE DATE	AMOUNT
FIRST HALF	FEB 29, 2020	1,659.54
SECOND HALF	JUN 15, 2020	1,659.54
FULL PAYMENT	APR 30, 2020	3,319.08

LEGAL DESCRIPTION OF PROPERTY
101 3RD ST PAONIA 81428 S: 6 T: 14S R: 91W Subdivision: ORIGINAL PAONIA
Block: 3 Lot: 21 THRU:- Lot: 25 TOTAL 0.16 AC+ PARCEL "B"-RAMEY/STEINMETZ
BNDRY ADJ PT LOTS 21 THRU 25 BLK 3 ORIGINAL PAONIA, BEG NW COR LOT 21 TH
S89°12'37" E,55°50'50"14" Additional Legal Desc. On File With Assessor

PROPERTY LOCATION: 101 3RD ST PAONIA

Make Checks Payable To:
DELTA COUNTY TREASURER
CHECKS WILL BE PROCESSED ON THE DATE RECEIVED. PARTIAL PAYMENTS ARE NOT ACCEPTED.
DO NOT PAY THIS BILL IF YOUR MORTGAGE COMPANY WILL MAKE THIS PAYMENT.
Please see reverse side of this form for additional information

STEINMETZ KELLY
R019948



RETAIN TOP PORTION FOR YOUR RECORDS

2019 TAXES DUE IN 2020

UNPAID PRIOR YEAR TAXES

No

Contact Treasurer's Office immediately if a message appears above.

RETURN THIS COUPON FOR SECOND HALF PAYMENTS

To obtain a receipt, please check here and include a self-addressed, stamped envelope or provide an email address below.
Email: _____

2nd Half Coupon **2**

IF YOUR MAILING ADDRESS IS NOT CORRECT, Check this box for change of address, make changes and sign below.

Return this coupon with payment to:
DELTA COUNTY TREASURER
501 PALMER ST, SUITE 202
DELTA, CO 81416-1784

ACCOUNT NUMBER
R019948

R019948 OWNER'S SIGNATURE
12328*44**G50**1.016**3/4*****AUTOS-DIGIT 81410
STEINMETZ KELLY
PO BOX 1825
PAONIA CO 81428-1825

* Due: *
JUNE 15th

SECOND HALF DUE BY JUN 15, 2020 1,659.54

PAYMENTS MUST BE MADE IN U.S. FUNDS AND DRAWN ON A U.S. BANK

000000180199481 00001659549 000000000003

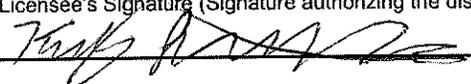
Tax Check Authorization, Waiver, and Request to Release Information

I, Kelly Steinmetz am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Flying Fork Café, llc (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <p style="text-align: center;">Flying Fork café, llc</p>		Social Security Number/Tax Identification Number <p style="text-align: center;">[REDACTED]</p>	
Address <p style="text-align: center;">101 3rd Street - PO Box #1825</p>			
City <p style="text-align: center;">Paonia</p>		State <p style="text-align: center;">CO</p>	Zip <p style="text-align: center;">81428</p>
Home Phone Number <p style="text-align: center;">970-201-9246</p>		Business/Work Phone Number <p style="text-align: center;">970-527-9075</p>	
Printed name of person signing on behalf of the Applicant/Licensee <p style="text-align: center;">Kelly Steinmetz</p>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed <p style="text-align: center;">03/22/2020</p>

Privacy Act Statement

25 Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

COLORADO STANDARD PROMISSORY NOTE

On the 7TH day of March, 2020, hereinafter known as the "Start Date", Kelly Steinmetz of The Flying Fork LLC, hereinafter known as the "Buyer", has received and promises to payback Elaine and James Brett of [REDACTED] Colorado 81428, hereinafter known as the "Seller", the principal sum of \$20,000.00 US Dollars with interest accruing on the unpaid balance at a rate of 5.0 percent (%) per annum, hereinafter known as the "Borrowed Money", beginning as of the Start Date in the manner as follows:

1. PAYMENTS: The full balance of this Note, including all accrued interest and late fees, is due and payable on the ___TH day of MARCH, 2022, hereinafter known as the "Due Date".

A. **Installment(s).** See attached payment schedule.

~~*~~ **INITIAL PAYMENT** – Buyer shall pay a lump sum, of \$2,000.00 on the Start Date.

~~*~~ **INSTALLMENTS** – Buyer shall pay principal and interest in the amount of Five / 500 HUNDRED Dollars (\$500.00) on a **monthly** basis (by the 4th day of the month) with any remaining balance payable on the Due Date.

~~R~~ **LATE FEE** - There shall be a late payment fee of FIFTY Dollars (\$50.00) if an installment is not paid on-time along with the default interest due, as described in Section 3, if the Seller does not receive the installment on the due date.

2. SECURITY:

There shall be Property described in the attached Exhibit A, hereinafter known as the "Security", which shall transfer to the possession and ownership of the Seller IMMEDIATELY pursuant to Section 6A of this Note. The Security may not be sold or transferred without the Seller's consent until the Due Date. If Buyer breaches this provision, Seller may declare all sums due under this Note immediately due and payable, unless prohibited by applicable law. The Seller shall have the sole-option to accept the Security as full-payment for the Borrowed Money without further liabilities or obligations. If the market value of the Security does not exceed the Borrowed Money, the Buyer shall remain liable for the balance due while accruing interest at the maximum rate allowed by law.

3. INTEREST DUE IN THE EVENT OF DEFAULT: In the event the Buyer fails to pay the note in-full on the Due Date, unpaid principal shall accrue interest at the maximum rate allowed by law, until the Buyer is no longer in default.



~~R~~

4. ALLOCATION OF PAYMENTS: Payments shall be first credited any late fees due, then to interest due and any remainder will be credited to principal.

5. PREPAYMENT: Buyer may pre-pay this Note without penalty.

6. ACCELERATION: If the Buyer is in default under this Note or is in default under another provision of this Note, and such default is not cured within the minimum allotted time by law after written notice of such default, then Seller may, at its option, declare all outstanding sums owed on this Note to be immediately due and payable.

6A. SECURITY - This includes any rights of possession in relation to the Security described in Section 2.

7. ATTORNEYS' FEES AND COSTS: Buyer shall pay all costs incurred by Seller in collecting sums due under this Note after a default, including reasonable attorneys' fees. If Seller or Buyer sues to enforce this Note or obtain a declaration of its rights hereunder, the prevailing party in any such proceeding shall be entitled to recover its reasonable attorneys' fees and costs incurred in the proceeding (including those incurred in any bankruptcy proceeding or appeal) from the non-prevailing party.

8. WAIVER OF PRESENTMENTS: Buyer waives presentment for payment, notice of dishonor, protest and notice of protest.

9. NON-WAIVER: No failure or delay by Seller in exercising Seller's rights under this Note shall be considered a waiver of such rights.

10. SEVERABILITY: In the event that any provision herein is determined to be void or unenforceable for any reason, such determination shall not affect the validity or enforceability of any other provision, all of which shall remain in full force and effect.

11. INTEGRATION: There are no verbal or other agreements which modify or affect the terms of this Note. This Note may not be modified or amended except by written agreement signed by Buyer and Seller.

12. CONFLICTING TERMS: The terms of this Note shall control over any conflicting terms in any referenced agreement or document.

13. NOTICE: Any notices required or permitted to be given hereunder shall be given in writing and shall be delivered (a) in person, (b) by certified mail, postage prepaid, return receipt requested, (c) by facsimile, or (d) by a commercial overnight courier that guarantees next day delivery and provides a receipt, and such notices shall be made to the parties at the addresses listed below.



14. EXECUTION: The Buyer executes this Note as a principal and not as a surety. If there is a Co-Signer, the Buyer and Co-Signer shall be jointly and severally liable under this Note.

15. GOVERNING LAW: This note shall be governed under the laws in the State of Colorado.

16. SIGNATURE AREA

Seller's Signature [Signature] Date 3/10/2020

Print Name ELANE M BRETT

Seller's Signature [Signature] Date 10 MAR 2020

Print Name JAMES M. BRETT

Buyer's Signature [Signature] Date 3/9/2020

Print Name Kelly Steinmetz

Witness Signature [Signature] Date 3/10/20

Print Name Colleen Hansen



Payment schedule

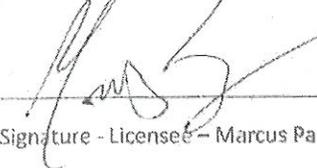
	Payment	Remaining Principle	Interest accrued
Amount financed		\$20000	
March 2020	\$2000.00	\$18000	\$75.00
April	\$500.00	\$17500	\$72.92
May	\$500.00	\$17000	\$70.83
June	\$500.00	\$16500	\$68.75
July	\$500.00	\$16000	\$66.67
August	\$500.00	\$15500	\$64.58
September	\$500.00	\$15000	\$62.50
October	\$500.00	\$14500	\$60.42
November	\$500.00	\$14000	\$58.33
December	\$500.00	\$13500	\$56.25
January 2021	\$500.00	\$13000	\$54.17
February	\$500.00	\$12500	\$52.08
March 2021	\$500.00	\$12000	\$50.00
April	\$500.00	\$11500	\$47.92
May	\$500.00	\$11000	\$45.83
June	\$500.00	\$10500	\$43.75
July	\$500.00	\$10000	\$41.67
August	\$500.00	\$9500	\$39.58
September	\$500.00	\$9000	\$37.50
October	\$500.00	\$8500	\$35.42
November	\$500.00	\$8000	\$33.33
December	\$500.00	\$7500	\$31.25
January	\$500.00	\$7000	\$29.17
February	\$500.00	\$6500	\$27.08
March 2022	\$6500.00	\$0	
Balance	\$20000.00		\$1225.00



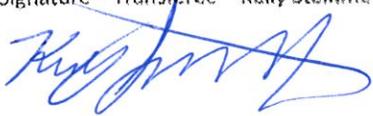
(Handwritten mark)

3/5/20

I Marcus Parrot owner & principal of En Passant, llc DBA Salt, Pollen authorize the transfer of Alcohol Beverage License # 03-11367 to principal, Kelly Steinmetz of Flying Fork Café, llc DBA Flying Fork Café Colorado Sales Tax License # 01-820374 & FEIN# 01-0760835.


Date: 3/10/20
Signature - Licensee - Marcus Parrot


Date: 3/6/20
Signature - Transferee - Kelly Steinmetz


3/10/20

1.

DR 8004 (12/21/16)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

49381

Wholesaler Affidavit of Compliance Section 12-47-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC; partnership; corporation or name of corporation) Republic National Distributing Company		License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) Republic National Distributing Company		Phone Number 303-734-2400	
Physical Address 8000 Southpark Terrace	City Littleton	State Co	ZIP 80120
Email Address			
Transferor Retailer Licensee Name En Passant LLC		License Number 03-11367	
Trade Name of Establishment/Doing Business As (DBA) Salt Pollen		[REDACTED]	
Physical Address 101 3rd St.	City Parker	State CO	ZIP 81720
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input checked="" type="checkbox"/> Paid in Full (only for the purposes of complying with section 12-47-303(1)(d), C.R.S.) Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>			
Wholesaler: Republic National Distributing Company			
Signature 	Print Nick Powell	Title AR Manager	Date 3.12.20

31

1.

21729

0004 (12/21/16)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Wholesaler Affidavit of Compliance Section 12-47-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC; partnership; corporation or name of corporation) Southern Glazers Wine and Spirits of Colorado			License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) Southern Glazers Wine and Spirits			Phone Number [REDACTED]	
Physical Address 5270 Fox Street	City Denver	State CO	ZIP 80216	
Email Address Kvanveen@sgws.com				
Transferor Retailer Licensee Name En Passant LLC			License Number 311367	
Trade Name of Establishment/Doing Business As (DBA) Salt, Pollen			Phone Number 9 [REDACTED]	
Physical Address 101 3rd St	City Paonia	State CO	ZIP 81428	
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input checked="" type="checkbox"/> Paid in Full (only for the purposes of complying with section 12-47-303(1)(d), C.R.S.) Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>				
Wholesaler: Southern Glazers Wine and Spirits of Colorado				
Signature <i>Kristy Van Veen</i>	Print Kristy Van Veen	Title Credit Department	Date 3/11/2020	

Wholesaler Affidavit of Compliance

Section 44-3-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC, partnership, corporation or name of corporation) Stone Cottage Cellars			License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) Stone Cottage Cellars			Phone Number [REDACTED]	
Physical Address 41716 Reds Road	City Paonia	State co	ZIP 81428	
Email Address info@stonecottagecellars.com				
Transferor Retailer Licensee Name EN PASSANT LLC			License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) SALT, POLLEN			Phone Number [REDACTED]	
Physical Address 101 3RD STREET	City PAONIA	State CO	ZIP 81428	
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input checked="" type="checkbox"/> Paid in Full (only for the purposes of complying with section 44-3-303(1)(d), C.R.S.) Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>				
Wholesaler: Stone Cottage Cellars, Inc.				
Signature <i>Brent Helleckson</i>	Print Brent Helleckson	Title CEO	Date 3/9/20	

1.

DR 8004 (09/28/18)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Wholesaler Affidavit of Compliance Section 44-3-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC; partnership; corporation or name of corporation) High Country Beverage Corp			License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) High Country Beverage Corp			Phone Number 9 [REDACTED]	
Physical Address 4200 Ronald Reagan Rd	City Johnstown	State CO	ZIP 80534	
Email Address www.highcountrybeverage.com				
Transferor Retailer Licensee Name EN PASSANT LLC			License Number 03-11367	
Trade Name of Establishment/Doing Business As (DBA) SALT, POLLEN			Phone Number [REDACTED]	
Physical Address 101 3RD STREET	City PAONIA	State CO	ZIP 81428	
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input checked="" type="checkbox"/> Paid in Full (only for the purposes of complying with section 44-3-303(1)(d), C.R.S.) Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>				
Wholesaler: High Country Beverage Corp				
Signature 	Print Nicole Dill	Title AR Lead	Date 03/05/20	

1.

DR 8004 (09/28/18)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Wholesaler Affidavit of Compliance Section 44-3-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC; partnership; corporation or name of corporation) Qutori Wines Sky Hawk Winery			
Trade Name of Establishment/Doing Business As (DBA) Qutori Wines, LLC			
Physical Address 40823 CO-133	City Paonia	State CO	ZIP 81428
Email Address Qutoriwinest@gmail.com			
Transferor Retailer Licensee Name EN PASSANT LLC		License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) SALT, POLLEN		Phone Number [REDACTED]	
Physical Address 101 3rd. Street	City Paonia	State CO	ZIP 81428
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input checked="" type="checkbox"/> Paid in Full (only for the purposes of complying with section 44-3-303(1)(d), C.R.S.) Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>			
Wholesaler: Sky Hawk Winery, LLC			
Signature Julie Bennett	Print Julie Bennett	Title President	Date 3-5-2020

1.

DR 8004 (09/28/18)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Wholesaler Affidavit of Compliance Section 44-3-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC; partnership; corporation or name of corporation) <i>Southeastern Exposure, LLC</i>			License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) <i>The Storm Cellar</i>			Phone Number [REDACTED]	
Physical Address <i>14139 Runzel Gulch Rd,</i>	City <i>Hotchkiss</i>	State <i>CO</i>	ZIP <i>81419</i>	
Email Address <i>hello@stormcellarwine.com</i>				
Transferor Retailer Licensee Name <i>EN PASSANT LLC</i>			License Number [REDACTED]	
Trade Name of Establishment/Doing Business As (DBA) <i>SALT, POLLEN</i>			Phone Number [REDACTED]	
Physical Address <i>101 3rd. Street</i>	City <i>Paonia</i>	State <i>CO</i>	ZIP <i>81428</i>	
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input checked="" type="checkbox"/> Paid in Full (only for the purposes of complying with section 44-3-303(1)(d), C.R.S.) Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>				
Wholesaler: <i>Southeastern Exposure, LLC DBA The Storm Cellar</i>				
Signature <i>Jayne Henderson</i>	Print <i>Jayne Henderson</i>	Title <i>managing member</i>	Date <i>3.5.20</i>	



Board Approval to Suspend Disconnection of Services, Waive Late Fees, and Offset Online Payment Fees Through April 30, 2020

Summary: Board approval to continue to suspend utility disconnects, waive late fees, and offset Town utility account payments made online through April 30, 2020.

Notes:

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

	Disbursements		
Summary:			
Notes:			
Possible Motions: Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

ACCOUNT ANALYSIS 2020

3.

BANK	ACCOUNT	JAN	FEB	MAR	APR	MAY	JUNE	X
OPERATING ACCOUNTS								
UBB (FSBC)	PREV BAL	134,027.10	133,503.90					
OPS - 0733	CKS/DR	285,541.33	348,655.60					
	DEP/CR	285,018.13	421,515.55					
	END BAL	133,503.90	206,363.85	-	-	-	-	X
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC)	PREV BAL	19,089.11	25.00					
PAYROLL - 3629	CKS/DR	58,518.47	38,351.45					
	DEP/CR	39,454.36	38,351.45					
	END BAL	25.00	25.00	-	-	-	-	X
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
RESESTRICTED FUND ACCOUNTS								
UBB (FSBC)-3858	PREV BAL	25.00	25.00					
GRANT	CKS/DR	-	-					
PASS-THRU	DEP/CR	-	-					
	END BAL	25.00	25.00	-	-	-	-	X
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC) (FCNB)	PREV BAL	35.77	35.77					
INTERNAL - 0571	CKS/DR	-	-					
GRANTS	DEP/CR	-	-					
	END BAL	35.77	35.77	-	-	-	-	X
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC) - 0911	PREV BAL	27,130.27	27,180.27					
PARK	CKS/DR	-	6,074.25					
CONTRIBUTION	DEP/CR	50.00	225.00					
	INT/CR	-	-					
	END BAL	27,180.27	21,331.02	-	-	-	-	X
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC) - 2318	PREV BAL	58,190.85	58,203.21					
WWTP	CKS/DR	-	-					
	DEP/CR	-	-					
	INT/CR	12.36	11.56					
	END BAL	58,203.21	58,214.77	-	-	-	-	X
RATE		0.25%	0.10%	0.10%	0.10%	0.10%	0.10%	
UBB (FSBC) (FCNB)	PREV BAL	1,316.77	1,316.77					
CONSERV	CKS/DR	-	-					
TRUST 0857	DEP/CR	-	-					
	INT/CR	-	-					
	END BAL	1,316.77	1,316.77	-	-	-	-	X
RATE		0.00%	0.00%	0.08%	0.08%	0.08%	0.08%	
UBB (FSBC) - 0563	PREV BAL	72,699.42	72,714.86					
SPACE TO	CKS/DR	-	59,575.26					
CREATE	DEP/CR	-	-					
	INT/CR	15.44	9.11					
	END BAL	72,714.86	13,148.71	-	-	-	-	X
RATE		0.25%	0.15%	0.15%	0.15%	0.15%	0.15%	

ACCOUNT ANALYSIS 2020

3.

BANK	ACCOUNT	JAN	FEB	MAR	APR	MAY	JUNE	X
INVESTMENT ACCOUNTS								
UBB (FSBC) - 3637	PREV BAL	3,791.92	3,792.40					
MMKT	CKS/DR	-	-					
RESERVE	DEP/CR	-	-					
	INT/CR	0.48	0.45					
	END BAL	3,792.40	3,792.85	-	-	-	-	X
RATE		0.15%	0.08%	0.05%	0.08%	0.150%	0.150%	
COLO	PREV BAL	1,804,834.34	1,747,655.48					
TRUST	CKS/DR	60,000.00	-					
PLUS+	DEP/CR	-	-					
INVESTMENT	INT/CR	2,821.14	2,440.40					
	END BAL	1,747,655.48	1,750,095.88	-	-	-	-	X
AVG RATE		1.85%	1.76%	0.94%	1.01%	2.06%	2.14%	X
UBB (14) (FSBC)	PREV BAL	201,115.76	201,115.76					
18MO	CKS/DR	-	-					
CD-2143	DEP/CR	-	-					
	INT/CR	-	-					
	END BAL	201,115.76	201,115.76	-	-	-	-	X
AVG RATE		0.55%	0.55%	0.55%	0.55%	0.55%	0.55%	X
UBB (31) (FSBC)	PREV BAL	251,260.27	252,526.90					
18MO	CKS/DR	-	-					
CD-2143	DEP/CR	-	-					
	INT/CR	1,266.63	-					
	END BAL	252,526.90	252,526.90	-	-	-	-	X
AVG RATE		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	X
LINE-OF-CREDIT								
UBB (FSBC)	PREV BAL	-	-					
LOC	CKS/DR	-	-					
\$200,000.00	DEP/CR	-	-					
	INT/CR	-	-					
	END BAL	-	-	-	-	-	-	X
AVG RATE								
TOTAL PREV BAL		2,573,516.58	2,498,095.32	-	-	-	-	
TOTAL CKS/DR		404,059.80	452,666.56	-	-	-	-	
TOTAL DEP/CR		324,522.49	460,092.00	-	-	-	-	
TOTAL INT/CR		4,116.05	2,461.52	-	-	-	-	
TOTAL 2020 ACCOUNTS		2,498,095.32	2,507,982.28	-	-	-	-	
TOTAL 2019 ACCOUNTS		1,952,778.56	2,154,496.81	2,216,740.65	2,268,526.46	2,560,627.61	2,606,146.61	
TOTAL 2018 ACCOUNTS		2,243,850.59	2,643,430.19	2,609,936.21	2,758,682.91	2,787,133.34	2,909,775.06	
TOTAL 2017 ACCOUNTS		1,916,629.29	1,856,495.51	1,837,973.49	2,027,530.45	2,363,845.59	2,079,469.54	
TOTAL 2016 ACCOUNTS		987,595.88	1,322,980.68	1,116,198.52	1,523,989.77	1,917,756.35	1,967,252.20	
TOTAL 2015 ACCOUNTS		1,653,400.33	1,907,317.22	2,079,530.21	2,000,000.74	1,759,581.96	1,718,267.39	
TOTAL 2014 ACCOUNTS		2,036,560.85	2,012,766.27	2,053,803.28	2,046,353.56	2,069,077.88	2,002,370.22	
TOTAL 2013 ACCOUNTS		2,361,290.03	2,369,419.89	2,376,310.46	2,323,916.46	2,320,709.32	2,286,978.98	
TOTAL 2012 ACCOUNTS		2,362,402.55	2,256,299.75	2,246,468.64	2,213,216.49	2,202,233.11	2,152,976.82	
2019 VS 2020		545,316.76	353,485.47	(2,216,740.65)	(2,268,526.46)	(2,560,627.61)	(2,606,146.61)	

OK
3/11/20
g *Deek*
3/11/2020

3.

FSBC OPS DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		183,039.67
ACCOUNTS PAYABLE	03/07/20-03/20/20	(35,682.28)
TRANSFER TO PAYROLL	3/13/2020	(19,325.75)
TRANSFER TO SUMMIT		(50,000.00)
WPA	LOAN PAYMENT	(11,671.70)
PAYROLL TAXES	3/13/2020	(7,424.26)
BALANCE AFTER PAYMENT		58,935.68

1
2

FSBC SUMMIT DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		84,467.13
TRANSFER FROM OPS		19,325.75
TRANSFER FROM OPS		50,000.00
CURRENT FSBC PAYROLL BALANCE		25.00
PAYROLL (DIRECT DEPOSIT)	3/13/2020	(19,325.72)
BALANCE AFTER PAYMENT		134,492.16

1
2

CREDIT CARD		
CHASE	3/23/2020	-
CITIBANK	NO LONGER IN USE	-
TOTAL		-

FSBC INTERNAL GRANT BALANCE	
BALANCE	25.00
CD TOTAL	25.00

FSBC LOC BALANCE		
FSBC CD#1 @ 2.00%	GENERAL	252,526.90
FSBC CD#2 @ 0.55%	GENERAL-COLLATERAL FOR LOC	201,391.54
CD TOTAL		453,918.44
LOC (\$200,000)-RENEWED 7/2019		-
BALANCE AVAILABLE SECURING LOC		453,918.44

COLOTRUST - GENERAL	
TOTAL	529,857.70
COLOTRUST RESTRICTED - SEWER PROPERTY	
TOTAL	527,956.23
COLOTRUST RESTRICTED - SEWER LOAN RESERVE	
TOTAL	106,381.17
COLOTRUST -BRIDGE RESTRICTED	
TOTAL	585,900.78

GRANT FUNDS IN PROCESS	
TOTAL	-

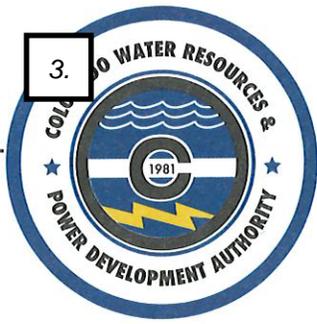
BANK BALANCES			
	FSBC	COLOTRUST	TOTAL
AS OF: 03/19/20			
GENERAL		529,857.70	
SEWER RESTRICTED		527,956.23	
DEBT RESERVE		106,381.17	
BRIDGE RESERVE		585,900.78	
CONS.TRUST	1,316.77		
GRANT PASS THRU	25.00		
INT GRANT	25.00		
OPS	182,106.69		
PARK CONTRIBUTIONS	27,355.27		
PAYROLL	25.00		
SPACE-TO-CREATE	13,148.71		
SUMMIT	84,467.13		
WWTP	58,214.77		
CD#2-402	201,391.54		
CD#3-2578	252,526.90		
	820,602.78	1,750,095.88	2,570,698.66



Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
03/24/2020	23	CIRSA	200625	175.00 ✓	.00	.00	175.00	✓		
03/24/2020	1048	Colorado Code Co	12702	2,205.00 ✓	.00	.00	2,205.00	✓		
03/24/2020	39	Delta County Inde	270629	1,045.04 ✓	.00	.00	1,045.04	✓		
03/24/2020	43	Delta Montrose Ele	3-2020-P	2,510.80 ✓	.00	.00	2,510.80	✓		
03/24/2020	43	Delta Montrose Ele	3-2020-S	2,822.62 ✓	.00	.00	2,822.62	✓		
03/24/2020	48	Don's Market	01-820405	18.08 ✓	.00	.00	18.08	✓		
03/24/2020	48	Don's Market	01-823495	2.58 ✓	.00	.00	2.58	✓		
03/24/2020	48	Don's Market	01-825703	83.56 ✓	.00	.00	83.56	✓		
03/24/2020	48	Don's Market	04-580669	320.01 ✓	.00	.00	320.01	✓		
03/24/2020	368	Double J Disposal	40612-40613	288.00 ✓	.00	.00	288.00	✓		
03/24/2020	966	Elevate Fiber	66210_2717	351.73 ✓	.00	.00	351.73	✓		
03/24/2020	888	Filter Tech System	8699	874.03 ✓	.00	.00	874.03	✓		
03/24/2020	79	Hays Drug Store In	254952	59.98 ✓	.00	.00	59.98	✓		
03/24/2020	79	Hays Drug Store In	255320	18.99 ✓	.00	.00	18.99	✓		
03/24/2020	1011	J. David Reed, PC	77971-77974	5,772.00 ✓	.00	.00	5,772.00	✓		
03/24/2020	1124	JDS-Hydro Consul	33301-02	4,148.75 ✓	.00	.00	4,148.75	✓		
03/24/2020	645	Mail Services, LLC	1724899	392.14 ✓	.00	.00	392.14	✓		
03/24/2020	1063	P&J Welding & Me	132468	1,700.00 ✓	.00	.00	1,700.00	✓		
03/24/2020	552	Pan American Ho	2020	100.00 ✓	.00	.00	100.00	✓		
03/24/2020	145	Robert's Enterprise	030120-0430	100.00 ✓	.00	.00	100.00	✓		
03/24/2020	931	Roop Excavating L	030220+030	1,860.00 ✓	.00	.00	1,860.00	✓		
03/24/2020	931	Roop Excavating L	ALLEYWOR	500.00 ✓	.00	.00	500.00	✓		
03/24/2020	656	Schmueser Gordo	2013-471.00	4,248.45 ✓	.00	.00	4,248.45	✓		
03/24/2020	956	SGS North Americ	52160117616	360.03 ✓	.00	.00	360.03	✓		
03/24/2020	956	SGS North Americ	52160117642	360.03 ✓	.00	.00	360.03	✓		
03/24/2020	156	TDS Telecom	03-2020	432.87 ✓	.00	.00	432.87	✓		
03/24/2020	1125	Turtle Tracks	1152	1,085.00 ✓	.00	.00	1,085.00	✓		
03/24/2020	162	United Companies	1336890	674.69 ✓	.00	.00	674.69	✓		
03/24/2020	169	Wagner Equipment	P55C014978	1,295.77 ✓	.00	.00	1,295.77	✓		
03/24/2020	171	Weekender Sports,	36963	6.38 ✓	.00	.00	6.38	✓		
03/24/2020	177	Willmore & Compa	9095	717.50 ✓	.00	.00	717.50	✓		
03/24/2020	491	Winwater Corp	052970-02	153.77 ✓	.00	.00	153.77	✓		
03/24/2020	491	Winwater Corp	053298-00	999.48 ✓	.00	.00	999.48	✓		
Grand Totals:			33	35,682.28	.00	.00	35,682.28	✓		

Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount
03/24/2020	35,682.28	.00	.00	35,682.28	35,682.28
Grand Totals:	35,682.28	.00	.00	35,682.28	



COLORADO WATER RESOURCES & POWER DEVELOPMENT AUTHORITY

Logan Tower Bldg-Suite 620, 1580 Logan Street, Denver, Colorado 80203-1942
303-830-1550 · Fax 303-832-8205 · info@cwrpda.com

March 13, 2020

Cindy Jones
Town of Paonia
214 Grand Ave.
P.O. Box 460
Paonia, CO 81428

RE: Colorado Water Resources and Power Development Authority
Drinking Water Revolving Fund Direct Loan Program

Dear Cindy Jones:

Below is a breakdown of your loan repayment due: **May 1, 2020**

<u>Loan Number</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
D08F212	\$9,891.15	\$1,780.55	\$11,671.70
<u>Total amount due</u>	<u>\$9,891.15</u>	<u>\$1,780.55</u>	<u>\$11,671.70</u>

Wire and ACH (Automatic Clearing House) Instructions

Please note: If the ACH form requires a payment type, select "DDA".

RBK: U.S. Bank N.A.

ABA: 091000022

BNF: USBANK Trust NA

777 E. Wisconsin Avenue

Milwaukee, WI 53202-5300

**Per the loan agreement, this
loan is not payable by check.**

If you have other loans with the Authority in other programs, please remit separate payments for each program as specified by the Loan Agreement or loan repayment letter. You will receive separate loan repayment letters for each program.

If you have any further questions, or you are unable to comply with this procedure, please call me prior to the payment date at (303) 830-1550 extension 1018. Additionally, please notify me of any address changes by e-mail at accounting@cwrpda.com or by phone at the number listed above.

Sincerely,

Valerie Lovato
Senior Accountant

Cc: Jennifer Petrino, Jennifer.Petrino@usbank.com
Lucy Vang, lucy.vang@usbank.com

Report Criteria:

Unpaid transmittals included
Begin Date: ALL
End Date: ALL

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
2							
2	IRS Tax Deposit		03/06/2020	74-00	Federal Tax Deposit Social Security	10-0216	1,062.17
2	IRS Tax Deposit		03/06/2020	74-00	Federal Tax Deposit Social Security	10-0216	1,062.17
2	IRS Tax Deposit		03/06/2020	75-00	Federal Tax Deposit Medicare Pay P	10-0216	356.76
2	IRS Tax Deposit		03/06/2020	75-00	Federal Tax Deposit Medicare Pay P	10-0216	356.76
2	IRS Tax Deposit		03/06/2020	76-00	Federal Tax Deposit Federal Withhold	10-0216	1,740.63
Total 2:							4,578.49
4							
4	Aflac		03/06/2020	63-01	Aflac Pre-Tax Pay Period: 3/6/2020	10-0225	120.18
4	Aflac		03/06/2020	63-02	Aflac After Tax Pay Period: 3/6/2020	10-0225	24.90
Total 4:							145.08
6							
6	Colorado Dept of Labor		12/27/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	73.50
6	Colorado Dept of Labor		01/10/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	73.97
6	Colorado Dept of Labor		01/24/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	74.43
6	Colorado Dept of Labor		02/07/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	75.67
6	Colorado Dept of Labor		02/21/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	74.00
6	Colorado Dept of Labor		03/06/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	76.39
Total 6:							447.96
9							
9	Colorado Dept of Revenue		03/06/2020	77-00	State Withholding Tax Pay Period: 3/6	10-0217	790.00
Total 9:							790.00
31							
31	Mutual of Omaha		03/06/2020	51-01	Group# MOORetirement Plan Pay P	10-0220	187.86
31	Mutual of Omaha		03/06/2020	51-01	Group# MOORetirement Plan Pay P	10-0220	805.83
31	Mutual of Omaha		03/06/2020	51-02	Group# MOO Loan Payment Pay Pe	10-0220	307.22
Total 31:							1,300.91
33							
33	FPPA - Fire & Police Pensi		03/06/2020	50-00	FPPA Pay Period: 3/6/2020	10-0219	779.51
33	FPPA - Fire & Police Pensi		03/06/2020	50-00	FPPA Pay Period: 3/6/2020	10-0219	566.92
33	FPPA - Fire & Police Pensi		03/06/2020	90-00	Death & Disability Pay Period: 3/6/20	10-0219	198.43
Total 33:							1,544.86
70							
70	Rocky Mountain HMO		03/06/2020	60-01	RMHMO - Employee Only Pay Period	10-0223	251.32
70	Rocky Mountain HMO		03/06/2020	60-01	RMHMO - Employee Only Pay Period	10-0223	4,524.36
70	Rocky Mountain HMO		03/06/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	166.99
70	Rocky Mountain HMO		03/06/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	3,905.98
70	Rocky Mountain HMO		03/06/2020	60-04	RMHMO - Vision Pay Period: 3/6/202	10-0223	43.53

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
Total 70:							7,992.18
71							
71	The Harford		03/06/2020	65-01	Group#013307460001 Hartford Basic	10-0226	29.68
71	The Harford		03/06/2020	65-02	Group#013307460001 Hartford Suppl	10-0226	29.38
71	The Harford		03/06/2020	65-03	Group#013307460001 Hartford Disab	10-0226	124.39
Total 71:							183.45
73							
73	Delta Dental of Colorado		03/06/2020	60-05	Dental RMHMO - Dental Pay Period:	10-0223	271.40
Total 73:							271.40
Grand Totals:							17,254.33

Bill
3/11/2020

Report Criteria:

Unpaid transmittals included
Begin Date: ALL
End Date: ALL

0.*

0.*

4,578.49+

1,300.91+

1,544.86+

003

(Signature) 7,424.26*

Employee Number	Name	85-00 Net Pay Emp Amt
1057	Adams, Curtis G	803.15
1054	Beardslee, Dominic D	1,345.51
1004	Bolt, Evan	1,029.39
1052	Edwards, Roger	912.46
1002	Ferguson, J. Corinne	2,262.16
1020	Ferguson, Neil	1,886.56
1022	Hinyard, Patrick	1,199.49
1001	Jones, Cynthia	1,743.45
1050	Loberg, Travis	2,047.81
1003	Mojarro-Lopez, Amanda	1,282.13
1025	Patterson, Taffine A	401.85
1055	Redden, Jordan	989.14
1051	Reich, Dennis	969.06
1026	Vassel, Andrew C	1,057.32
1024	Winnett, Lorin E	1,396.24

Grand Totals:

15 19,325.72

DUK
3/11/2020
(Signature)

	<p>Modifications to Mayor Duties – Requested by Finance & Personnel</p>
---	---

Summary:

See Below

Notes:

From committee:

Review of CRS (Colorado Revised Statutes) and ordinances regarding the Mayor for Town of Paonia.

Decision Points for the Trustees:

Mayor voting or veto power: The Council may designate the Mayor as a voting member or only voting in the case of a tie. If the Council decides the Mayor only breaks ties, then the Mayor has veto power over any item passed by the Council. A veto can be overridden by a 2/3 majority of the Council.

Length of terms: We missed the 180 day deadline to consider a change in terms of office. The Council can go back to two year terms by ordinance if this is passed at least 180 days in advance of an election.

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

**STATE OF COLORADO
TOWN OF PAONIA, COLORADO**

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE TOWN OF PAONIA, COLORADO, AMENDING THE ENUMERATED AUTHORITY PROVIDED TO THE MAYOR OF THE TOWN.

RECITALS

WHEREAS, the Town of Paonia (the “Town”), is a statutory town and municipal corporation in Delta County, Colorado, governed by and through its Board of Trustees (the “Board”); and

WHEREAS, the powers and duties of the Mayor for the Town are specifically enumerated under Section 2-2-20 of the Town Code (the “Code”); and

WHEREAS, pursuant to C. R.S. § 31-4-302, any ordinance amending the mayoral duties may only be adopted, amended, or repealed within the sixty (60) days preceding any election of a Mayor, to take effect upon such Mayor's assumption of office; and

WHEREAS, the Town has its regular election set for April 7, 2020; and

WHEREAS, this Ordinance is being adopted within the sixty (60) days preceding the Town’s regular election and shall only take effect upon the Mayor’s assumption of office.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA as follows:

Section 1. Legislative Findings.

The foregoing Recitals are hereby affirmed and incorporated herein by this reference as findings of the Town Board of Trustees.

Section 2. Amendment to the Town Code:

Section 2-2-20 of the Town Code shall be amended as follows:

Sec. 2-2-20. - Mayor.

(a) Four-year terms for Mayor. Every four (4) years, at the Town’s regular election, a Mayor shall be elected to serve a four-year term. The Mayor shall meet the same qualifications as a Trustee and, in the event of a vacancy in the office of Mayor, such vacancy shall be filled in the same manner as a vacancy in the office of Trustee, as set forth in Section 2-2-10 above.

(b) The Mayor shall preside over all meetings of the Board of Trustees and shall be entitled to vote on any question only in case of a tie vote.

(c) Any ordinance adopted and all resolutions authorizing the expenditure of money require the approval and signature of the Mayor before they become valid. Such ordinance or resolution shall be presented to the Mayor within forty-eight (48) hours after the action of the Board of Trustees for the Mayor's signature approving the same. In the event the Mayor disapproves of the resolution or ordinance, the Mayor shall return such ordinance or resolution to the Board of Trustees at its next regular meeting with his or her objections in writing. The Board of Trustees shall cause such objections to be entered onto the record and shall proceed at the same or next subsequent meeting to consider the question: "Shall the ordinance or resolution, notwithstanding the Mayor's objections, be passed?" If two-thirds (2/3) of the members of the Board of Trustees vote in the affirmative, such resolution shall be valid, and such ordinance shall become a law the same as if it had been approved by the Mayor. If the Mayor fails to return to the next subsequent meeting of the governing body any resolution or ordinance presented to the Mayor for his or her approval, the same shall become a valid ordinance or resolution, as the case may be, in like manner as if it had been approved by the Mayor.

(d) The Mayor shall perform such duties as may be required of him or her by statute or ordinance. Insofar as is required by statute and for all ceremonial purposes, the Mayor shall be the executive head of the Town. In case of the nonattendance of the Mayor at any meeting of the Board of Trustees, the Mayor Pro Tem shall preside.

(e) The Mayor shall execute and authenticate by his or her signature all bonds, warrants, contracts and instruments of and concerning the business of the Town, as the Trustees or any statutes or ordinances may require.

(f) Except as may be required by statute, the Mayor shall exercise only such powers as the Trustees shall specifically confer upon him or her.

Section 4. Severability.

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 5. Repeal of Prior Ordinances.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Ordinance Effect.

Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed; provided, however, that the repeal of any ordinance or parts of ordinances of the Town shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded, and further provided that this repeal shall not

affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

Section 7. Effective Date.

This Ordinance shall take effect after it has been published and the Town has conducted its regular municipal election of April 7, 2020, the results certified, and the Mayor elected from such election sworn in.

HEARD AND FINALLY ADOPTED by the Town of Paonia Board of Trustees for the Town of Paonia, Colorado, on the ___ day of _____, 2020.

TOWN OF PAONIA

By: _____
CHARLES STEWART, Mayor

ATTEST:

J. CORINNE FERGUSON, Town Clerk

	Board Ratification of Town Administrator COVID-19 Response Plan
---	---

Summary:

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Budinger:	Trustee Knutson:	Mayor Stewart:



Coronavirus (COVID-19) Response Plan

March 17, 2020

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INTRODUCTION

The purpose of this plan is to offer guidelines, strategies, frameworks and thought processes on how to deal with Coronavirus (COVID-19). Nothing contained herein is absolute. Our aim is to remain flexible as we work to address this unique, rapidly evolving situation and the challenges that come with it.

The main objectives and priorities of this plan are as follows:

1. **Safety, Health and Welfare:** Our number one priority is to protect the safety, health and welfare of Town of Paonia employees, our family members, and the community. Please continue to use your best judgement to do so.
2. **Reliable and High-Quality Service:** Delivering exceptional services to the community is our second priority, but it is only possible if we accomplish priority #1. The community is relying on us for a variety of essential services, and this plan attempts to address how we can continue to make that happen.
3. **Be Flexible:** By committing to being flexible and working together, we will be prepared for any challenge that comes our way. Therefore, anything in this document is subject to change, and we will work hard to keep everyone informed of what happens.

CONTINUITY OF TOWN OPERATIONS

Critical and Essential Operations

The following services are critical to the ongoing health, safety, and general welfare of the Paonia community. This list is provided to help inform the public of what is considered critical and essential in time of an emergency situation and represents the baseline for what the Town will do its best to continue to provide. Individual Department Response Plans, if necessary, will specifically address continuity of operations for these departments as they modify operations to support critical/essential operations only.

- Police Department
 - Continued criminal policing
 - Following first responder protocols
 - Assistance with quarantine operations
- Public Works
 - Streets
 - Snowplowing
 - Street maintenance
 - Trash Services
 - Assistance with quarantine operations, if necessary
 - Parks and Facilities
 - Emergency repairs
 - Water and Sewer
 - Operation of water treatment and wastewater treatment facilities
 - Emergency repairs of critical infrastructure

- Administration
 - Internal and external information dissemination
 - Payment of bills, payroll
 - Utility customer needs, information dissemination
- Town Council
 - Essential policy formulation and decision-making
 - Communication to the public

Non-Critical and Support Functions

- Planning, Building, and Community Initiatives
 - Will continue operations, as feasible, from home or support primary essential operations listed above
- Customer Service/Town Hall Reception
 - Customer phone calls and mail distribution will be absorbed by staff, or halted, as necessary

PHASING OF RESPONSE

In addition to taking the direction from local health organizations, the State, and Federal government, the Town will have the following tiers of responses:

Tier I – Heightened Awareness

The Centers for Disease Control and Prevention (CDC) and local health authorities have indicated that COVID-19 is in the U.S. and are encouraging citizens to be aware and to focus on sanitization and hygiene.

- Encourage employees to stay home if sick or to go home if exhibiting symptoms while at work. Employees will continue to use sick leave, as is warranted.
- Identify workspaces where employees can temporarily isolate if they are awaiting transportation to their home or medical care.
- Wash hands often and use hand sanitizer when hand washing is not possible.
- Cover mouth with arm/elbow if coughing.
- Heightened amount of environmental sanitation – Lysol, wipes, environmental germicide sprays, etc.
- Employees should refrain from traveling to conferences and/or meetings in other parts areas where cases of COVID-19 are expanding.

Tier II – Statewide Concern

The Colorado Department of Health and Environment (CDPHE) has indicated multiple cases of COVID-19 within the State of Colorado. When directed by the Town Administrator, the Town will move its response to Tier II which, in addition to Tier I steps, includes:

- Employees should refrain from physical contact with each other and with members of the public (i.e., handshakes, hugging, etc.). CDC recommends a 6’ distance of separation.

- Employees should limit or eliminate any outside agency meeting attendance, unless able to be done remotely.
- Town should begin to limit internal meetings and non-essential contact with the public.
- Employees who self-identify as high risk (having compromised immune systems, for example) should work from home. If sick, no sick leave will be required to be used. It will be treated as regular working time.
- The Town will take direction from State and local Health authorities.

Tier III – Delta County Concern

Delta County Public Health Department has indicated multiple cases of COVID-19 within the County. When directed by the Town Administrator, the Town will move its response to Tier III which, in addition to Tier II steps, includes:

- Employees will be directed to stay home (or go home) if they or any family member they live with is exhibiting any symptoms, or if they are high risk. Employees staying home will not be required to use sick leave. It will be treated as regular pay.
- All Town meetings or events shall be eliminated, unless able to be done remotely.
- Town buildings will be minimally staffed, there will be no public access. Public will be directed to conduct business online, if feasible, or by phone.
- Employee teleworking and staggered shifts will be authorized. Departments will continue to roll out additional measures or plans to allow employees to work remotely, when feasible.
- Employees shall take additional steps to limit exposure with other employees and with members of the public. All work that can be done over the phone, email or teleconference shall be done that way.
- Reduced staffing shall be authorized. Individual departments will take steps to ensure minimal staffing and that public access is limited.
- Heightened level of sanitization of spaces including additional germicide spraying.
- Other steps as directed by State and local Health authorities.

Tier IV – Full Implementation of Response Plan

Tier IV may occur at such time as Delta County Public Health Department recommends regionwide social spacing, or schools are shut down, or at such other time as Paonia deems it to be in the best interest of the organization and/or community. When directed by the Town Administrator, the Town will move its response to Tier IV which, in addition to Tier III steps, includes:

- Departments will fully enact their individual departmental plans. Teleworking options and staggered shift work maximized. Only essential services are ongoing, unless able to be provided through employees working remotely.
- Incident Command may be set up locally or in coordination with County authorities.
- Other steps as directed by State and local Health authorities, including support of their efforts.

COMMUNICATIONS PLAN

The Communications plan will largely follow the lead of State and County officials, including the County Emergency Manager, with information disseminated locally through all of our communication channels. Communication efforts include the following:

- Internal communications designed to keep Town staff informed and safe while continuing critical government functions (e-mails, phone calls, etc.); and,
- External communications that are first, supportive of the Delta County Public Health Department’s communications to the public, and second, useful for specific local needs of the public (Town website, email, social media, signs/flyers/banners if feasible, etc.).

QUARANTINE PLAN

In the event of the need for a quarantine, the Town will follow the direction of State and County Health officials, who will provide specific information relative to quarantine processes and procedures.



Discussion & Potential Adoption of Resolution Authorizing Town Administrator to Close the Administrative Offices to the Public Without a Declaration of Emergency

Summary:

In an effort to protect the safety of the Town staff, so they can continue to serve the community with essential needs, I am requesting a formal resolution authorizing the closure of Town Hall to the public if it becomes necessary.

Notes:

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

**TOWN OF PAONIA
COLORADO**

RESOLUTION 2020-06

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN
OF PAONIA, COLORADO, AUTHORIZING THE TOWN
ADMINISTRATOR TO CLOSE CERTAIN TOWN FACILITIES OF
THE TOWN.**

WHEREAS, on March 18, 2020, the Colorado Department of Public Health issued a public health order prohibiting gathering of more than 10 people, including community, civic and public events; and

WHEREAS, to protect the health, safety and welfare of the citizens of the Town of Paonia, the Board of Trustees believes it may be necessary and proper to close the offices of the Town to the public, as well as certain Town facilities and parks; and

WHEREAS, in the event of a closures, Town staff will endeavor to be available via telephone and email to continue to conduct the business of the Town.

NOW THEREFORE, BE IT RESOLVED by the Town Board of Trustees for the Town of Paonia, as follows:

1. In light of the global COVID-19 Global Pandemic and the Colorado Department of Public Health’s issuance of an order prohibiting gatherings of more than 10 people, the Board of Trustees hereby authorizes the Town Administrator, upon her determination to close the offices of Town Hall for the Town of Paonia.

ADOPTED AND APPROVED this ___ day of _____, 2020.

ATTEST:

Amanda Mojarro, Town Deputy Clerk

Charles Stewart, Mayor

	Discussion & Potential Adoption of Local Disaster – C.R.S. 24-33.5-709
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Summary:
 An opportunity for the Board to discuss whether to declare a local disaster to proclaim the existence of a “local emergency” for the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the Town.

Notes:

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

**TOWN OF PAONIA, COLORADO
ORDER DECLARING A LOCAL DISASTER IN AND FOR THE TOWN OF PAONIA**

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, et. seq. (the “Act”), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared unilaterally by the principal executive officer of a political subdivision; for the Town of Paonia, Colorado (the “Town”),

WHEREAS, pursuant to Section 2-2-20(b) of the Town Municipal Code the Mayor is designated as the executive head of the Town; and

WHEREAS, this Declaration is issued pursuant to the authority granted to the Mayor for the Town of Paonia and issued with the approval and support of the Board of Trustees for the Town; and

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, this Declaration activates the response and recovery aspects of any applicable disaster emergency plans and authorizes the furnishing of aid and assistance under such plans; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local emergency shall not be continued beyond a period of seven (7) days or removed except by action of the governing board of the political subdivision for the Town, the Board of Trustees; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder, the [Town] clerk ... and with the office of emergency management"; and

WHEREAS, because of the COVID-19 pandemic, which was recognized by the Governor of the State of Colorado on March 10, 2020, the Town is suffering and has suffered a disaster emergency as defined in the Act.

NOW, THEREFORE, IT IS HEREBY ORDERED on this ___ day of March, 2020, that a disaster emergency is declared in and for the Town of Paonia, beginning on March____, 2020, and ending on_____, unless extended or amended by action of the Board of Trustees for the Town.

7.

IT IS FURTHER ORDERED that this Declaration shall be given prompt and general publicity, filed immediately with the office of the Delta County Emergency Manager and a copy filed with the Delta County Clerk and Recorder, as well as to the Colorado Office of Emergency Management.

Charles Stewart, Mayor

ATTEST:

J. Corinne Ferguson, Town Clerk



Resolution 2020-04 – Virtual Meetings in Emergency and/or Due to Coronavirus (COVID-19) Disaster Declaration

Summary:

A resolution establishing a plan for Board and other meetings virtually – in a case of emergency only.

Notes:

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

**TOWN OF PAONIA
COLORADO**

RESOLUTION 2020-05

**RESOLUTION OF THE TOWN OF PAONIA, COLORADO,
ON EMERGENCY AND/OR VIRTUAL MEETINGS DUE TO CORONAVIRUS
(COVID-19) DISASTER DECLARATION**

RECITALS:

WHEREAS, The Town of Paonia (the “Town”) declared a local disaster related to coronavirus (COVID-19) pursuant to C.R.S. 24-33.3-709; and

WHEREAS, on March 10, 2020, Jared Polis, the Governor of the State of Colorado, declared a statewide state of emergency in response to coronavirus (COVID-19); and

WHEREAS, on March 18, 2020, the Colorado Department of Public Health issued a public health order prohibiting gathering of more than 10 people, including community, civic and public events; and

WHEREAS, the World Health Organization has declared the coronavirus (COVID-19) to be a worldwide pandemic; and

WHEREAS, in order to comply with the declaration and recommendations of local, state and federal health organizations, the Town Board of Trustees finds it appropriate to amend the Town of Paonia Board of Trustees Rules of Procedure for Board Meetings adopted in 2017 with Resolution 2017-10; and

WHEREAS, the Board of Trustees desires to further clarify procedures regarding emergency meetings and provide for the allowance of virtual or electronic meetings for Town Board Members and the members of the public during which the period of a local disaster emergency has been declared.

NOW, THEREFORE BE IT RESOLVED by the Town Board of Trustees of the Town of Paonia, Colorado, that:

1. Purpose. The purpose of this Policy is to specify the circumstances and means under which the Board shall conduct regular and special meetings by telephone or other electronic means of participation, such as video-conferencing, that is clear, uninterrupted and allows two way communication for the participating members ("Electronic Participation"). Electronic Participation has inherent limitations because Electronic Participation effectively precludes a member of the Board from contemporaneously observing documentary information presented during meetings, from fully evaluating a speaker's non-verbal language in assessing veracity or credibility, and from

observing non-verbal explanations during a speaker's presentation or testimony. The Board finds that these limitations, inherent in Electronic Participation, may produce inefficiencies in meetings, increase the expense of meetings, and alter the decision-making process. As such, the Board shall only utilize the policies contained herein upon the adoption by the Board or the Town Administrator after a resolution declaring a local disaster emergency pursuant to C.R.S. § 24-33.5-709 has been issued.

2. Statement of General Policy. The Board may conduct a regular or special meeting of the Board by Electronic Participation only in accordance with this Policy.

3. Emergency Situations. In the event a quorum is unable to meet at the day, hour, and place fixed by the rules and procedures of the Board because meeting in-person is not practical or prudent due to an emergency affecting the Town, meetings may be conducted by telephone, electronically, or by other means of communication so as to provide maximum practical notice. Meetings may be held by telephone, electronically, or by other means of communication if all of the following conditions are met:

- a. A local disaster emergency has been declared pursuant to C.R.S. § 24-33.5-709; and
- b. The Town Administrator or the Mayor determines that meeting in person is not practical or prudent because of matters related to the declaration of a local disaster emergency affecting the Town; and
- c. All participating members of the Board and the Town Administrator can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation; and
- d. Members of the public can hear the Board proceedings and are afforded opportunities to participate in public comment; and
- e. All votes are conducted by roll call; and
- f. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection; and
- g. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that some members of the Board may participate by telephone, and the right of the public to monitor the meeting from another location.

4. Arranging for Electronic Participation.

- a. The Administrator shall contact the Board Members at least twenty-four (24) hours in advance of a regular or special meeting to provide notice of a meeting conducted under this Policy.
- b. The Town shall initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the Town Clerk, or his or her designee, shall make at least three (3) attempts to re-initiate the connection.

5. Executive Sessions. In the event that the Board holds an executive session pursuant to C.R.S. § 24-6-402, participants shall be authorized to attend via Electronic Participation. Any executive session conducted under this Policy shall be recorded electronically as provided for by statute.

ADOPTED AND APPROVED by the Board of Trustees at a regular public meeting held on the 24th day of March 2020.

TOWN OF PAONIA, BOARD OF TRUSTEES

By: _____
Charles Stewart, Mayor

ATTEST:

Corinne Ferguson, Town Clerk



Finance & Personnel
Governmental Affairs & Public Safety
Public Works-Utilities-Facilities

Summary:

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

	Space 2 Create		
Summary:			
Notes:			
Possible Motions: Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

	Tree Board		
Summary:			
Notes:			
Possible Motions: Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart:

		Adjournment	
		Summary:	
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Trustee Bachran:	Trustee Bear:	Trustee Budinger:
Trustee Diehl:	Trustee Knutson:	Trustee Pattison:	Mayor Stewart: