



TOWN OF PAONIA
TUESDAY, FEBRUARY 22, 2022
REGULAR TOWN BOARD MEETING AGENDA
6:30 PM

HYPERLINK "applSe4610ce482054223b8f0ac7521197421" **APPROPRIATE AND CORRECTLY WORN FACE MASKS ARE REQUIRED WHILE ATTENDING BOARD MEETINGS. SHOULD YOU BE UNABLE TO WEAR A FACE MASK YOU CAN VIEW THE MEETING VIA THE TOWN OF PAONIA YOUTUBE CHANNEL OR PARTICIPATE LIVE VIA THE LINK BELOW:**

[HTTPS://US02WEB.ZOOM.US/J/86088680213](https://us02web.zoom.us/j/86088680213)

Roll Call (5 minutes)

Approval of Agenda (5 minutes)

Announcements (5 minutes)

Recognition of Visitors & Guests (10 minutes)

Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)

Mayor's Report (10 minutes)

Staff Reports (15 minutes)

Town Administrator's Report

Public Works Report

Police Report

Treasurer Report

Public Hearing

1. Davis – Minor Subdivision Variance Application Review – TBD Niagara Avenue

Unfinished Business (45 minutes)

2. For possible action regarding the continuation or cancellation of the annual subscription to Archive Social for archiving of the Town of Paonia Facebook Pages.
3. Review of and possible action on citizen initiative ordinance regarding increased local accountability, records access, fees associated with CORA requests, and public challenge of staff, Board, and Ordinance actions in municipal court
4. Review for possible action – Redline Ordinance 01-2022 – Modification of Ordinance 2020-09 Advisory Water Committee

New Business (45 minutes)

5. Review and possible action on Solid Solution Geosciences (SSG) contract extension
6. Discussion and possible Board action regarding Solid Solution Geosciences letter to the Board of Trustees - treatment plant access
7. Review and possible action regarding expenditure of funds for maintenance repair by Filter Tech at the Lamborn Mesa Water Treatment Plant
8. ASF - Review and possible action on letter of intent to participate in the multi-jurisdictional Hazard Mitigation Plan update
9. Review and possible action on Delta County Letter of support for a Hazard Mitigation Planning Grant to perform the required update to the multi-jurisdictional Hazard Mitigation plan

10. Presentation of information regarding community room sound system and hardware/software upgrades in response to coronavirus

Disbursements (15 minutes)

Committee Reports (15 minutes)

11. Discussion and possible action regarding Ad-Hoc committee recommendation for Trustee meeting policy and procedures

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

	Roll Call		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson


February 18, 2022

AGENDA SUMMARY FORM

	Agenda Approval		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson


February 18, 2022

AGENDA SUMMARY FORM

	Announcements		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 18, 2022

AGENDA SUMMARY FORM

	Visitors & Guests		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 18, 2022

AGENDA SUMMARY FORM



Regular Minutes:
 December 14, 2021
 February 8, 2022

Summary:

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

TOWN OF PAONIA



Regular Town Board Meeting, December 14, 2021

MAYOR AND BOARD OF TRUSTEES

**Mayor Bachran
Trustee Knutson
Trustee Budinger
Trustee Johnson
Trustee Meck
Trustee Thompson
Trustee Smith**

December 14, 2021,

Regular Meeting Minutes

6:30 pm

Mayor Mary Bachran called the Regular Meeting of the Town of Paonia to order at 6:30 pm.

ROLL CALL:

Mayor Bachran asked Finance Clerk Candy Wuollet to call the roll.

Finance Clerk Candy Wuollet called the roll and those present were Mayor Bachran, Trustee Johnson, Trustee Meck, Trustee Budinger and Trustee Knutson, Trustee Thompson, and Trustee Smith

Approval of the Agenda:

Trustee Knutson moved to approve the amended agenda as presented, seconded by Trustee Budinger. Motion unanimously passed.

Trustee Meck moved to amend the motion to revise item 18 the Advisory Water Committee Board Liaison appointment and include the mayor's report to include the discussion in item 9, seconded by Trustee Knutson. Motion unanimously passed

Announcements:

Trustee Knutson discussed the strategic planning meeting days for January 2022. Stated he would like to set one half day on the 7th or 8th of January in the morning and schedule the second half day meeting upon his return.

Board of Trustees Vacancy Appointments – Affirmation of Office: Town Clerk/Administrator Corinne Ferguson swore in new Trustee Jeff Thompson and Page Smith.

Affirmation of Office – Police Officer Kaden Heinger: Town Clerk/Administrator Corinne Ferguson swore in new PD officer Kaden Smith.

Visitors and Guest:

Suzanne Watson commented that she does not agree with Back the Badge funding requirements.

Pamela Jackson commented that she does not agree with the Town of Paonia mask mandate for board meetings.

Steven Keenan commented that the water usage could be lower by raising awareness.

Shirin Patterson commented regarding that public works is manually shoveling the leaves.

Staff Reports:

Town Administrator Corinne Ferguson report was included and answered question.

Trustee Meck moved to have a water report and some documentation that it is operating from the state by the first meeting in January, seconded by Trustee Smith. Motion unanimously passed.

TOWN OF PAONIA



Town Attorney Nerlin no report was provided.

Finance Director Cindy Jones report was included and answered questions.

Disbursements: Trustee Knutson moved to approve disbursements as presented, seconded by Trustee Budinger. Motion unanimously passed.

Disbursements Through December 2021- To Be Reviewed First Meeting In 2022: Trustee Budinger moved to approve the second part December 2021 disbursements and will look back at them January 2022, seconded by Trustee Knutson. Motion unanimously passed.

Consent Agenda

Regular Minutes – 11/23/2021

Liquor License Renewal - Blue Sage Center for the Arts – Art License

Liquor License Report of Changes – Friends of the Paradise Theatre – Officers, Directors, Managing Members.

Trustee Knutson moved to approve the consent agenda with changes presented by Trustee Smith. To change word from consistently to constantly, seconded by Trustee Smith. Motion unanimously passed.

Public Hearing

Lodging & Entertainment Liquor License Application – Brossanova, LLC dba Bross Hotel Bed & Breakfast: Mayor Bachran opened the public hearing at 7:39 pm. Trustee Smith questioned if there was going to be entertainment. Owners Mike and Susan stated that there would be none and would only be serving local wine. Community member Suzanne Watson commented on the 350 feet from the technical school.

Public Hearing opened at 7:39 pm

Public Hearing Closed at 7:47 pm

Trustee Smith moved to approve the license, seconded by Trustee Budinger. Motion unanimously passed.

Unfinished Business

Ordinance 2021-09 Outdoor Lighting Regulation – First Read: Trustee Thompson moved to approve Ordinance 2021-09 Outdoor Lighting Regulation – First Read as written, seconded by Trustee Knutson. Motion unanimously passed.

Trustee Smith moved to amend the motion - Ordinance 2021-09 to be placed in the correct chapter of the town ordinance and definition 2.1.7, 2.1.8, 2.1.9 and 2.1.10 be revised to reflect existing definitions for these types of dwelling units currently in the existing town ordinance, seconded by Knutson. Motion unanimously passed.

Discussion Item Only: Main Avenue Fence Encroachment: Discussion ensued regarding the issue that has been ongoing for several months regarding the fence that property owner Ashley Sargent built on her property. The issues were encroachment on town property, the height of it, and regarding issues with the neighbor. Community discussion regarding moving the fence back inside the property line in order to comply and set a precedence, the town's liability, encroachment permits, Mr. McCarney also talked about the fence being too high and, on his property, making it hard for him to possibly build on the lot in the future.

TOWN OF PAONIA



Trustee Knutson moved to take five-minute recess, seconded by Trustee Budinger. Motion unanimously passed.

Board Consideration of DOLA Housing Assessment Grant Application & Board Clarification of the Grant Review Process: Trustee Knutson moved to pursue the CDOT revitalizing main St. – 5th street and Grand Ave., seconded by Trustee Thompson. Motion unanimously approved.

Trustee Knutson moved that before writing a grant application bring the basics, intent of the grant, matching requirements in dollar and resources, and a rough estimate of staff's time, seconded by Trustee Smith. Motion unanimously passed.

Board Consideration of Modification of Ordinance 2020-09 Advisory Water Committee: Trustee Smith moved to modify section 2-10-20 organization number one revise not more than five (5) members, to not more than seven (7) members, delete one (1) membership shall be filled by representation from the Town's public works department or administration staff and the chair shall be a non-voting member, but may break a tie, seconded by Trustee Meck. Motion unanimously passed.

New Business

Resolution 2021-10 Mill Levy: Trustee Knutson moved to approve resolution 2021-10 mill levy, seconded by Trustee Budinger. Motion unanimously passes.

Resolution 2021-11 2022 Budget: Trustee Budinger moved to approve resolution 2021-11 2022 budget, seconded by Trustee Knutson. Motion passed with five (5) ayes and one (1) nay by Trustee Meck.

Town Attorney Amendment to Contract - Extension Through January 2022:

Trustee Knutson moved to extend the meeting to 10:35pm, seconded by Trustee Smith. Motion unanimously approved.

Trustee Budinger moved to extend Attorney Nerlin's contact to the end of February 2022 at the latest, seconded by Trustee Knutson. Motion unanimously approved.

Board Consideration of Municipal Attorney Proposals for 2022: Trustee Budinger moved to choose three (3) members of the Board to review and choose the top two (2) candidates and bring back to the Board at a later date for interviews, seconded by Trustee Smith. Motion rescinded by Trustee Budinger.

Trustee Smith moved to have Trustee Knutson, Smith, and Thompson, along with the Administrator Ferguson, and Attorney Bo Nerlin to organize a zoom meeting which will be noticed to identify all of the process for candidate interviews, seconded by Trustee Budinger. Motion unanimously passed.

Trustee Smith moved to interview Jeffrey J. Conklin of Karp Neu Hanlon Attorneys at Law and Kelly PC. Municipal Lawyers, seconded by Trustee Budinger. Motion unanimously passed.

Board Consideration of Final Grant Expenditure for CDOT Revitalize Main Street: Trustee Budinger moved to approve the expenditure of the final funds of the CDOT grant, seconded by Trustee Knutson. Motion unanimously approved.

Trustee Knutson moved to extend the meeting for fifteen minutes (15), seconded by Trustee Meck. Motion unanimously approved.

Trustee Knutson moved to table items 15, 16, 18,19, and 20, seconded by Trustee Thompson. Motion unanimously approved.

TOWN OF PAONIA



ADJOURNMENT:

The Regular Council Meeting was adjourned at 10:39 pm.

Candy Wuollet, Finance Clerk

Mary Bachran, Mayor

DRAFT

TOWN OF PAONIA



Regular Town Board Meeting, February 8, 2022

MAYOR AND BOARD OF TRUSTEES

**Mayor Bachran
Trustee Knutson
Trustee Budinger
Trustee Johnson
Trustee Meck
Trustee Thompson
Trustee Smith**

February 8, 2022,

Regular Meeting Minutes

6:30 pm

Mayor Mary Bachran called the Regular Meeting of the Town of Paonia to order at 6:30 pm.

ROLL CALL:

Mayor Bachran asked Finance Clerk Candy Wuollet to call the roll.

Finance Clerk Candy Wuollet called the roll and those present were Mayor Bachran, Trustee Johnson, Trustee Meck, Trustee Budinger and Trustee Knutson, Trustee Thompson, and Trustee Smith

Approval of the Agenda:

Trustee Meck moved to approve the agenda, Trustee Smith seconded it. Motion unanimously passed.

Trustee Meck moved to pull #5 from this agenda, Trustee Smith seconded it. Motion unanimously passed.

Announcements:

Mayor Bachran would like to recognize Officer Pat Hinyard of the Paonia Police Department has been promoted to Investigator, he's been operating in this position for quite some time and its finally time we recognized this and gave him his dues. Congratulations to Officer Hinyard.

Visitors and Guest:

Thomas Markle spoke about Robert's Rule of Order, and he had a hand out, but not enough for the public.

Trustee Meck moved we allow Mr. Markle to have 10 minutes to speak, Trustee Knutson seconded it. Motion unanimously passed.

Trustee Thompson moved to let Mr. Markle speak 2 more minutes, Trustee Knutson seconded it. Motion unanimously passed.

Staff Reports:

Town Administrator Corinne Ferguson report was included and answered question. The main topic discussed in Administrator Ferguson report were the water break, billing notices and what we are doing to make sure we are in compliance on the water systems. system currently.

Town Attorney Nerlin no report was provided.

TOWN OF PAONIA



Finance Director Cindy Jones report was included and answered questions.

Disbursements: Trustee Smith requested information about the 2020 auditor deficiencies be addressed prior to the 2021 audit.

Trustee Smith moved to have the Finance Director tell us how that has been rectified prior to the auditor beginning the work, Trustee Meck seconded it. Motion unanimously passed.

Trustee Knutson moved to approve disbursements as presented, seconded by Trustee Budinger. Motion unanimously passed.

Consent Agenda

Regular Minutes – January 25,2022

January 11,2022

Trustee Meck moved to accept consent agenda as presented, seconded by Trustee Knutson Motion unanimously passed.

Three corrections were noted by Trustee Meck. Trustee Smith has a comment on the January 11th minutes to have grammar corrections.

Trustee Meck moved to accept the three amendments that were presented by board members to be corrected in the minutes, Trustee Knutson seconded. Motion unanimously passed.

Unfinished Business

Review for possible action-Reline Ordinance 01-2022- Modification of Ordinance 2020-09

Advisory Water Committee:

Trustee Meck motioned to strike this from the agenda, Trustee Smith seconded. Motion unanimously passed.

New Business

Discussion item regarding the Town of Paonia Water and Wastewater Treatment systems:

Greg Rajanowski Environment Health Director with Delta County and Chris Stewart will attend a meeting in the future when there is a hybrid option. In attendance tonight to also answer questions on the water portion or if anything comes up during this part is Brandon Bear with SGM that's our engineer firm and Brianna Greer with SSG the organization that is handling our water and wastewater.

Trustee Knutson moved to take a five (5) minute break; Trustee Thompson seconded. Motion unanimously passed.

Trustee Smith moved to schedule a special meeting to allow for further discussion and action to address how to move forward with the needed repairs and upgrades to the water treatment systems, wastewater treatment system and all associated source water and treated water delivery systems and what can staff address and what will require hiring consultants and contractors, Trustee Meck seconded. Motion unanimously passed.

Trustee Smith moved to extend the meeting until 9:45, Trustee Knutson seconded. Motion unanimously passed.

TOWN OF PAONIA



Trustee Smith moved to amend my motion to say I schedule a work session and special meeting to allow for further discussion, Trustee Meck. Motion unanimously passed.

For possible action regarding the application for a Department of Local Affairs (DOLA) Energy Impact Assistance Fund (EIAF) Tier II grant to support water infrastructure repairs and updates:

Trustee Smith moved that we do not proceed with the DOLA IEAF Tier II grant at this time while waiting to ascertain the status of the lead abatement grant from DOLA, Trustee Johnson seconded it. Motion unanimously passed.

Trustee Smith moved to deny adoption of the MOU between Elaine Brett and the Town of Paonia and instead propose that Trustee Smith collaborate with Mayor Bachran and perform all of the responsibilities/activities enumerated for Elaine Brett, Trustee Meck seconded it. Motion unanimously passed.

For possible action regarding the continuation or cancellation of the annual subscription to Archive Social for archiving of the Town of Paonia Facebook Pages:

Trustee Knutson moved to table this item; Trustee Thompson seconded. Motion unanimously passed.

Discussion of possible action to approve additional spending on updated electronics and sound system for hybrid meeting capabilities:

Trustee Knutson moved to approve the expenditures; Trustee Budinger seconded it. Motion passed with four (4) yea, and two (2) nay.

Trustee Smith moved to let Mr. Markle have five (5) minutes, Trustee Meck seconded it. Motion passes with five (5) yea, and one (1) nay.

Trustee Thompson moved to extend the meeting ten (10) minutes; Trustee Smith seconded it. Motion unanimously passed.

Trustee Thompson moved for an audit of the IT equipment that has been purchased in recent past so we can have a view of some of the information that is being offered by the public in an official capacity for review by the board, Trustee Meck seconded it. Trustee Thompson resends his motion if the information on the expenditures of the IT equipment is in the next packet.

Review for possible action-the cancellation of the regular municipal election via Resolution 03-2022:

Trustee Knutson moved to that we adopt Resolution 03-2022 a Resolution of the Board of Trustees Town of Paonia Colorado cancellation of the April 5, 2022, election, Trustee Budinger seconded it. Motion fails with one (1) yea, and four (4) nay.

Trustee Thompson moved to extend the meeting 10 minutes; Trustee Budinger seconded it. Motion unanimously passed.

Trustee Smith moved to extend meeting to 10:30, seconded by Trustee Budinger. Motion unanimously passed.

TOWN OF PAONIA



Review of and possible action on citizen initiative ordinance regarding increased local accountability, records access, fees associated with CORA requests, and public challenge of staff, Board, and Ordinance actions in municipal court:

Trustee Budinger moved to extend the meeting to 10:45, Trustee Smith seconded it. Motion unanimously passed.

Trustee Smith moved to table the discussion on this proposed ordinance until the February 22, 2022 board meeting, Trustee Meck seconded it. Motion unanimously failed.

Trustee Smith moved to have a public zoom meeting on Tuesday February 15, 2022 at 6:00 pm to provide the board the opportunity to discuss the content of the Citizen Initiative Ordinance, Trustee Thompson seconded it. Motion unanimously passed.

Mayor's Report: Is included and we will pass on this tonight.

Ad Hoc Committee Reports None

Executive Session:

Executive Session for a conference with the Town's Attorney for the purpose of receiving legal advice, pursuant to CRS 24-5-402(4)(b) legal advice for the Trustees in the case of Pace v Town of Paonia

Trustee Meck moved to table the Executive session to obtain legal advice of Pace Vs Town of Paonia until the February 22, 2022 meeting, Trustee Johnson seconded it. Motion unanimously passed.

Trustee Meck amended her motion to say continue not tabled, Trustee Thompson seconded it. Motion unanimously passed.

ADJOURNMENT:

The Regular Council Meeting was adjourned at 10:42 pm.

Candy Wuollet, Finance Clerk

Mary Bachran, Mayor

AGENDA SUMMARY FORM



Mayor's Report

Summary:

Notes:

December 15, 2021

Mayor's Report

Financing for Innovation: Colorado State Revolving Fund 2-10-22

- Presenter: Waternow Alliance wateralliance.org
- Jim Griffiths – CO State Revolving Fund
 - Make the loans
 - Operates water quality control program
 - DOLA reviews the loans
 - Eligibility
 - Treatment
 - Transmission and Distribution
 - Source water
 - Water system Consolidation
 - New system
 - Program to save water
 - Prior to Bipartisan Infrastructure Bill (BIL) most grant \$\$ to low income communities
 - Grants for design and engineering grants up to \$300K
 - Some loan principal forgiveness up to \$1,000,000
 - ~50/50 loan and grants
 - Disadvantage communities qualify through Income/house price/ unemployment
- CO Water Conservation Board Matt Stearns
 - Steve Anderson -Gunnison Uncompahgre drainages
 - Loans – untreated water projects such as reservoirs, pipelines, water rights purchases, water meters
 - MHI 1.5-2.1% @ 30 years max
 - Grants – Water plan grants, multiple benefits/purposes prioritize higher
 - Appl 7-1-22 to 12-1-22
 - Storage and supply (alternative transmission plan ATM)
 - Water supply reserve e fund total \$3m per year
 - Through Basin roundtables 2 step approval
- Priorities of SDWRF
 - Replace lead lines
 - Innovative programs for non-disadvantaged communities
 - Direct loans very flexible – don't have to use all the \$\$
 - Have never turned a project away because of lack of funds
- CWCB
 - Works mostly in raw water side
 - Can stack grants with CWCB and SDWRF, NRCS, power authority
 - Typical grants amount
 - Water planning grants has the most money 15-20 million
 - Willing to grant 75% of planning grants
- Go to meetings – on website

Grants

- Discussion with Alex Hawley of CDPHE on possible grants for water treatment plants on 2-22-22.
- Dana Hlavac of DOLA is looking for possible funding sources for water treatment plants as well.
- Community Resource Center's Funders Roundtable 4-20-22
 - Will present to private foundations for funding
- AARP Community Challenge grants available for possible projects in Town Park
 - No matching funds needed
 - Up to \$50,000 but 76% of grants under \$15,000
 - Application deadline March 15, 2022

AGENDA SUMMARY FORM



Town Administrator's Report
 Public Works Report
 Police Report
 Treasurer Report

Summary:

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 17, 2022

BANK BALANCES 2021

BANK	ACCOUNT		JAN	FEB	MAR	APR	MAY	JUNE	X
OPERATING ACCOUNTS									
UBB (FSBC)		PREV BAL	225,029.68	101,002.95	101,002.95	101,002.95	101,002.95	101,002.95	
OPS - 0733		CKS/DR	398,510.48						
		DEP/CR	274,483.75						
		END BAL	101,002.95	101,002.95	101,002.95	101,002.95	101,002.95	101,002.95	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC)		PREV BAL	25.00	25.00	25.00	25.00	25.00	25.00	
PAYROLL - 3629		CKS/DR	45,021.34						
		DEP/CR	45,021.34						
		END BAL	25.00	25.00	25.00	25.00	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	25.00	25.00	25.00	25.00	
GRANT		CKS/DR	-						
PASS-THRU		DEP/CR	-						
		END BAL	25.00	25.00	25.00	25.00	25.00	25.00	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC) (FCNB)		PREV BAL	25.00	16,049.38	16,049.38	16,049.38	16,049.38	16,049.38	
INTERNAL - 0571		CKS/DR	-						
GRANTS		DEP/CR	16,024.38						
		END BAL	16,049.38	16,049.38	16,049.38	16,049.38	16,049.38	16,049.38	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC) - 0911		PREV BAL	12,563.11	7,750.00	7,750.00	7,750.00	7,750.00	7,750.00	
PARK		CKS/DR	4,813.11						
CONTRIBUTION		DEP/CR	-						
		INT/CR	-						
		END BAL	7,750.00	7,750.00	7,750.00	7,750.00	7,750.00	7,750.00	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
UBB (FSBC) - 2318		PREV BAL	58,482.72	58,495.14	58,495.14	58,495.14	58,495.14	58,495.14	
WWTP		CKS/DR	-						
		DEP/CR	-						
		INT/CR	12.42						
		END BAL	58,495.14	58,495.14	58,495.14	58,495.14	58,495.14	58,495.14	X
		RATE	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	
UBB (FSBC) (FCNB)		PREV BAL	10,406.97	10,408.30	10,408.30	10,408.30	10,408.30	10,408.30	
CONSERV		CKS/DR	-						
TRUST 0857		DEP/CR	-						
		INT/CR	1.33						
		END BAL	10,408.30	10,408.30	10,408.30	10,408.30	10,408.30	10,408.30	X
		RATE	0.15%	0.15%	0.15%	0.15%	0.15%	0.15%	
UBB (FSBC) - 0563		PREV BAL	(9.19)	0.81	0.81	0.81	0.81	0.81	
SPACE TO		CKS/DR	-						
CREATE		DEP/CR	10.00						
		INT/CR	-						
		END BAL	0.81	0.81	0.81	0.81	0.81	0.81	X
		RATE	0.00%	CLOSED					

BANK BALANCES 2021

BANK	ACCOUNT	JAN	FEB	MAR	APR	MAY	JUNE	X
INVESTMENT ACCOUNTS								
UBB (FSBC) - 3637	PREV BAL	1,392,857.03	1,393,211.92	1,393,211.92	1,393,211.92	1,393,211.92	1,393,211.92	
MMKT	CKS/DR	-						
RESERVE	DEP/CR	-						
	INT/CR	354.89						
	END BAL	1,393,211.92	1,393,211.92	1,393,211.92	1,393,211.92	1,393,211.92	1,393,211.92	X
RATE		0.30%	0.30%	0.300%	0.300%	0.300%	0.300%	
COLO	PREV BAL	1,758,506.32	1,758,616.16	1,758,616.16	1,758,616.16	1,758,616.16	1,758,616.16	
TRUST	CKS/DR	-						
PLUS+	DEP/CR	-						
INVESTMENT	INT/CR	109.84						
	END BAL	1,758,616.16	1,758,616.16	1,758,616.16	1,758,616.16	1,758,616.16	1,758,616.16	
AVG RATE		0.07%	0.09%	0.06%	0.06%	0.06%	0.04%	X
UBB (14) (FSBC)	PREV BAL	203,237.95	203,237.95	203,237.95	203,237.95	203,237.95	203,237.95	
18MO	CKS/DR	-						
CD-2143	DEP/CR	-						
	INT/CR	-						
	END BAL	203,237.95	203,237.95	203,237.95	203,237.95	203,237.95	203,237.95	X
AVG RATE		0.55%	0.55%	0.55%	0.55%	0.55%	0.55%	
UBB (31) (FSBC)	PREV BAL	260,073.18	260,335.52	260,335.52	260,335.52	260,335.52	260,335.52	
18MO	CKS/DR	-						
CD-2143	DEP/CR	-						
	INT/CR	262.34						
	END BAL	260,335.52	260,335.52	260,335.52	260,335.52	260,335.52	260,335.52	X
AVG RATE		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
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	3,921,222.77	3,809,158.13	3,809,158.13	3,809,158.13	3,809,158.13	3,809,158.13	
TOTAL	CKS/DR	448,344.93	-	-	-	-	-	
TOTAL	DEP/CR	335,539.47	-	-	-	-	-	
TOTAL	INT/CR	740.82	-	-	-	-	-	
TOTAL 2022 ACCOUNTS		3,809,158.13	3,809,158.13	3,809,158.13	3,809,158.13	3,809,158.13	3,809,158.13	
TOTAL 2021 ACCOUNTS		2,695,410.75	2,794,267.13	2,827,035.60	2,878,900.52	3,033,101.71	3,353,077.83	
TOTAL 2020 ACCOUNTS		2,498,095.32	2,507,992.28	2,530,243.83	4,222,013.58	2,766,714.22	2,844,095.58	
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	
2020 VS 2021		1,113,747.38	1,014,891.00	982,122.53	930,257.61	776,056.42	456,080.30	

TOWN OF PAONIA
SCHEDULE OF FINDINGS
YEAR ENDED DECEMBER 31, 2020

Internal Control Findings

Significant Adjustments

- Adjustments to the government wide accounts to properly recognize pension activity in the statements of net position and activities.
- An adjustment to properly recognize grant revenue in the governmental funds.

Material Weakness-a deficiency or combination of deficiencies in internal control such that there is a reasonable possibility that a material misstatement will not be prevented, or detected and corrected, on a timely basis

- There were adjustments for the pension's balances in the current year, though the finance department made improvements in assisting in updating those schedules in the current year.
- There was an adjustment for revenues that fell out of the period of availability in the governmental funds. Management should review the revenue recognition requirements under the modified accrual basis of accounting.

Significant deficiency-less severe than a material weakness, yet important enough to merit attention by those charged with governance.

- A properly designed and implemented internal control system includes the tools and ability to prepare financial statements and footnotes in accordance with generally accepted accounting principles. Town accounting personnel currently do not possess these skills. We are happy to provide the tools and training for them to acquire these skills in the future.

Significant Adjustments

- Adjustments to the government wide accounts to properly recognize pension activity in the statements of net position and activities.

Status: Correction in progress.

Criteria: Management is responsible for establishing and maintaining effective internal controls over financial reporting. Effective internal controls are an important component of a system that helps ensure transactions are recorded timely and in the proper reporting period, thereby providing accurate financial data. Specifically, the Town should have controls in place to ensure the Town's FPPA pension activities are properly recorded in the financial statements annually.

Condition: The original FPPA reports provided were inaccurate requiring follow up to obtain sufficient reports to substantiate the year-end FPPA balances which identified the need for audit adjustments to correct the balance originally recorded by the Town.

Corrective Action: We agree with the finding. The Finance department will create a policy to standardize the date and timing of the FPPA reports creation. The department will work closely with FPPA to receive an accurate reporting amount. The Finance department will continue to benefit from all the hard work done in 2020 to improve the reporting in Caselle to further improve the reporting.

Person(s) Responsible for Implementation: Cindy Jones, Finance Director

Implementation Date: December 31, 2021

UPDATE: These corrections will continue with the 2021 Audit as town staff will prepare the journal entries required for FPPA. A spreadsheet has been prepared to determine the correct journal entries. The spreadsheet has been reviewed and approved by the lead auditor.

Significant Adjustments

- An adjustment to properly recognize grant revenue in the governmental funds.

Status: Correction in progress.

Criteria: Management is responsible for establishing and maintaining effective internal controls over financial reporting. Effective internal controls are an important component of a system that helps ensure transactions are recorded timely and in the proper reporting period, thereby providing accurate financial data. Specifically, the Town should have controls in place to ensure the Town's grant revenues are properly recorded and updated within the Town's software (Caselle).

Condition: Grant revenue was recorded as Accounts Receivable as the Town expected to receive the revenue from the granting agencies within the described period of time (90 days). However, due to unforeseen circumstances the Town didn't receive the Grant revenue within the 90 days. Therefore, the Grant revenue had to be reclassified as Deferred Grant Revenue.

Corrective Action: We agree with the finding. The Finance department will create a policy to standardize grant revenue request to and submission timing to ensure receipt of Grant revenue in the 90-day period.

Person(s) Responsible for Implementation: Cindy Jones, Finance Director

Implementation Date: December 31, 2021

UPDATE: All grant funds have been requested as of February 2, 2022. All grant funds are expected to be received within the 90-day period. However, if the funding agencies have delays in their processes a journal entry will be made at the time of notice to change the grant funds from accounts receivable to deferred grant revenue, which may be during the audit process.

Material Weakness-a deficiency or combination of deficiencies in internal control such that there is a reasonable possibility that a material misstatement will not be prevented, or detected and corrected, on a timely basis

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unforeseen circumstances the Town didn't receive the Grant revenue within the 90-days. Therefore, the Grant revenue had to be reclassified as Deferred Grant Revenue during the audit.

Corrective Action: We agree with the finding. The Finance department will monitor grant revenue request to and submission timing to ensure receipt of Grant revenue in the 90-day period.

Person(s) Responsible for Implementation: Cindy Jones, Finance Director

Implementation Date: December 31, 2021

UPDATE: All grant funds have been requested as of February 2, 2022. All grant funds are expected to be received within the 90-day period. However, if the funding agencies have delays in their processes a journal entry will be made at the time of notice to change the grant funds from accounts receivable to deferred grant revenue, which may be during the audit process.

Significant deficiency-less severe than a material weakness, yet important enough to merit attention by those charged with governance.

- A properly designed and implemented internal control system includes the tools and ability to prepare financial statements and footnotes in accordance with generally accepted accounting principles. Town accounting personnel currently do not possess these skills. We are happy to provide the tools and training for them to acquire these skills in the future.

Status: Correction in progress.

Criteria: Management is responsible for establishing and maintaining effective internal controls includes the tools and ability to prepare financial statements and footnotes in accordance with generally accepted accounting principles.

Condition: Currently the Town provides the Audit team with a Trial Balance and relies on the Audit team to upload the Trial Balance into their software to create the financial statement and footnotes in accordance with generally accepted accounting principles.

Corrective Action: We agree with the finding. The Finance department shall pursue classes through CGFOA and GFOA on the preparation of governmental financial statement and footnotes. As well as obtain the tools and training from our Audit partners as offered.

Person(s) Responsible for Implementation: Cindy Jones, Finance Director

Implementation Date: December 31, 2021

UPDATE: The Finance Director has worked with the Lead Auditor and obtain the tools necessary to clear this weakness in the 2021 audit as of February 1, 2022.

AGENDA SUMMARY FORM



Discussion regarding JDS-Hydro Infrastructure Analysis change order progress report

Summary:

The progress report was provided to the Board via email on 2/08/2022. Attached to the packet.

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 4, 2022

Town of Paonia
Public Works
Attn: Corinne Ferguson
214 Grand Avenue
Paonia, CO 81428

RE: Progress Report on Data Collection and Interim Recommendations

To Whom it May Concern,

This letter serves as a progress report as agreed to in the extension of our initial Water Infrastructure Analysis contract. The purpose of this progress report is to comment on the quality of the data being collected, its potential impact on the original draft report and provide interim recommendations regarding the water system generally, including capital improvements and performance. The information and opinions presented herein are based on conversations with Town Administrator/Clerk Corinne Ferguson and current contractor operator Joshua Moore and new data available as of January 31, 2022.

Data Collection

At this time, JDS-Hydro does not have confidence in the supply and production data that it has been provided. The data provided summarizes monthly raw water (spring) production and treatment production from September 2021 through October 2021 for both the upper (Lamborn) and lower (Clock) facilities. However, during a call with contract operator Joshua Moore on Friday January 28th, JDS-Hydro was informed that the lower treatment facility and 1-MG finished-water storage tank are not online, nor were they online previously. Thus, it is unclear what the data for the lower facilities represents. JDS-Hydro is unable to further its analysis efforts until it has confidence in the data. Furthermore, JDS-Hydro reiterates its recommendation to bring the lower treatment and storage facilities online.

Additional data collection was necessitated because the data provided as part of the initial water infrastructure analysis effort was insufficient. Specifically, only a single data point representing water production from the upper (Lamborn) treatment facility over multiple years was available. At a minimum, monthly raw water (spring) production, and monthly treatment production data was requested. It was also recommended that priority be given to bringing online the lower (Clock) treatment facility and 1-MG finished-water storage tank to provide redundancy for a significant portion of the Town's service area. Until January 28th, 2022, it was understood that both the upper and lower treatment and storage facilities were in operation since September 2021, and that aside from one of two water flow meters measuring raw water spring production at the lower plant, the data previously requested was being collected.

JDS-Hydro has continued to receive monthly distribution system demand data. While the accuracy and/or precision of this data may warrant future investigation, JDS-Hydro does not currently have any reason to question the validity of this data.

Interim Recommendations

Currently, the Town of Paonia water system is facing acute and urgent needs. Long-time operator-in-charge (ORC) Travis Loberg's resignation in late 2021 leaves current contract operator Solid Solution Geosciences in an exceedingly challenging position of learning a relatively sophisticated water system that requires significant maintenance. JDS-Hydro understands that Solid Solution Geosciences is

fulfilling a two-month contract that expires at the end of February. Historical waterline breaks within the system have continued and two pressure reducing valve (PRV) vaults were discovered flooded. The distribution system is reliant on nine (9) PRVs to maintain distribution system pressures and prevent high pressures from causing additional waterline breaks and even system failure. Current contract operators appear committed to the task of protecting and maintaining the Town's water system. However, it is also understood that they may not be able to support the Town in their current capacity beyond the end of February.

Based on its current understanding of the water system, JDS-Hydro offers interim recommendations below. These are not a complete list of recommended long-term capital improvements. Rather, these are intended to help focus the Town's efforts in the near-term.

1. **Water Conservation:** Until the lower treatment and 1-MG finished water storage facilities are brought online, JDS-Hydro recommends encouraging water conservation within the community. With only the upper (Lamborn) treatment facility online, it is understood that water supply is currently only marginally outpacing demand. If raw water spring production decreases in the coming months, without conservation efforts, it is possible that demand begins to outpace supply, especially if water line breaks continue.
2. **PRV Vault Maintenance:** The Town's distribution system is reliant on these pressure reducing valve vaults, which currently exist largely without redundancy. Failure of one PRV could result in cascading failure of other PRVs and risks entire distribution system failure. JDS-Hydro recommends the town facilitate a manufactures representative to inspect each PRV vault, make recommendations for repair and provide and/or update standard operating procedures associated with each valve. This last effort may require engineering input using the water model developed by JDS-Hydro as part of it initial water infrastructure analysis contract.
3. **Ensure reliable operation of Upper (Lamborn) Treatment Facility:** The Lamborn treatment facility and 2-MG finished-water storage tank are able to support the entire service area. In January 2022, current contract operators put significant effort into maintenance and repairs of the Lamborn treatment facility. This included vital repairs to the air compression system used to operate critical pneumatic valves within the treatment system. Furthermore, it is understood that CIP tanks are not currently anchored to the floor. Should the upper treatment facility flood, these tanks could float and cause major damage to piping and other mechanical elements.
4. **Bring online Lower (Clock) Treatment and finished-water storage facilities:** The lower treatment and storage facility provide critical redundancy for a significant portion of the Town's service area. Moreover, raw water collected from springs into this treatment facility that cannot be diverted to the Lamborn facility represents a meaningful volume of the Town's water supply.

The Town should be able to operate the lower treatment facility within a day's response. If that is not possible, an alternative to daily operation of the lower treatment facility would be to divert treated water from the upper treatment plant into the lower 1-MG storage tank. At a minimum, JDS-Hydro recommends both storage tanks be online at all times unless one is being serviced. On this note, JDS-Hydro recommends postponing recoating the 2-MG storage tank until the 1-MG storage tank is online. It is understood that installation of an altitude valve will facilitate filling the 1-MG storage tank from the Lamborn facility.

5. **Develop Construction standards and O&M Standard Operating Procedures (SOPs)**

The development of construction standards would provide some insurance that distribution system repairs are made to industry standards. Standard operating procedures would be a resource for existing and new staff in managing the water system. Having scheduled and detailed

instructions for inspection of the distribution and treatment systems especially would go a long way to improving reliability and accountability. Eventually, SOPs for management of the Town's raw water supply are also highly recommended. SOPs also provide new staff a tool for learning about the Town's water system.

- 6. Hire Leak Detection Contractor:** The Town continues to battle routine water line breaks. Water line breaks are costly, but also divert manpower resources away from routine, but important, maintenance tasks. A system wide leak detection effort would be a proactive action that may also improve the Town's water supply.

These recommendations are in addition to prioritizing staffing. JDS-Hydro understands the Town has advertised for a Public Works Director, two (2) licensed water/wastewater system operators and intends to maintain its Operator in Response Charge (ORC) with a third-party contractor operator. JDS-Hydro generally supports this target staffing level, though depending on the continued efforts to maintain the distribution system, cautions that additional operator personal may prove necessary.

Sincerely,

Doug Schwenke
dschwenke@jdshydro.com
douglas.schwenke@respec.com
719.227.0072 ext 101



Davis – Minor Subdivision Variance Application Review – TBD Niagara Avenue

Summary: Applicants request a Board approval of a variance for lot size requirement in R-2 while submitting subdivision application to the Board of Trustees.

NOTE: Issue with Variance section listed in Chapter 18 – Article 7 – Division 2. The primary Variance process is not well defined within the Town Municipal Code. Historically Town follows Appeals section requirements for review and Board recommendation for approval. The criterion for approval is as follows:

Sec. 18-7-240 (j)

Prerequisites for granting variances:

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(2) Variances shall only be issued upon:

- a. Showing a good and sufficient cause;
- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws, resolutions, or ordinances.

The variance is for the reduction of lot size from the minimum required 6,000 square feet to 5,375.

Town water standby taps exist for the lot. Staff recommends approval.

Vote:			

SPECIAL REVIEW/VARIANCE APPLICATION

Name Jesse Robert & Shari Davis Application Date 8-23-2021
Property Address TBD Niagara St. P&Z Hearing Date 1.27.2022
Telephone Number [REDACTED] Council Hearing Date 2.22.2022

11.01 Intent. Each established zoning district is intended for a specific type or category of land use (e.g., single family dwelling in an R-1 district). However, there are certain uses, which may or may not be appropriate in a district depending on the situation. For example, the location, nature of the proposed use, character of the surrounding area, traffic capacities of adjacent streets, and potential environmental effects all may dictate that the circumstances of the development should be individually reviewed. The special review process is established to provide for these specific uses without establishing numerous separate zoning classifications. It is the intent of this chapter to provide a review of such uses so that the community is assured that the proposed uses are compatible with the location and surrounding land uses.

11.02: When Allowed. Within each zoning district, certain land uses are permitted by right, by special review or prohibited. Special review uses may be permitted in designated districts upon review by the Planning and Zoning Commission and approval by the Town Board.

11.03: Site Plan and Supporting Documents. There shall be filed with each special review application a site plan drawn to scale and an appropriate number of copies as determined by the Town Manager. The site plan shall be drawn in black ink on Mylar. Following approval by the Town Board the applicant shall submit a reproducible copy of the original site plan to the Town for the Town's permanent records.

The special review application shall include the following:

- The site plan showing the location of all buildings, structures and other improvements to be placed on the real property. A building envelope may be used in lieu of showing the exact building or structure location to allow for minor variations in the location.
- A legal description of the property, which may require a survey.
- A list of the names and addresses of all property owners within 200 ft. of the property.
- All off-street parking and loading areas.
- The location of all ways for ingress and egress to all buildings, and parking areas.
- Service and refuse collection areas.
- Major screening proposals.
- The size, shape, height and character of all signs.
- The area and location of all open space and recreation areas.
- The location and type of outdoor lighting.
- The character and type of landscaping to be provided. The landscaping shall be indicated in tabular form showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on the site plan.
- The anticipated timetable for completion. If the project is to be completed in phases, then the data for completion of each phase shall be indicated.

- All owners and lien-holders of the property shall sign the following agreement that will be placed on the original special review site plan.
- Home Owner's association Written plan approval (if applicable)

The undersigned agree that the real property described on the site plan shall be developed only in accordance with the approved special review site plan and other provisions of the zoning regulations of the Town of Paonia.

I. Site Plan

Any application for Special Review/Variance that includes a new structure or improvement to an existing structure will require a site plan. Plans may be hand drawn, but must be clearly written with accurate measurements indicated. The Site Plan may be submitted as two separate drawings or one drawing with an overlay.

II. Project Summary

Please answer only the questions that apply to your Special Review/Variance request. Any additional information, which would be beneficial in the consideration, may be noted in the "Comments" section.

- a. Reason for Special Review/Variance Too much yard to keep watered under present conditions
- b. Current Zoning of Property Residential R-2
- c. What land boundary changes are necessary? one line
- d. What addition/changes to existing buildings/structures will be made? None
- e. What new buildings/structures will be constructed? a residential home after sale of the lot
- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric. Water Tap owned, the rest purchased and installed
- g. Will property have Commercial/Private or Public Use? private public use residential
- h. Anticipated traffic flow and volume? not any except one driveway for a residence

- i. Detail the Safety and Disabled Access accommodations? none
- j. Detail the possible environmental impact; such as noise, lighting glare, pollutants, etc. NO

Comments: The property years ago had a large area for a big garden and also a non-permitted well. With changes to the Paonia Ditch with piping, the well dried up and as large as the lot is, it is not efficient to keep it green and watered. It is just slightly under 50' wide

III. Public Notice Requirements

All property owners within 200 feet of the property being reviewed shall be notified via certified mail of a public hearing whereby the Planning and Zoning Commission shall consider this application. It is incumbent upon the applicant to request the names of the property owners from the Delta County GIS Department (970-874-2119). Please have the GIS e-mail the information to Corinne@townofpaonia.com. Applications for Special Review shall be filed at least 30 days in advance of the meeting at which they are to be considered by the Planning and Zoning Commission. Incomplete applications shall result in denial of application acceptance and returned for completion, consequentially delaying hearings.

IV. Acknowledgement to Pay Fees


This application must be completed and a fee of **\$250.00** is assessed to include preliminary costs of administrative services and initial correspondence. Additional charges will be invoiced for, publication and certified mailings to property owners within 200 feet of said property. **Payment must accompany this application.**

FEES PAID HEREUNDER ARE NON-REFUNDABLE UPON SIGNING

By signing below, I acknowledge that I will be billed for any overages of costs incurred for this Special Review/Variance. I am aware that upon acceptance of the Special Review/Variance by the Planning and Zoning Commission, a building permit must be applied and approved by the Building Inspector, if applicable.

SIGNED Shari Davis

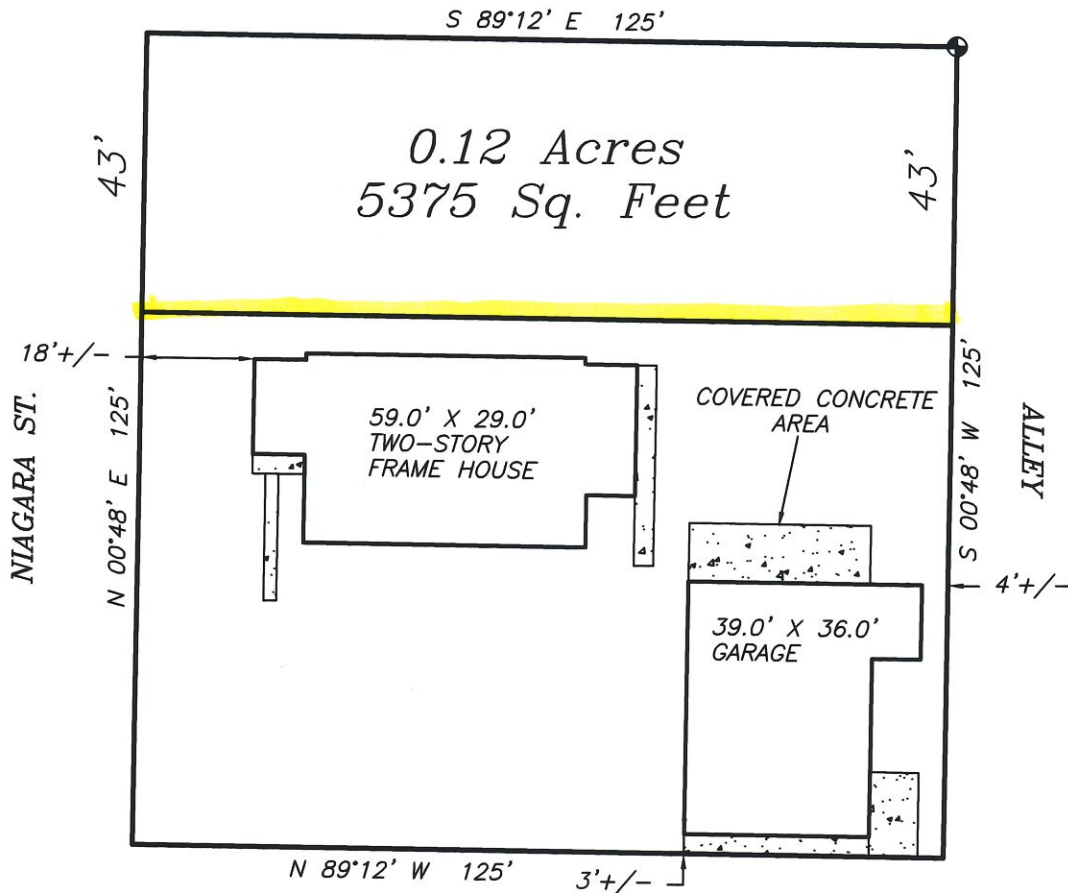
PRINTED NAME Shari Davis DATE: 8-23-21

Clerks Acceptance 12.1.2021 DATE 

IMPROVEMENT LOCATION CERTIFICATE

THIS IS NOT A SURVEY

BORROWER(S): SHARI DAVIS AND JESSE ROBERT DAVIS, AS JOINT TENANTS
LENDER: WELLS FARGO HOME MORTGAGE
PROPERTY ADDRESS: 225 NIAGARA STREET
GENERAL LOCATION: PAONIA
DATE: JANUARY 4, 2002



TYPICAL LEGEND

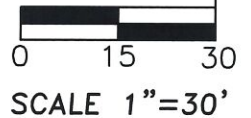
- Found pin with cap
- *— Fencelines
- T— Tel. line
- E— Electric (overhead)
- G— Gas line
- H— Water line
- Easement
- ~~~ Creek - River
- |— Irrigation ditch
- ▨ Concrete

NOTE:
 BOUNDARY LINES ARE UNKNOWN WITHOUT A SURVEY. ONE MONUMENT WAS FOUND. THE IMPROVEMENTS APPEAR TO BE WITHIN THE BOUNDARY LINES.

LEGAL DESCRIPTION:

LOTS 27, 28, 29, 30 AND 31 IN BLOCK 6 OF THE ORIGINAL TOWN OF PAONIA, COLORADO.

COUNTY OF DELTA,
 STATE OF COLORADO.



INVESTIGATION BY WILMORE AND COMPANY PROFESSIONAL LAND SURVEYING INC., 4053 GERMAN CREEK DRIVE, PAONIA, COLORADO 81428 (970)527-4200 FAX (970)527-4202
 I hereby certify that this IMPROVEMENT LOCATION CERTIFICATE was prepared solely for WELLS FARGO HOME MORTGAGE, that it is NOT a survey plat, and that it is NOT to be relied upon for the establishment of fences, buildings, or other future improvement construction lines. I further certify that the improvements on the above described parcels on this 4TH day of JANUARY, 2002, EXCEPT as may be shown above, that there are no apparent encroachments upon the described parcel by improvements on an adjoining property, EXCEPT as indicated, and that there is no apparent evidence of any easement crossing or burdening this parcel, EXCEPT AS NOTED.



JOB# ILC02003 JANUARY 4, 2002 DRAWN BY: KC
 COMMITMENT NO. 00202181 FIELD: KC/JAM PROFESSIONAL LAND SURVEYOR COLO# 25972

AGENDA SUMMARY FORM



For possible action regarding the continuation or cancellation of the annual subscription to Archive Social for archiving of the Town of Paonia Facebook Pages.

Summary:

Notes:

Archive Social is an annual contract for approximately \$3,000. The platform captures posts and comments made on the Town sponsored Facebook pages only.

The Town Facebook page is rarely used by community members, it is not used a place to ask questions or discussions. Community member rather use message boards on social media that are not participated on by Town staff nor used for Town Administration information.

I find the use of the Town pages do not justify the cost to archive them.

Should the Board choose to cancel Archive Social staff will shut down the Towns Facebook page as well.

Thank you.

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

AGENDA SUMMARY FORM



Review of and possible action on citizen initiative ordinance regarding increased local accountability, records access, fees associated with CORA requests, and public challenge of staff, Board, and Ordinance actions in municipal court

Summary:

Notes:

The initiative petitions were filed with the clerk December 21, 2021. Per statute signatures must be verified within 30 days of receipt. Signatures were verified January 20, 2022. 61 signatures were required, 75 signatures were deemed sufficient. A 40-day protest period begins upon filing the petition as well. This ended Sunday, January 30, 2022.

Attorney Conklin has spoken with initiative petition proponent Bill Brunner on a few occasions and presented the Board information in open and executive session.

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

WARNING:

IT IS AGAINST THE LAW:

For anyone to sign any initiative or referendum petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE. TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.

Do not sign this petition unless you have read or have had read to you the proposed initiative or referred measure or the summary in its entirety and understand its meaning.

Summary of Proposed Ordinance

An ordinance of the Town of Paonia amending Chapter 2 of the Paonia Municipal Code by the addition of a new Section 2, Article 11 making records of Town Infrastructure and Finance available without charge to residents of Paonia, preventing the Town from bringing suit against a record requester, making all records of the Town broadly available to Trustees, establishing the right to challenge Town actions and ordinances in Municipal Court at minimal expense to the applicant, limited waiving of Governmental Immunity for claims under this ordinance, awarding cost, damages and fees to a prevailing citizen and doubling those in certain cases.

The two persons who represent the proponents of this initiative petition in all matters affecting the petition and to whom all notices or information concerning the petition shall be mailed are:

Bill Brunner, P.O. Box 172 Paonia, CO 81428
Jeannette Brunner, P.O. Box 172 Paonia, CO 81428

Text of Proposed Ordinance

Section 1. Amendment of Town Code.

Chapter 2 of the Town Code is amended by the addition of the following:

Sec. 2-11 Public Access to Town Records and the Municipal Court to Increase Local Government Accountability.

Sec. 2-11- (a) Definitions:

Open Records: Records available to the public by the Colorado Open Records Act (CORA), under which the Town may charge per page and for research and deny certain requests.

Public Records: Records available to the public under this ordinance.

Sec. 2-11-(b) Records of Infrastructure and Finance are based on Data and are Public Records.

(i) In addition to the requirements of the Colorado Open Records Act, C.R.S. 24-72-200.1 et seq. (CORA) all records, reports, studies, data, statistics, calculations and all other records and information relating to Town owned infrastructure as well as all financial records, regardless of status or designation including but not limited to draft, work product, claim of privilege, etc. are Public Records available upon request unless those records meet the requirements of section (ii).

(ii) Only those portions of records containing information required to be withheld by an applicable law may be withheld and only by redaction of the required portion of the record so that the public shall know of the extent of the records withheld.

(iii) The Custodian of the records shall provide a sworn statement detailing the specific statute requiring the redaction as well as stating the nature, such as name, banking information, personal phone number, etc., specific to each individual redaction.

(iv) If the Town is unable to definitively ascertain if any requested record is required to be withheld by an applicable law, the Town shall immediately make those records public. In no case shall the Town make any claim or counter claim or under take any action against any person resulting from a valid records request.

(v) The time periods and procedures described in CORA, as amended by this ordinance, shall apply to Public Records requested under this Ordinance and to request for Town records made under CORA, without appeal by the Town.

(vi) Records requested under this Ordinance by residents of Paonia shall be provided without cost to the resident.

Sec. 2-11-(c) Trustees have Broad Access to all Records

(i) Trustees shall have broad access to examine all the records of the Town.

Sec. 2-11-(d) Actions of the Town, Town Officials and Town Ordinances may be Challenged in Municipal Court at Minimal Expense.

(i) Actions and decisions by the Town, Town Officials and the lawfulness of Town Ordinances may be challenged in the Municipal Court.

(ii) The Court shall establish rules and procedures that allow Town residents and persons owning property in the Town to challenge the decisions and actions of the Town and its Officials and the lawfulness of Town Ordinances at minimal expense to the applicant not to exceed \$50.

(iii) The Court shall establish rules and procedures so that persons with no judicial experience may have a fair trial, including the right to trial by jury, when challenging actions or decisions of the Town, Town officials or the lawfulness of Town Ordinances, with or without representation by an attorney.

(iv) The Rules of Procedure shall include but not be limited to;

a) Deadlines for filings with the Court: the Town's deadlines shall fall so that a citizen facing the Town in Court has five days to examine the Town's position prior to filing a corresponding document.

b) At least 5 days prior to trial The Town shall provide all evidence known by the Town that is relevant to any person facing the Town in Court including all evidence that may be mitigating or contrary to the Town's position.

Sec. 2-11- (e) Limited Waiver of Governmental Immunity.

(i) The Town waives Governmental Immunity to a liability limit of \$50,000 for claims brought under this ordinance .

Sec. 2-11- (f) Damages and Fees.

(i) The Court shall award reasonable costs, damages and attorney fees to any member of the public prevailing in any suit or court action brought under this ordinance.

Sec. 2-11- (g) Double Damages and Fees.

(i) If The Town or Town Officials are found to have acted with malice, negligence, beyond the legal scope of office or in a willful and wanton manner, the Court shall award double reasonable costs, damages and attorney fees to any member of the public prevailing in any suit or court action brought under this ordinance or the Colorado Open Records Act or the Colorado Open Meetings Law without limitation by section (f) above.

Section 2. Repeal of Conflicting Ordinances

Any other ordinance or portion of any ordinance in conflict with this ordinance is hereby repealed.

Section 3. Severability.

If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Jeffrey J. Conklin
Partner/Shareholder

jjc@mountainlawfirm.com

Direct: 970.928.2124

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Aspen Office*

February 18, 2022

PACKET MEMORANDUM

TO: Town of Paonia, Mayor and Board of Trustees

FROM: Karp Neu Hanlon, P.C.

RE: Action on Citizen’s Initiative regarding Town records and Municipal Court jurisdiction

As you know, the Town received an initiative petition proposing an ordinance to amend Chapter 2 of the Paonia Municipal Code related to Town records and Municipal Court jurisdiction, among other matters (the “Initiative”). The purpose of this memo is to summarize the legal context for the Board of Trustee’s review at the February 22, 2022 meeting as well as provide some options for other actions the Board may choose to take arising from the Initiative.

Action on the Initiative. The Initiative was received by the Town on December 21, 2021. At the Board’s direction, I provided my general overview of the substantive issues of the Initiative in the open meeting on February 15, 2022. In short, and in my view, although some of the proposed provisions of the Initiative are legally permissible, several of provisions are in conflict with CORA and likely unlawful, and, with respect to the Municipal Court jurisdiction provisions, such provisions are likely unconstitutional.

Pursuant to the timelines under C.R.S. § 31-11-101, *et seq.*, the date of “final determination of petition sufficiency” is January 30, 2022. C.R.S. § 31-11-104 provides that: The proposed ordinance may be adopted without alteration by the legislative body within twenty days following the final determination of petition sufficiency. If vetoed by the mayor, the proposed ordinance may be passed over the mayor's veto within ten days after the veto. If the proposed ordinance is not adopted by the legislative body, the legislative body shall forthwith publish the proposed ordinance as other ordinances are published and shall refer the proposed ordinance, in the form petitioned for, to the registered electors of the municipality at a regular or special election held not less than sixty days and not more than one hundred fifty days after the final determination of petition sufficiency, unless otherwise required by the state constitution.” Twenty days after the day of final determination of petition sufficiency falls on President’s Day weekend. By operation of C.R.S. § 31-11-103.5, this deadline is extended to include the next day that is not a weekend or holiday (February 22).

Accordingly, at the Board of Trustees' February 22 meeting, the Board of Trustees must either: (a) adopt the Initiative in its current form; or (b) refer it to the Town voters for consideration at a special election. If referred to voters and the Board of Trustees wishes to coordinate that election with Delta County, a special election could be held on May 3, 2022. Otherwise, the Town could set its own special election date during the requisite time period and not coordinate with the County.

Other Possible Actions. Regardless of the determination with respect to the Initiative, the Board may choose to review and pursue legislation (an ordinance) of its own regarding the issues presented in the Initiative and perhaps other policy issues driving the Initiative. This could occur at any time and take a variety of forms. More specifically, it appears that some of the policy purposes of the Initiative are to improve transparency and accountability in the Town government, particularly with respect to records. The Board could direct Staff to initiate a public policy process to better understand these issues of concern, to complete public education as to CORA and other laws relating to transparency, and to more comprehensively review potential legislative actions, if needed. This option could provide opportunities for community engagement as well. As alternatives to the foregoing, other possible options include: (a) if the Initiative is either adopted or passed at a special election, the Board of Trustees could amend the Initiative to remove the unlawful provisions; or (b) submitting to public vote an ordinance addressing the policy issues in the Initiative at the same election as the Initiative; however, based on ballot setting deadlines, the May 3 election date could not be met.

Please let me know if you would like to discuss these options.

AGENDA SUMMARY FORM



Review for possible action – Redline Ordinance 01-2022 – Modification of Ordinance 2020-09 Advisory Water Committee

Summary:

Redline changes of draft modification to Advisory Water Committee ordinance – membership and preferred candidate requirements.

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

ORDINANCE NO. 01 – 2022

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AMENDING ORDINANCE 2020-09 TO MODIFY THE STRUCTURE OF THE ~~CREATING AN~~ ADVISORY WATER COMMITTEE 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, pursuant to C.R.S. § 31-35-501, the Town has the authority to create a nonpolitical, local legislative body designated as a board of commissioners to address executive, administrative and ministerial powers regarding water and sewer facilities; and

WHEREAS, in an effort to provide administrative assistance to both the Town’s Board of Trustees and the Town’s Department of Public Works, there shall be an amendment to the Municipal Code of the Town creating an Advisory Water Committee; and

WHEREAS, pursuant to Section 2-2-90 of the Town Municipal Code (the “Town Code”), the Board shall create and appoint members to such boards and commissions as may now or hereafter exist; and

WHEREAS, with the adoption of Ordinance 2020-09 the Town created an Advisory Water Committee in accordance with C.R.S. § 31-35-501; and

WHEREAS, the Advisory Water Committee voted at its November 21, 2021, meeting to recommend to the Board of Trustees an amendment to the Committee structure.

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. Addition to the Town Code:

Sec. 2-10-10 to Sec. 2-10-50 of the Town Code is added as follows:

Sec. 2-10-10. – Creation.

An Advisory Water Committee is hereby created.

Sec. 2-10-20. – Organization.

1. The Committee shall have no less than three (3) nor more than ~~five six (5 6)~~ members; one (1) membership shall be filled by a current member of the Board of Trustees by appointment of a majority vote of the Board of Trustees; ~~one (1) membership shall be filled by a representative from the Town's Public Works Department or Administrative staff~~, and not less than ~~one two (1 2)~~ nor more than ~~three five (3 5)~~ memberships shall be members of the public.

2. It is the preference of the Board of Trustees that, of those members of the public, selection priority shall be given to include encompassing Committee membership, ~~one two (1 2) shall be an~~ in-Town water users, one (1) ~~an~~ out-of- Town water user serviced by the Town of Paonia, and one (1) ~~an~~ authorized representative of a local water company serviced by the Town of Paonia.

3. Appointment to membership shall be by the Board of Trustees. The initial term of the Committee membership shall be staggered, with the Board of Trustees setting the number of Committee members and the length of their term. Upon expiration of the initial terms, any subsequent appointees shall serve a term of three (3) years, unless they no longer qualify to serve on the Committee or are removed from the Committee by vote of the Board of Trustees. Vacancies on the Committee shall be filled for the remaining term in the same manner as the initial appointment.

Sec 2-10-30. – Purpose of the Committee.

The Committee is created for the following purposes:

1. To study and recommend to the Board of Trustees amendments to the sections of Municipal Code that address the Town of Paonia water system, including but not limited to Sec. 13 Article 1 of the Town Code, Water Regulations.

2. To study and recommend to the Board of Trustees actions based on any written reports, infrastructure analysis and any engineering studies commissioned by the Town of Paonia related to the Town's water system and supply both in and out of Town.

3. To provide a regularly scheduled forum for any recipient of water from the Town's water system to participate in discussions specific to the water system, including but not limited to maintenance, repairs, rates, and management.

4. To consider, investigate, make findings, report and recommend on any special matter or question coming within the scope of its work to the Town's Public Works Department and/or to the Board of Trustees.

Sec 2-10-40 - Appointment of Officers and duties of the Chair

The Committee shall elect its Chair from among its membership and create and fill such other of its offices as it may determine. ~~The term of such office for each officer, including that of the Chair, shall be for two (2) years. The Committee may hold at least one (1) regular meeting each month.~~ It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be public. The Chair shall preside over all meetings of the Committee according to the most recent edition of Robert's Rules of Order. The Chair shall only be entitled to vote on a question in the event of a tie vote of Committee.

Sec 2-10-50 – Power and Duties

In addition to adhering to its purpose and enumerated under Sec. 2-10-30 of the Town Code, the Committee shall have all the powers to perform each and all of the duties conferred upon it by the Board of Trustees.

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 thirty (30) days after passage.

INTRODUCED, READ AND REFERRED for second read before the Board of Trustees for the Town of Paonia, Colorado, on the ~~25th day of August 2020.~~

TOWN OF PAONIA

By: _____
MARY BACHRAN, Mayor

ATTEST:

J. CORINNE FERGUSON, Town Clerk

HEARD AND FINALLY ADOPTED by the Town of Paonia Board of Trustees for the Town of Paonia, Colorado, on the ___ day of _____, 2022.

TOWN OF PAONIA

By:

MARY BACHRAN, Mayor


ATTEST:

J. CORINNE FERGUSON, Town Clerk

Approved As To Form:

BO JAMES NERLIN, Town Attorney

AGENDA SUMMARY FORM

	Review and possible action on Solid Solution Geosciences (SSG) contract extension		
Summary: Month-to-month contract extension to assist in transition with water/wastewater plant operations.			
Notes: The initial contract was administratively approved for approximately 45 days in an emergency situation following the resignation notice given by former public works director and operator in responsible charge. I recommend the Board consider the renewal of the contract on a month-to-month basis with the addition of language regarding termination of the contract by either party.			
Possible Motions: Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 18, 2022



WORK ORDER AND AGREEMENT BETWEEN:

The Town of Paonia
214 Grand Ave.
Paonia, CO 81429

&

Solid Solution Geosciences, LLC
126 Akard Ave.
Montrose, CO 81401

PROJECT: Paonia Water Support

PROJECT NO.: 01800-00200

SCOPE OF WORK:

The scope of work of project 01800- 00200 supports the Town of Paonia through staff and ORC transitions as the town currently lacks a Public Works director and the water system staff is currently onboarding with limited experience. The estimated cost of the water audit is calculated at a rate of \$120 an hour for Principal-level staff. The cost estimate is broken down by task on a monthly basis in the Cost Estimate Table, totaling \$18,625. Mileage will be invoiced at IRS standard rate. It is anticipated that all procurement will be completed by Town of Paonia staff.

We will invoice you monthly for the work and expenses incurred during the preceding month. Payment for the above services will be due within 30 days of invoice receipt and interest at the rate of 5% per month shall accrue upon the unpaid principal balance of all invoices not paid within (30) days. In the event legal actions are commenced to collect all or a portion of the amount due for service the Client shall pay SSG’s reasonable attorney’s fee and costs of suit. The Client agrees to limit SSG’s liability to the Client for issues other than gross negligence, bad faith, or willful misconduct arising out of SSG’s practice, such that the total aggregate of SSG’s liability shall not exceed \$50,000 or SSG’s total fee for services rendered on the project task, whichever is less.

This agreement shall be deemed entered into when it is received, duly signed by the Client and an officer of Solid Solution Geosciences, LLC.

Solid Solution Geosciences, LLC

CLIENT

By: _____

By: _____

Title: President Solid Solution Geosciences, LLC

Title: _____

Date: February 18, 2022

Date: _____



Cost Estimate: Paonia Water Support

Task Number	Description	Staff	Hourly Rate	Estimated Hours			Estimated Cost
				Mar-22	Apr-22	Total	
10	New Staff Onboarding	Principal	\$120	32	16	48	\$ 5,760
20	ORC/Engineer Coordination	Principal	\$120	24	12	36	\$ 4,320
30	Sampling and Data Coordination	Principal	\$120	24	12	36	\$ 4,320
40	Plant Checks	Principal	\$120	10	10	20	\$ 2,400
50	Board of Trustee Interaction	Principal	\$120	4	4	8	\$ 960
Hourly Billing	Monthly Hours			94	54		
	Monthly Billing Estimate			\$ 11,280	\$ 6,480		\$ 17,760
Travel	Estimated Mileage			1000	500		
	Estimated Mileage Cost			\$ 585	\$ 280		
TOTAL	Estimated Total Cost			\$ 11,865	\$ 6,760		\$ 18,625

AGENDA SUMMARY FORM



Discussion and possible Board action regarding Solid Solution Geosciences letter to the Board of Trustees - treatment plant access

Summary:

The letter provided to the Board via email 2/18/2022. Attached to the packet.

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 18, 2022



Solid Solution Geosciences, LLC
126 Akard Ave.
Montrose CO, 81401
briana@solidsolutiongeosciences.com
T: +1 720.506.5050

February 17, 2022

Dear Town of Paonia Board of Trustees,

It has come to SSG's attention that two Trustees requested and received a citizen's tour of the Lamborn Water Treatment Plant yesterday. The trustees contacted SSG's employee and operator Joshua Moore independently to request the tour. One of these trustees had already approached Mr. Moore for a lengthy conversation during a distribution system repair. As the employer, the entity responsible for paying Mr. Moore for his time, insuring him against liability, and meeting contractual obligation, SSG must vociferously object. Certainly, we can all agree that the plant is not open for public tours without Town approval.

The action of citizen's using the Trustee position to gain access to the plant cost the town \$180 out of a budget that has no contractual pathway, no budget, and no insurance for citizen tours. The tour was an hour and a half of time lost in achieving SSG's contractual obligation. To get that time back for project use, SSG would need to pay the Mr. Moore time and a half for overtime (time away from his family). With respect to liability, no tour of the plant should occur without a waiver. The Trustees who availed themselves to this tour placed SSG at liability risk. They also put Mr. Moore in an awkward position.

While SSG appreciates the desire for Trustees to see the plants and understand the situation, there is no transparent reason for Trustees to contact contractor employees and request out-of-scope private citizen tours. Should the Trustees as a whole wish for tour, they can reach out to me directly. All tours should be inclusive of the entire body politic and have liability protection via waiver from the Town. Only in this way can SSG retain trust and neutrality as contractor in a politically charged situation.

Finding people willing to work with a system as infamous and underfunded as Paonia's is not easy; the political intrigue and contractual disrespect only increases the sense of risk to potential operators, detracting from getting Paonia's water systems on track. SSG insists that this behavior stop immediately; no contacting Mr. Moore directly, no showing up at the plant. Communication between Trustees and SSG must be limited to written request addressed to me (briana@solidsolutiongeosciences.com) and public, transparent, discourse or SSG will be forced to terminate the contract, citing Trustee interference as the cause.

Sincerely,

Briana Greer
President, Solid Solution Geosciences, LLC

From: [Paige S](#)
To: [Corinne Ferguson](#)
Cc: [Mary B](#)
Subject: RE: Letter to the Town of Paonia Board of Trustees
Date: Friday, February 18, 2022 11:44:28 AM

Hello Corinne,

Please include Briana Greer's letter and my response in the Agenda Packet for Tuesday's meeting and place a discussion of this issue on the agenda.

Yes, I asked Joshua for a tour of the 2MG plant and invited Trustee Meck to join me. We were provided a tour on Wednesday morning, February 16th. As Trustees, it did not seem out of order to ask a contractor for such a tour. In addition, I believe Briana is referring to a conversation I had with Joshua while observing the repair of the water line break on Rio Grande Ave. several weeks ago.

I feel what has occurred needs to be discussed at this Tuesday's Trustee meeting. It's important that we all have a full understanding of our roles as elected officials and how best to fulfill our need to know first-hand exactly what the town is facing with our water system and other similar infrastructure issues that may arise in the future. As Trustees, we're ultimately responsible for the Town's infrastructure and the public funds being expended to ensure that its functioning. Much of the detail needed to be able to fulfill these responsibilities in real time has not been readily available.

Briana's letter also brings up a question regarding whether the Town of Paonia's current liability insurance coverage applies to an elected official entering a Town-owned facility.

Trustee Meck and I learned a great deal about the system that will inform our understanding of what needs to be done going forward. I would recommend that all the Trustees have the same first-hand look. I agree with Briana, that a similar tour, in an open-public setting would be a great service and in hindsight, I should have approached Briana about requesting a tour.

I apologize to Briana and Joshua for placing both in a professionally uncomfortable position and am ready to personally reimburse the Town of Paonia for the required \$180 overtime payment.

Sincerely,

Trustee Paige Smith

From: Corinne Ferguson <corinne@townofpaonia.com>
Sent: Friday, February 18, 2022 8:39 AM
Subject: FW: Letter to the Town of Paonia Board of Trustees

Good morning all,

As requested below please find attached a letter from Briana Greer, SSG.

Thank you,

J. Corinne Ferguson
Town Administrator/Clerk
970-527-4101

"A true leader has the confidence to stand alone, the courage to make tough decisions, and the compassion to listen to the needs of others. He does not set out to be a leader, but becomes one by the equality of his actions and the integrity of his intent." --Douglas MacArthur

Please consider the environment before printing this e-mail.

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.
The Town of Paonia is an equal opportunity employer.

From: Briana Greer <briana@solidsolutiongeosciences.com>
Sent: Thursday, February 17, 2022 3:11 PM
To: Corinne Ferguson <corinne@townofpaonia.com>
Subject: Letter to the Town of Paonia Board of Trustees RE: Trustee interference

Hello Corinne,

Please find the attached letter to the Board of Trustees regarding recent Trustee interference with respect to SSG's work on the town water system. I hope that you can get it to the Trustees and that a course correction can be made.

Kindly,
Briana

Briana Greer
President Solid Solution Geosciences, LLC
briana@solidsolutiongeosciences.com

M: (+1) 307.760.8838
T: (+1) 720.506.5050
Mail:
126 Akard Ave.
Montrose CO 81401
Office:
112 Village Square West #205
Ridgway CO 81432

AGENDA SUMMARY FORM



Review and possible action regarding expenditure of funds for maintenance repair by Filter Tech at the Lamborn Mesa Water Treatment Plant

Summary:

Board approval of Filtertech estimate for the repair of skid 2 at the Lamborn Mesa Water Treatment Plant (2MG plant)

Notes:

A major component for redundancy of the water treatment plant is operating skids to treatment and disinfection of water, as well as running certain required maintenance and back-washing (cycle in place) of the system. Currently the plant is operating with one integrity-tested, well-functioning skid, but this a precarious place to remain in. Filter Tech is the company that engineered and installed this plant and assists with ongoing repairs and maintenance of controls. I recommend approval of the attached estimate as presented.

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson



Filter Tech Systems, Inc.
Designers & Manufacturers of AquaTech Filters
2844 Chipeta Avenue Grand Junction, CO 81501
(888) 287-8292 Local (970) 254-2855 Fax (970) 254-2858

Proposal No. 22-1447
14 February 2022

Paonia, CO WTP
PVC Header Replacement

We are pleased to provide this proposal for replacement of the raw water PVC header.

Scope of Supply:

1 PVC Raw Water Header

Re-Fabricate Lower Raw Water Header on Skid 2
10" Sch40 PVC Header x 100" Long; Flanged both ends
With (10) holes for existing Smith Blair Saddles to re-connect to X-Flow Modules.

This proposal includes freight to Paonia, Colorado.

Total Price for Header\$ 5,791
Total Price for Installation (Two Days)\$ 2,532

Items NOT included in this quotation (but not limited to):

Smith Blair saddles
PVC arms going to Module
Module Isolation Valves

Delivery 2 - 3 Weeks after receipt of Purchase Order
Freight Included in Pricing
Terms NET 30

Quotation Valid for Thirty Days

AGENDA SUMMARY FORM



ASF - Review and possible action on letter of intent to participate in the multi-jurisdictional Hazard Mitigation Plan update

Summary:

Proposed letter of intent to continue to participate in the Delta County multi-jurisdictional Hazard Mitigation Plan.

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

INSERT TOWN OF PAONIA LETTERHEAD

LETTER OF INTENT TO PARTICIPATE

March 1, 2022

Emergency Management Coordinator
Delta County
560 Dodge Street
Delta, CO 81416

Re: "Statement of Intent to Participate" as a participating jurisdiction in Delta County Multi-Jurisdictional Hazard Mitigation Plan (HMP)

Dear Delta County Emergency Management,

In accordance with the Federal Emergency Management Agency's (FEMA) Local Hazard Mitigation Plan (HMP) requirements, under 44 CFR §201.6, which specifically identify criteria that allow for multi-jurisdictional mitigation plans, the Town of Paonia is submitting this letter of intent to confirm that the Town has agreed to participate in the Delta County Multi-Jurisdictional Hazard Mitigation Planning effort.

Further, as a condition to participating in the mitigation planning, the Town of Paonia agrees to meet the requirements for mitigation plans identified in 44 CFR §201.6 and to provide such cooperation as is necessary and in a timely manner to Delta County via the Office of Emergency Management to complete the plan in conformance with FEMA requirements.

The Town of Paonia understands it must engage in the following planning process, as more fully described in FEMA's *Local Mitigation Planning Handbook* dated March 2013 including, but not limited to:

- Identification of hazards unique to the jurisdiction;
- The conduct of a vulnerability analysis and an identification of risks, where they differ from the general planning area;
- The formulation of mitigation goals responsive to public input and development of mitigation actions complementary to those goals. A range of actions must be identified specific for each jurisdiction;
- Demonstration that there has been proactively offered an opportunity for participation in the planning process by all community stakeholders (examples of participation include relevant involvement in any planning process, attending meetings, contributing research, data, or other information, commenting on drafts of the plan, etc.);
- Documentation of an effective process to maintain and implement the plan;
- Formal adoption of the Multi-Jurisdictional Hazard Mitigation Plan by the jurisdiction's governing body (each jurisdiction must officially adopt the plan).

Therefore, with a full understanding of the obligations incurred by an agreement between the Lead Jurisdiction and the Participating Jurisdiction, I **[Name and Title of Authorized Jurisdiction Official]**, commit the Town of Paonia to the Delta County Multi-Jurisdictional Hazard Mitigation Planning effort.

Executed this **[]** day of **February**, 2022.

[Name/title of Chief Elected Official or Authorized Agent]

AGENDA SUMMARY FORM



Review and possible action on Delta County Letter of support for a Hazard Mitigation Planning Grant to perform the required update to the multi-jurisdictional Hazard Mitigation plan

Summary:

Proposed letter of support for a grant application for the Delta County multi-jurisdictional Hazard Mitigation Plan.

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

FUNDING MATCH COMMITMENT LETTER

March _____, 2022

State Hazard Mitigation Officer (SHMO)
Colorado Division of Homeland Security & Emergency Management (DHSEM)
9195 East Mineral Avenue, Suite 200
Centennial, CO 80112

Re: "Funding Match Commitment Letter" as a participating jurisdiction in Delta County Multi-Jurisdictional Hazard Mitigation Plan (HMP)

Dear Mr. Thompson,

This letter serves as the Town of Paonia's commitment to meet the matching fund requirements for the Delta County Hazard Mitigation Plan (HMP) Update.

If awarded an HMA Planning Grant, the Town of Paonia will provide local in-kind services in lieu of cash funds in the amount of at least \$364 via staff time (labor) to assist in the planning process, compilation of data, and other services related to development of the Delta County Multi-Jurisdictional HMP. Documentation of in-kind costs will be tracked by hourly wages and participation in planning activities via official sign-in sheets, and other data gathering needs as assessed and assigned by the Local Planning Committee (LPC).

Therefore, with a full understanding of the fiscal obligations incurred by this agreement, I [Name and Title of Authorized Jurisdiction Official], commit the Town of Paonia match funding to the Delta County Multi-Jurisdictional Hazard Mitigation Planning effort.

Executed this _____ day of February, 2022

[Name & title of Chief Elected Official or Authorized Agent]

AGENDA SUMMARY FORM



Presentation of information regarding community room sound system and hardware/software upgrades in response to coronavirus

Summary:

Notes:

Possible Motions:


Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

PHONEZ+

INV DATE	INV#	DESCRIPTION	AMOUNT	CHECK	CK DATE	COMPUTER	COVID	CC ROOM	
						ADMIN	PD		
9/24/18		CONFERENCE SYSTEM	13,939.39	46494	9/26/18			13,939.39	
11/6/18	10044374	HP COMPUTER	2,616.30	46601	11/14/18	2,616.30			
11/20/18	10044557	WIRELESS CONFERENCE SYSTEM	8,495.95	46638	11/28/18			8,495.95	
1/24/19	145	IPAD/LAPTOP/PRINTER	3,292.26	46814	2/13/19	3,292.26			
4/10/19	520	ADDITIONAL MICS	1,639.38	47033	5/15/19			1,639.38	
12/5/19	WO-0449	COMPUTER	581.98	47473	12/30/19	581.98			
1/8/20	1417	(5) GOOSENECK MICROPHONES	4,467.29	47518	1/15/20			4,467.29	
2/7/20	WO-0575	CAMERA COMPUTER	731.93	47610	2/26/20			731.93	
3/30/20	WO-0634	SET UP REMOTE ACCESS TO OFFICE COMPUTERS	402.50	47731	4/15/20		402.50		
4/29/20	WO-0704	MOVE COPIER+EXT CONFERENCE ROOM PHONE LINE+RESET COMPUTERS&IPAD	298.95	47782	5/13/20			298.95	
5/20/20	S-1003	LAPTOP COMPUTER	6,054.31	47797	5/26/20	6,054.31			
6/16/20	10129	LAPTOP COMPUTER	1,849.94	47850	6/24/20			1,849.94	
6/17/20	10131	MOLDING	39.07	47850	6/24/20			39.07	
6/17/20	10132	POLY SOUNDSTATION+POLY EXP MICROPHONE CABLE+POLYCOM EXT MICS+TRENDNET	1,104.92	47850	6/24/20			1,104.92	
6/19/20	10133	RECEIVER	425.01	47850	6/24/20			425.01	
6/19/20	10135	PRINTER (CINDY)	249.95	47877	7/15/20	249.95			
12/1/20	10833	SOPHOS+GRANDSTREAM+INSTALLATION	739.90	48232	12/16/20		739.90		
12/2/20	10835	NETWORK CAMERA+CAMERA STATION+TRANSCEIVER+ANTENNA+COMPUTER	10,897.19	48232	12/16/20			10,897.19	
12/4/20	10838	TRENDNET POE	39.95	48232	12/16/20			39.95	
1/7/21	10967	(2) COMPUTER/KINGSTON 512G SSD/(1) COMPUTER	3,511.49	48310	1/12/21	3,511.49			
2/26/21	11118	PD LAPTOP COMPUTERS	2,253.67	48426	3/9/21		2,253.67		
12/30/21	12486	PD LAPTOP COMPUTERS	2,598.00	49046	1/12/22		2,598.00		
			66,229.33			16,306.29	4,851.67	1,142.40	43,928.97

AGENDA SUMMARY FORM

	Disbursements		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 18, 2022

FOR: 02/22/2022

UBB OPS DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		231,240.25
ACCOUNTS PAYABLE	01/21/22 -02/18/2022	(61,656.77)
LOAN PAYMENT	AMKO	(74,000.00)
NORRIS RETIREMENT PAYMENT	Scheduled 2/26/2022 Approved 02/08/2022	(1,680.00)
CHASE CREDIT CARD	01/24/22-02/23/22	
AMAZON	2/1/22-2/28/22	
TRANSFER TO SUMMIT		
TRANSFER TO PAYROLL	2/11/2022	(18,106.51)
PAYROLL TAXES	2/11/2022	(7,718.97)
BALANCE AFTER PAYMENT		68,078.00

*

UBB SUMMIT/PAYROLL DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		1,393,211.92
TRANSFER FROM OPS		-
TRANSFER FROM INT. GRANTS		-
TRANSFER TO OPS		
CURRENT FSBC PAYROLL BALANCE		895.49
TRANSFER FROM OPS	2/11/2022	18,106.51
PAYROLL (DIRECT DEPOSIT)	2/11/2022	(18,106.51)
BALANCE AFTER PAYMENT		1,412,213.92

*

*

UBB INTERNAL GRANT DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT INTERNAL GRANT BALANCE		25.00
BALANCE AFTER PAYMENT		25.00

*Transfer from Operations Account to Payroll Account then disbursed as Direct Deposit

BANK BALANCES				
	FSBC	COLOTRUST	TOTAL	DESCRIPTION
As of: 02/4/2022				
GENERAL		532,437.43		COMBINED FUNDS
SEWER RESTRICTED		530,526.44		PROPERTY SALE-RESTRICTED
DEBT RESERVE		106,898.97		AMKO BOND REQUIRED RESERVE
BRIDGE RESERVE		588,753.32		BRIDGE RESERVE
CONS.TRUST	10,408.30			RESTRICTED TO PARK USE ONLY
GRANT PASS THRU	25.00			PLACE HOLDER-COMBINED FUNDS
INT GRANT	25.00			MOVING TO CD-AMKO BOND RESERVE
OPS	175,936.89			COMBINED FUNDS
PARK CONTRIBUTIONS	7,750.00			SPECIFIC PARK PROJECTS
PAYROLL	895.49			PLACE HOLDER-COMBINED FUNDS
SPACE-TO-CREATE	-			SPACE TO CREATE ONLY
SUMMIT	1,393,211.92			COMBINED FUNDS
WWTP	58,495.14			OLD SEWER REHAB ONLY
CD#2-402	203,237.95			COMBINED FUNDS-LOC COLLATERAL
CD#3-2578	260,335.52			COMBINED FUNDS
	2,110,321.21	1,758,616.16	3,868,937.37	

CASH POSITION				
	COMBINED	RESTRICTED	TOTAL	DESCRIPTION
As of: 02/4/2022				
GENERAL	532,437.43			
SEWER RESTRICTED		530,526.44		RESTRICTED TO SEWER CAPITAL PROJECT
DEBT RESERVE		106,898.97		RESTRICTED LOAN REQUIREMENT
BRIDGE RESERVE		588,753.32		RESTRICTED TO BRIDGE REPAIRS
CONS.TRUST		10,408.30		RESTRICTED TO PARK CAPITAL PROJECT
GRANT PASS THRU	25.00			
INT GRANT		25.00		RESTRICTED LOAN REQUIREMENT
OPS	175,936.89			
PARK CONTRIBUTIONS		7,750.00		SPECIFIC PARK PROJECTS AS DONATED
PAYROLL	895.49			
SPACE-TO-CREATE		-		SPACE TO CREATE ONLY
SUMMIT	1,393,211.92			
WWTP		58,495.14		OLD SEWER REHAB ONLY
CD#2-402	203,237.95			
CD#3-2578	260,335.52			
	2,566,080.20	1,302,857.17	3,868,937.37	

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	
02/22/2022	1126	Brown Hill Enginee	607	1,710.00	.00	.00	1,710.00				2022 SCADA LEASE
02/22/2022	21	Caselle, Inc	115314	175.00	.00	.00	175.00				SOFTWARE CHANGES
02/22/2022	24	City of Delta	120121 - 010	542.00	.00	.00	542.00				SEWER SAMPLES
02/22/2022	1183	Column Software	8DFD59D8-0	32.12	.00	.00	32.12				LEGAL NOTICES
02/22/2022	1183	Column Software	C4BDDAEF-	65.90	.00	.00	65.90				LEGAL NOTICES
02/22/2022	1183	Column Software	F71D430A-0	17.08	.00	.00	17.08				LEGAL NOTICES
02/22/2022	629	Darla Damerell	10200001 - 3	5.63	.00	.00	5.63				REFUND OF OVERPAYMENT
02/22/2022	39	Delta County Inde	475424	46.00	.00	.00	46.00				CLASSIFIED AD
02/22/2022	43	Delta Montrose Ele	02-2022-P	1,503.43	.00	.00	1,503.43				UTILITIES
02/22/2022	43	Delta Montrose Ele	02-2022-W	2,494.37	.00	.00	2,494.37				UTILITIES
02/22/2022	48	Don's Market	03-959254	31.98	.00	.00	31.98				FLASH DRIVES (PD)
02/22/2022	48	Don's Market	06986	5.00	.00	.00	5.00				ACCT FEE
02/22/2022	1238	Dooley Enterprises	62298	391.37	.00	.00	391.37				AMMO
02/22/2022	1238	Dooley Enterprises	62300	309.79	.00	.00	309.79				AMMO
02/22/2022	368	Double J Disposal	48518	96.00	.00	.00	96.00				1MG PORTA POTTY
02/22/2022	368	Double J Disposal	48519	241.00	.00	.00	241.00				PARK PORTA POTTIES
02/22/2022	986	Elevate Fiber	66210_2717	716.58	.00	.00	716.58				TELEPHONE & INTERNET
02/22/2022	1221	ENVIRO-CHEM A	14170353	68.00	.00	.00	68.00				SEWER SAMPLES
02/22/2022	1239	Karp Neu Hanlon,	34030	675.00	.00	.00	675.00				ATTORNEY
02/22/2022	1239	Karp Neu Hanlon,	34031	45.00	.00	.00	45.00				ATTORNEY
02/22/2022	1240	Kramer, Lance	02-1171304	16.67	.00	.00	16.67				REFUND (DON'S)
02/22/2022	225	Kwiki Tire Inc	404056	1,459.02	.00	.00	1,459.02				TRASH TRUCK
02/22/2022	1241	Pipestone Equipm	12399	1,167.36	.00	.00	1,167.36				PRV INSPECTION
02/22/2022	1224	Rhinehart Oil Co.,L	CP-078250-2	493.11	.00	.00	493.11				FUEL
02/22/2022	737	Ricoh USA Inc	36181623	127.42	.00	.00	127.42				COPIER CONTRACT
02/22/2022	931	Roop Excavating L	1234	5,728.57	.00	.00	5,728.57				WATER LEAK
02/22/2022	931	Roop Excavating L	1239	3,012.50	.00	.00	3,012.50				WATER LEAK
02/22/2022	931	Roop Excavating L	1250	1,110.00	.00	.00	1,110.00				WATER LEAK
02/22/2022	1170	Shums Coda Asso	15278	2,100.00	.00	.00	2,100.00				BUILDING INSPECTOR-PLAN REVIEWS
02/22/2022	1170	Shums Coda Asso	15279	340.00	.00	.00	340.00				BUILDING INSPECTOR-INSPECTION SERVICES
02/22/2022	1170	Shums Coda Asso	15280	600.00	.00	.00	600.00				BUILDING INSPECTOR-CONSULTING SERVICES
02/22/2022	1242	Solid Solution Geo	1109	24,013.41	.00	.00	24,013.41				CONTRACT ORC AGREEMENT
02/22/2022	156	TDS Telecom	2-2022	289.97	.00	.00	289.97				TELEPHONE & INTERNET
02/22/2022	588	Wilbur-Ellis Compa	12408676	5,537.70	.00	.00	5,537.70				WATER/SEWER CHEMICALS
02/22/2022	491	Winwater Corp	062757 01	6,489.79	.00	.00	6,489.79				WATER PARTS
Grand Totals:			35	61,656.77	.00	.00	61,656.77				

Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount
02/22/2022	61,656.77	.00	.00	61,656.77	61,656.77
Grand Totals:			.00	.00	61,656.77

Invoice Date: 2/9/2022
 Invoice Number: 1939159

Funds due on 4/1/2022

Town of Paonia, CO
 214 Grand Ave
 Paonia, Colorado 81428

Contact	Phone	Fax	Email
Cindy Jones, Finance Officer	(970)-527-4101		finance@townofpaonia.com
Corinne Ferguson, Interim Administrator	(970)-527-4101		corinne@townofpaonia.com

Account Number: 0096754NS

Town of Paonia, Delta County, Colorado Water and Sewer Revenue Refunding Bonds Series 2020A

Invoice for Debt Service Payment on 4/1/2022

Cusip	Maturity Date	Accrual Start Date	Accrual End Date	No. of Days	Principal Balance	Interest Rate	Interest	Principal	Premium/Discount
59881CAB8	4/1/2022	10/1/2021	3/31/2022	180	\$50,000.00	3.00%	\$750.00	\$50,000.00	
59881CAC6	4/1/2023	10/1/2021	3/31/2022	180	\$50,000.00	3.00%	\$750.00	\$0.00	
59881CAD4	4/1/2024	10/1/2021	3/31/2022	180	\$55,000.00	3.00%	\$825.00	\$0.00	
59881CAE2	4/1/2025	10/1/2021	3/31/2022	180	\$55,000.00	3.00%	\$825.00	\$0.00	
59881CAF9	4/1/2026	10/1/2021	3/31/2022	180	\$55,000.00	3.00%	\$825.00	\$0.00	
59881CAG7	4/1/2027	10/1/2021	3/31/2022	180	\$60,000.00	3.00%	\$900.00	\$0.00	
59881CAH5	4/1/2028	10/1/2021	3/31/2022	180	\$60,000.00	3.00%	\$900.00	\$0.00	
59881CAJ1	4/1/2029	10/1/2021	3/31/2022	180	\$60,000.00	3.00%	\$900.00	\$0.00	
59881CAK8	4/1/2030	10/1/2021	3/31/2022	180	\$65,000.00	3.00%	\$975.00	\$0.00	
59881CAL6	4/1/2031	10/1/2021	3/31/2022	180	\$65,000.00	3.00%	\$975.00	\$0.00	
59881CAP7	4/1/2034	10/1/2021	3/31/2022	180	\$210,000.00	3.00%	\$3,150.00	\$0.00	
59881CAS1	4/1/2037	10/1/2021	3/31/2022	180	\$230,000.00	3.00%	\$3,450.00	\$0.00	
59881CAV4	4/1/2040	10/1/2021	3/31/2022	180	\$250,000.00	3.00%	\$3,750.00	\$0.00	
59881CAZ5	4/1/2044	10/1/2021	3/31/2022	180	\$335,000.00	3.00%	\$5,025.00	\$0.00	
					\$1,600,000.00		\$24,000.00	\$50,000.00	

Interest Due:	\$24,000.00
Total Principal Due:	\$50,000.00
Principal Deposit Due:	
Net Due:	\$74,000.00

PAYMENT SUMMARY	
Total Interest Due:	\$24,000.00
Total Principal Due:	\$50,000.00

TOTAL DUE 4/1/2022 \$74,000.00

Notes

Employee Number	Name	85-00 Net Pay Emp Amt
1059	Byrge, Rodney A	1,217.14
1006	Cassidy, Susan L	1,007.88
1056	Cecil, Raymond Cole	1,109.17
1052	Edwards, Roger	1,046.05
1002	Ferguson, J. Corinne	2,268.58
1026	Heiniger, Kaden D	905.40
1022	Hinyard, Patrick	2,067.83
1001	Jones, Cynthia	1,905.92
1027	Kramer, Lance W	829.29
1003	Mojarro-Lopez, Amanda	1,071.43
1051	Reich, Dennis	1,815.18
1058	Rose, James M	856.18
1021	Winnett, Lorin E	870.49
1004	Wuollet, Candice C	1,135.97

Grand Totals:

14 18,106.51



18,106.51+
17,236.02-
002
870.49*

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		02/04/2022	74-00	Federal Tax Deposit Social Security	10-0216	1,071.76
2	IRS Tax Deposit		02/04/2022	74-00	Federal Tax Deposit Social Security	10-0216	1,071.76
2	IRS Tax Deposit		02/04/2022	75-00	Federal Tax Deposit Medicare Pay P	10-0216	345.00
2	IRS Tax Deposit		02/04/2022	75-00	Federal Tax Deposit Medicare Pay P	10-0216	345.00
2	IRS Tax Deposit		02/04/2022	76-00	Federal Tax Deposit Federal Withhold	10-0216	2,081.21
Total 2:							✓ 4,914.73
4							
4	Aflac		02/04/2022	63-01	Aflac Pre-Tax Pay Period: 2/4/2022	10-0225	87.66
4	Aflac		02/04/2022	63-02	Aflac After Tax Pay Period: 2/4/2022	10-0225	24.90
Total 4:							112.56 <i>MO</i>
6							
6	Colorado Dept of Labor		01/07/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	51.16
6	Colorado Dept of Labor		01/21/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	73.68
6	Colorado Dept of Labor		02/04/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	49.12
Total 6:							173.96 <i>OTR</i>
9							
9	Colorado Dept of Revenue		02/04/2022	77-00	State Withholding Tax Pay Period: 2/4	10-0217	772.00
Total 9:							772.00 <i>MO</i>
30							
30	Empower Retirement		02/04/2022	51-01	Retirement Plan Retirement Plan Pa	10-0220	599.60
30	Empower Retirement		02/04/2022	51-01	Retirement Plan Retirement Plan Pa	10-0220	652.04
30	Empower Retirement		02/04/2022	51-02	Retirement Plan Retirement Loan Pa	10-0220	84.49
Total 30:							✓ 1,336.13
33							
33	FPPA - Fire & Police Pensi		02/04/2022	50-00	FPPA Pay Period: 2/4/2022	10-0219	680.62
33	FPPA - Fire & Police Pensi		02/04/2022	50-00	FPPA Pay Period: 2/4/2022	10-0219	510.47
33	FPPA - Fire & Police Pensi		02/04/2022	90-00	Death & Disability Pay Period: 2/4/20	10-0219	181.50
Total 33:							✓ 1,372.59
70							
70	Rocky Mountain HMO		02/04/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	230.44
70	Rocky Mountain HMO		02/04/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	3,769.93
70	Rocky Mountain HMO		02/04/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	47.39
70	Rocky Mountain HMO		02/04/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	1,800.98
70	Rocky Mountain HMO		02/04/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	93.98
70	Rocky Mountain HMO		02/04/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	874.38
Total 70:							6,817.10 <i>MO</i>

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
71							
71	The Harford		02/04/2022	65-01	Group#013307460001 Hartford Basic	10-0226	14.84
71	The Harford		02/04/2022	65-02	Group#013307460001 Hartford Suppl	10-0226	26.38
71	The Harford		02/04/2022	65-03	Group#013307460001 Hartford Disab	10-0226	55.80
Total 71:							97.02
73							
73	Delta Dental of Colorado		02/04/2022	60-05	Dental RMHMO - Dental Pay Period:	10-0223	228.45
Total 73:							228.45
75							
75	VSP Insurance CO (CT)		02/04/2022	60-04	RMHMO - Vision Pay Period: 2/4/202	10-0223	68.46
Total 75:							68.46
Grand Totals:							15,893.00

MO. MO. MO.

Report Criteria:

Unpaid transmittals included
 Begin Date: ALL
 End Date: ALL

AGENDA SUMMARY FORM



Discussion and possible action regarding Ad-Hoc committee recommendation for Trustee meeting policy and procedures

Summary:

As directed by the Board please find attached the recommendations.

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

Rules of Procedure Recommendations for Town Meetings

Participants: Jeff Thompson, Dave Knutson, Bill Brunner (during first meeting)

Initiated during Council Meeting January 25, 2022, Follow up meetings on this effort were held on February 4, 15, and 18

Principles informing these recommendations:

- Public Participation
- Improved Decision-making
- Efficient use of time
- Consistency of meetings

Comments and Recommendations:

- Start meetings at 6:00 pm.
- Each meeting opens with a statement by the Mayor summarizing rules of procedure for the meeting.
- Prior to a posted regular meeting, no items will be added to Meeting Packet after noon Friday.
 - “Emergency” agenda items may be an exception. A definition of *emergency* will be needed.
- Public comment 2 minutes per citizen per agenda item.
- Mayor has right to participate in council deliberations.
- Motions need a second to be voted on.
- Trustees and Citizens wishing to speak must be recognized by the Mayor.
- The Mayor is the facilitator of the meeting and has a right to have a participant removed for behavior disruptive to effective and efficient meetings such as sidebar discussions, outbursts, foul language and personal attacks.
- Spontaneous applause, boos or reactions can also result in being removed from the meeting.
- Built in 10 minute break at 7:45 pm (half way point) – regardless of where on the agenda or where discussion is occurring.
- Hard stop at 9:30 pm.

Rationale: Sets tone for respectful dialogue and lets citizens know up front how to productively participate. All comments by Council and Citizens are directed to the Chair. We are a small town, when there’s a prior relationship we are free to use first names.

Proposed Change: Order of meeting agenda items

1. Meeting Opening: Mayor introduces the meeting and summarizes of Rules of Procedure
 - a) We, as members of this community, want the same thing – what’s best for Paonia
 - b) Statement to public –
 1. When providing comments, please state the goal/outcome for your comment and how that outcome is best achieved
 2. You will have 2 minutes to comment on a discussion item. Please be brief and directly address your point. If you wish to make more comments, provide written

- statements or schedule a discussion with the appropriate Trustee, the Mayor, or town staff.
3. You are encouraged to provide written comments to be included in the meeting agenda packet ahead of the meeting so that Trustees can consider input ahead of town meetings.
 - c) Respectful dialog is required for successful meetings – by trustees, the mayor, town staff, and members of the public.
2. Friends and Neighbors (public input regarding items not on the agenda - two minutes per citizen)
 3. Public Agenda Items – address agenda items for members of the public present at the meeting first
 4. Agenda Items requiring a vote/decision (example disbursements, purchases, awarding bids)
 5. Information or discussion Items not requiring decisions
 6. Staff Reports: Administrator, Public Works, Chief, and Finance
 - a) Create a standard structure/template for each meeting report - Areas/topics in report template include water, operational projects; goals - met, in-process, and future priorities; Staffing – vacancies, hiring, training.
 - b) All report areas/topics in the template. Can be “no activity”, “no progress”, etc.
 - c) Reports in all areas (administration, public works, police, finance) should be made at each meeting.
 7. Mayor/Ad Hoc Committee reports
 8. Hard stop at 9:30 p.m.


Rationale: Respect time of members of the public who come for one specific agenda item by moving it to the front of the order. Needed decisions are made early in the meeting not late into the night. Staff report and informational items will be placed after decision items. Council needs to provide a template format and information items requested for staff reports.

Procedure for each Agenda Item:

1. Mayor announces item and summarizes
2. Council discusses
3. Public input prior to a motion
 - a) Each citizen gets the floor one time for 2 minutes
 - b) Citizens encouraged to not repeat prior comments and to stay on topic for each agenda item
4. Council makes a motion with second or postpones item
5. Following a motion Council discusses agenda item prior to a vote while acknowledging public input/information.
6. Vote

Rationale: Allows full public participation prior to a motion and allows transparency for public to observed Council deliberations

AGENDA SUMMARY FORM

	Adjournment		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 nd : _____ vote: _____			
Vote:	Mayor Bachran	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Smith	Trustee Thompson

February 18, 2022