



**TOWN OF PAONIA**  
**TUESDAY, SEPTEMBER 08, 2020**  
**2021 BUDGET WORK SESSION 5:00 PM**  
**REGULAR TOWN BOARD MEETING AGENDA 5:00 PM**

**Roll Call**

**Approval of Agenda**

**Announcements**

**Recognition of Visitors & Guests**

1. Shop Safe Shop Local Salute  
Visitors & Guests

**Staff Reports**

2. Administrator's Report  
Previous Visitors & Guests Follow-Up  
Public Works  
Police Report  
Attorney Report

**Disbursements**

3. Treasurer's Report
4. Disbursements
5. Staff Retirement Plan Review and Update

**Regular Business**

6. Ordinance 2020-09 Creation of Water Advisory Committee
7. Western Slope Conservation Center – Draft Letter Regarding Sunset Roadless Area
8. Town Response Letter to Draft Delta County Land Use Regulations
9. Paonia Bulk Water System Upgrade
10. Waiving of Late Fees and Disconnect Charges
11. Paonia Streetlight Review Checklist Procedures
12. Town Administrator 3-Month Evaluation

**Consent Agenda**

13. Regular Minutes:  
08/11/2020

**Mayor's Report**

14. Mayor's Report

**Committee Reports**

15. Finance & Personnel  
Governmental Affairs & Public Safety  
Public Works-Utilities-Facilities  
Space to Create  
Tree Board

**Adjournment**

16. 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 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

September 2, 2020

	ADMINISTRATION	BUILDING	PUBLIC SAFETY	PARKS	STREETS	S.CAPITAL	BRIDGE	SIDEWALK	PASS THRU	S2C	C.TRUST	CAPITAL	WATER	W.GRANT	SEWER	TRASH	TOTAL	% OF
	10	12	14	16	20	22	24	26	30	32	40	50	60	65	70	80		T.REV
31 TAXES	148,673.00	10,765.00	469,200.00	115,011.00	124,731.00	47,961.00	0	0	0	0	0	201,375.00	0	0	0	0	1,117,716.00	29.17%
30 SIDEWALK	0	0	0	0	0	0	0	28,500.00	0	0	0	0	0	0	0	0	28,500.00	0.74%
32 PERMITS	4,650.00	24,700.00	1,100.00	0	1,750.00	0	0	0	0	0	0	0	0	0	0	0	32,200.00	0.84%
33 INTERGOVERNMENTAL	0	0	5,950.00	8,925.00	50,611.00	-	0	0	0	0	0	0	0	0	0	0	65,486.00	1.71%
38 CONSTRUST	0	0	0	0	0	0	0	0	0	0	7,200.00	0	0	0	0	0	7,200.00	0.19%
34 FINES	0	0	24,715.00	0	0	0	0	0	0	0	0	0	0	0	0	0	24,715.00	0.64%
35 INTEREST/MISCELLANEOUS	17,900.00	0	-	10,092.00	1,550.00	90,774.00	47,000.00	0	460,000.00	0	-	0	0	0	0	0	627,316.00	16.37%
36 CHARGE FOR SERVICES	0	0	0	0	0	0	0	0	0	0	0	0	862,945.00	0	552,800.00	218,615.00	1,634,360.00	42.65%
39 TRANSFERS/RESERVES	-	0	0	-	-	-	3,000.00	-	0	0	0	291,522.97	0	0	0	-	294,522.97	7.69%
<b>TOTAL REVENUE</b>	<b>171,223.00</b>	<b>35,465.00</b>	<b>500,965.00</b>	<b>134,028.00</b>	<b>178,642.00</b>	<b>138,735.00</b>	<b>50,000.00</b>	<b>28,500.00</b>	<b>460,000.00</b>	<b>-</b>	<b>7,200.00</b>	<b>492,897.97</b>	<b>862,945.00</b>	<b>-</b>	<b>552,800.00</b>	<b>218,615.00</b>	<b>3,832,015.97</b>	<b>100.00%</b>
2-9 PAYROLL	40,347.00	10,979.00	397,663.00	88,093.00	119,980.00	0	0	0	0	0	0	0	248,581.00	0	193,609.00	144,520.00	1,243,772.01	26.48%
10 WORK COMP	160.00	15.00	9,211.00	1,755.00	2,159.00	0	0	0	0	0	0	0	4,770.00	0	1,230.00	4,548.00	23,848.00	
15 OFFICE SUPPLIES	2,591.00	470.00	950.00	40.00	20.00	0	0	-	0	0	0	0	310.00	0	265.00	275.00	4,921.00	0.10%
16 OPERATING SUPPLIES	625.00	-	12,715.00	4,995.00	605.00	0	0	0	0	0	0	0	10,725.00	0	11,625.00	1,197.00	42,487.00	0.86%
17 POSTAGE	450.00	25.00	300.00	75.00	65.00	0	0	0	0	-	0	0	4,025.00	0	2,500.00	965.00	8,405.00	0.17%
20 LEGAL	52,715.00	765.00	3,775.00	-	-	0	0	-	0	0	7,200.00	0	2,000.00	0	2,000.00	-	68,455.00	1.38%
21 AUDIT	4,510.00	0	0	0	0	0	0	0	0	0	0	0	11,000.00	0	4,500.00	4,500.00	24,510.00	0.50%
22 REPAIR & MAINTENANCE	-	0	280.00	21,085.00	13,965.00	0	50,000.00	28,500.00	0	-	0	0	232,250.00	0	115,755.00	110.00	461,945.00	9.34%
23 VEHICLE	-	-	11,827.00	655.00	6,705.00	0	0	0	0	0	0	0	8,480.00	0	8,892.00	9,425.00	45,984.00	0.93%
24 RENTAL	0	0	0	750.00	-	0	0	0	0	0	0	0	-	0	-	-	750.00	0.02%
25 SUPPLIES/TOOLS	11,545.00	0	0	740.00	1,600.00	0	0	0	0	0	0	0	1,950.00	0	3,105.00	505.00	19,445.00	0.39%
27 INSURANCE	4,288.00	776.00	20,664.00	-	8,807.00	0	0	0	0	0	0	0	21,190.00	0	8,012.00	4,608.00	68,345.00	1.38%
28 UTILITIES	5,500.00	0	1,900.00	7,575.00	13,800.00	0	0	0	0	0	0	0	26,000.00	0	35,200.00	2,300.00	92,275.00	1.87%
29 TELEPHONE	1,150.00	-	2,400.00	400.00	650.00	0	0	0	0	0	0	0	4,350.00	0	1,525.00	507.00	10,982.00	0.22%
30 PUBLICATION & ADS	3,750.00	-	1,500.00	79.00	-	0	0	0	0	-	0	0	100.00	0	120.00	35.00	5,584.00	0.11%
32 FEES & PERMITS	0	0	0	750.00	-	0	0	0	0	0	0	0	8,685.00	0	7,070.00	0	16,505.00	0.33%
90 TREASURER FEES	2,900.00	0	4,000.00	-	0	0	0	0	0	0	0	0	0	0	0	0	6,900.00	0.14%
33 DATA PROCESSING	13,600.00	0	16,050.00	0	-	0	0	0	0	0	0	0	12,775.00	0	34,250.00	2,275.00	78,950.00	1.60%
41 WRITE-OFF	0	0	0	0	0	0	0	0	0	0	0	0	200.00	0	200.00	225.00	625.00	0.01%
42 CONTRACT SERVICES	0	0	0	3,000.00	10,286.00	0	0	0	0	0	0	0	-	0	2,625.00	30,000.00	45,911.00	0.93%
50 DEBT SERVICE	0	0	0	0	0	0	0	0	0	0	0	0	213,512.00	0	102,500.00	0	316,012.00	6.39%
71 PASS THRU	-	0	-	-	0	0	0	0	460,000.00	0	0	0	25,532.00	0	15,909.00	6,520.00	507,961.00	10.27%
89 TRANSFERS	-	0	-	-	-	-	-	-	0	0	-	-	-	0	-	0	-	0.00%
90 DEPRICIATION	0	0	0	0	0	0	0	0	0	0	0	0	-	0	-	-	-	0.00%
<b>TOTAL OPERATING EXP</b>	<b>144,131.00</b>	<b>13,030.00</b>	<b>483,235.00</b>	<b>129,992.00</b>	<b>178,642.00</b>	<b>-</b>	<b>50,000.00</b>	<b>28,500.00</b>	<b>460,000.00</b>	<b>-</b>	<b>7,200.00</b>	<b>-</b>	<b>836,435.00</b>	<b>-</b>	<b>550,892.00</b>	<b>212,515.00</b>	<b>3,094,572.01</b>	<b>63.42%</b>
	27,092.00	22,435.00	17,730.00	4,036.00	(0.00)	138,735.00	-	-	-	-	-	492,897.97	26,510.00	-	1,908.00	6,100.00	737,443.96	
1 CONTRACT LABOR	-	21,500.00	-	-	-	-	0	0	0	0	0	0	20,160.00	0	-	-	41,660.00	
26 TRAVEL/MEETINGS	11,000.00	0	8,680.00	4,036.00	-	0	0	0	0	-	0	0	1,200.00	0	1,770.00	1,550.00	28,236.00	0.57%
31 DUES & SUBSCRIPTIONS	9,802.00	935.00	8,150.00	0	-	0	0	0	0	0	0	0	1,700.00	0	138.00	0	20,725.00	0.42%
40 MISCELLANEOUS	-	0	-	-	0	0	0	0	0	0	0	0	-	0	-	-	-	0.00%
43 CULTURAL EVENTS	1,470.00	0	-	0	0	0	0	0	0	0	0	0	0	0	0	0	1,470.00	0.03%
44 HUMAN SERVICES	4,820.00	0	900.00	-	-	0	0	0	0	0	0	0	0	0	0	4,550.00	10,270.00	0.21%
70 CAPITAL OUTLAY	-	0	-	123,500.00	125,000.00	312,000.00	0	0	0	0	0	492,897.97	695,000.00	0	-	-	1,748,397.97	35.35%
<b>TOTAL DISCRESIONARY</b>	<b>27,092.00</b>	<b>22,435.00</b>	<b>17,730.00</b>	<b>127,536.00</b>	<b>125,000.00</b>	<b>312,000.00</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>492,897.97</b>	<b>718,060.00</b>	<b>-</b>	<b>1,908.00</b>	<b>6,100.00</b>	<b>1,850,758.97</b>	
<b>NET CHANGE</b>	<b>(0.00)</b>	<b>(0.00)</b>	<b>0.00</b>	<b>(123,500.00)</b>	<b>(125,000.00)</b>	<b>(173,265.00)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(691,550.00)</b>	<b>-</b>	<b>0.00</b>	<b>(0.00)</b>	<b>(1,113,315.01)</b>	



**DELTA COUNTY, COLORADO**  
**DEBBIE GRIFFITH, COUNTY ASSESSOR**

County Courthouse • 501 Palmer Street • Suite 210 • Delta • Colorado • 81416

PHONE: (970) 874-2120 FAX: (970) 874-2482

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August 22, 2019

Town of Paonia  
PO Box 460  
Paonia, CO 81428

Dear Taxing Entity:

Many of you are wondering why you haven't received your preliminary certification of values yet. Normally they are mailed to you by August 25 each year. This year that deadline has been extended by Governor Polis until October 13<sup>th</sup>.

I know that many of you are trying to get started on the budget process and not having those numbers creates a hardship for you. Unfortunately due to the extended deadlines in our assessment calendar we do not have those values ready at this time.

I will be glad to try to calculate a reasonable estimate on a case by case basis if that will be helpful to any of you with the understanding that the numbers will certainly change prior to October 13<sup>th</sup>. Even though this is an intervening year values have changed from the certification you received in December of 2019.

As always, there is a possibility of significant changes in assessed value between the preliminary certification and the final December certification. The changes may be due to changes in values of state-assessed property and other possible factors; though historically the changes have been generally minor.

If you have any questions in regards to this matter, please feel free to contact our office.  
Thank you.

Respectfully yours,

Debbie Griffith  
Delta County Assessor

PR RPT DETAIL	RATE	3% ANNUAL	ADMIN 10-41-03	BUILDING 12-43-03	LAW 1-42-02	STREETS 1-45-02	PARKS 1-46-02	WATER 2-50-03	SEWER 3-51-03	GARBAGE 3-52-03
PR RPT DETAIL		ANNUAL	ADMIN 10-41-03	BUILDING 12-43-03	LAW 1-42-02	STREETS 1-45-02	PARKS 1-46-02	WATER 2-50-03	SEWER 3-51-03	GARBAGE 3-52-03
WAGES		826,836.00	28,862.00	7,176.00	268,476.00	78,286.00	57,382.00	164,142.00	128,080.00	94,432.00
INCREASES		74,204.00	1,456.00	436.80	32,260.80	7,818.20	5,738.20	8,151.00	7,293.00	11,050.00
OT		13,790.00	122.90	18.48	6,562.38	1,744.56	1,250.13	1,502.88	1,300.68	1,288.00
DT		3,898.00	-	-	2,964.00	317.40	209.20	88.00	72.00	247.40
<b>WAGE COSTS</b>		<b>918,728.00</b>	<b>30,440.90</b>	<b>7,631.28</b>	<b>310,263.18</b>	<b>88,166.16</b>	<b>64,579.53</b>	<b>173,883.88</b>	<b>136,745.68</b>	<b>107,017.40</b>
ER-FPPA		23,737.10	-	-	23,737.10	-	-	-	-	-
ER-D&D		7,540.02	-	-	7,540.02	-	-	-	-	-
ER-SOC		39,065.02	1,887.34	473.14	1,340.20	5,466.30	4,003.93	10,780.80	8,478.23	6,635.08
ER-MED		13,321.56	441.39	110.65	4,498.82	1,278.41	936.40	2,521.32	1,982.81	1,551.75
UNEMP		2,723.78	66.12	22.89	930.79	264.50	193.74	518.05	406.64	321.05
<b>TAX COSTS</b>		<b>86,387.48</b>	<b>2,394.85</b>	<b>606.69</b>	<b>38,046.93</b>	<b>7,009.21</b>	<b>5,134.07</b>	<b>13,820.17</b>	<b>10,867.68</b>	<b>8,507.88</b>
PTO		15,365.66	472.47	202.20	4,074.05	202.20	202.20	5,810.83	3,551.85	849.85
MISC-CELL PHONE		9,120.00	299.40	128.40	2,816.40	533.40	335.40	2,355.00	1,779.00	801.00
CLOTHING		2,100.00	-	-	-	555.00	390.00	375.00	225.00	555.00
RMHMO		117,244.04	4,320.18	1,930.50	20,268.85	11,416.41	8,703.94	30,930.52	25,033.60	14,640.05
+RMHMO		56,884.60	1,265.68	82.18	15,226.38	7,537.78	5,405.68	12,434.84	8,355.41	6,576.68
HARTFORD-DIS		1,881.00	46.53	13.86	627.66	202.95	148.50	331.65	272.25	237.60
HARTFORD-LIFE		483.36	11.96	3.56	161.29	52.15	38.16	85.22	69.96	61.06
PENSION		35,654.20	1,095.90	380.64	6,179.04	4,305.21	3,156.01	8,554.65	6,708.65	5,274.10
<b>BENEFIT COSTS</b>		<b>238,732.86</b>	<b>7,512.11</b>	<b>2,741.34</b>	<b>49,353.67</b>	<b>24,805.10</b>	<b>18,379.89</b>	<b>60,877.72</b>	<b>45,995.71</b>	<b>28,995.33</b>
<b>TOTAL</b>		<b>1,243,848.35</b>	<b>40,347.86</b>	<b>10,979.30</b>	<b>397,663.78</b>	<b>119,980.47</b>	<b>88,093.49</b>	<b>248,581.76</b>	<b>193,609.07</b>	<b>144,520.61</b>
X		-	-	-	-	-	-	-	-	-

2020												
FOR 2020					2021	2021-2015	2014	2020	2019	2018	2017	2016
Description	PROJECT	REALLOCATE	ACTUAL	REMAINING	SALES TAX	CELL TOWER		CARRY				
<b>AIRPORT</b>					193,725.00			187,500	180,778			
PAONIA SHARE AIRPORT	60,192.00			60,192.00		(53,550.00)	(6,642.00)					
<b>ADMINISTRATION</b>												
BUILDING CODE UPDATE	4,500.00			4,500.00				(4,500.00)				
TOWN HALL UPGRADE	14,186.46			14,186.46				(10,000.00)	(4,186.46)			
BIKE RACK	500.00			500.00					(500.00)			
COMPUTERS	2,944.31			2,944.31				(2,944.31)				
				-								
<b>POLICE</b>												
OFFICER GEAR	4,580.62			4,580.62				(4,580.62)				
IN CAR CAMERAS	7,000.00			7,000.00				(7,000.00)				
<b>PUBLIC WORKS</b>												
SKID STEER	90,000.00		80,000.00	10,000.00					(61,000.00)	(10,000.00)	(19,000.00)	
SPRINKLER REPAIR	4,923.53			4,923.53						(4,923.53)		
STREETS	126,712.39			126,712.39				(15,984.61)	(45,539.89)	(14,725.00)	(14,131.35)	(36,331.54)
SIGN REPLACEMENT	7,000.00			7,000.00				(1,490.46)	(212.74)	(296.80)	(5,000.00)	
POLLOS PARK	1,500.00			1,500.00					(1,500.00)			
STREETS (CLARK&DORRIS)	35,000.00			35,000.00				(35,000.00)				
ELLEN HANSON SMITH CENTER	20,000.00			20,000.00				(20,000.00)				
TREE TRIMMING	10,000.00			10,000.00				(10,000.00)				
EQUIPMENT	12,500.00			12,500.00				(57,500.00)				
SNOW PLOW TRUCK	45,000.00			45,000.00								
<b>TOTAL</b>	<b>446,539.31</b>	<b>-</b>	<b>80,000.00</b>	<b>366,539.31</b>	<b>-</b>	<b>(53,550.00)</b>	<b>(6,642.00)</b>	<b>(169,000.00)</b>	<b>(112,939.09)</b>	<b>(29,945.33)</b>	<b>(38,131.35)</b>	<b>(36,331.54)</b>
<b>2021 REQUESTS</b>												
<b>ADMINISTRATION</b>												
TOWN HALL UPGRADES	20,000.00			20,000.00	(20,000.00)							
COMPUTERS	10,000.00			10,000.00	(10,000.00)							
				-								
<b>POLICE</b>												
VEHICLE	30,000.00			30,000.00	(30,000.00)							
EQUIPMENT	10,000.00			10,000.00	(10,000.00)							
DESK & CHAIRS	10,000.00			10,000.00	(10,000.00)							
<b>PUBLIC WORKS</b>												
PINTAL HITCH TRAILER	18,000.00			18,000.00	(18,000.00)							
ASPHALT PLAIN	25,000.00			25,000.00	(25,000.00)							
TRENCH BOX	10,000.00			10,000.00	(10,000.00)							
LAWN MOWER	2,000.00			2,000.00	(2,000.00)							
LIFT GATE	3,000.00			3,000.00	(3,000.00)							
TRUCK	40,000.00			40,000.00	(40,000.00)							
EQUIPMENT	15,725.00			15,725.00	(15,725.00)							
<b>TOTAL</b>	<b>193,725.00</b>	<b>-</b>	<b>-</b>	<b>193,725.00</b>	<b>(193,725.00)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	640,264.31	-	80,000.00	560,264.31	(193,725.00)	(53,550.00)	(6,642.00)	(169,000.00)	(112,939.09)	(29,945.33)	(38,131.35)	(36,331.54)

AGENDA SUMMARY FORM

	Agenda Approval		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran

September 2, 2020

AGENDA SUMMARY FORM

	Announcements		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran

September 2, 2020

AGENDA SUMMARY FORM

	Shop Safe Shop Local Salute
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Summary:

An opportunity to recognize and thank the businesses within the Town who are adhering to the State mandates and regulations regarding the wearing of masks or face coverings. Shop safe. Shop local!

Notes:

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

AGENDA SUMMARY FORM

	Visitors & Guests
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Summary:

Notes:

Possible Motions:  
Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:

AGENDA SUMMARY FORM

	Administrator's Report Previous Visitors & Guests Follow-Up Public Works Police Report Attorney Report		
Summary:			
Notes:			
VW – verbal warning WW – written warning CIT - citation CAA – clear adult arrest UTL – unable to locate UNF - unfounded			
Possible Motions:			
Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:

# Paonia Police Department

## Law Incident Table, by Date and Time

**Date Occurred:** 08/15/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
00:01:18	CITIZEN ASSIST	DELTA AVE, Paonia, CO	PPD	PPD	
13:10:54	VIN INSPECTION	GRAND AVE, Paonia, CO 400	PPD	PPD	
21:23:40	Traffic Stop	Block of 2ND St, Paonia, CO	PPD	PPD	VW
<b>Total Incidents for this Date: 3</b>					

**Date Occurred:** 08/16/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:12:42	ANIMAL CONTROL	6TH STREET, Paonia, CO	PPD	PPD	CIT
11:05:39	Medical/transfe	2ND ST, Paonia, CO	PPD	PPD	
16:14:28	Traffic Stop	SAMUEL WADE RD, Paonia, CO	PPD	PPD	CIT
20:58:01	DUI	SAMUEL WADE RD, Paonia, CO	PPD	PPD	A
23:03:35	CRIM MISCHIEF	3RD ST, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 5</b>					

**Date Occurred:** 08/17/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
08:34:44	Medical/transfe	BOX ELDER AVE, Paonia, CO	PPD	PPD	
16:25:29	CITIZEN ASSIST	100 BLOCK OAK AVE, Paonia, CO	PPD	PPD	
17:49:25	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 3</b>					

**Date Occurred:** 08/18/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:24:15	VIN INSPECTION	COLORADO AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 08/19/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
21:42:44	Traffic Stop	Block Onarga AVE, Paonia, CO	PPD	PPD	CIT
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 08/20/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
07:49:44	ANIMAL CONTROL	4TH ST, Paonia, CO	PPD	PPD	

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
22:37:11	DOMESTIC	COLORADO AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

**Date Occurred:** 08/21/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:57:06	ANIMAL CONTROL	Pan American AVE, Paonia, CO	PPD		
17:31:51	FRAUD	2ND ST, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

**Date Occurred:** 08/22/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
08:43:34	ALARM	GRAND AVE, Paonia, CO	PPD	PPD	
13:52:38	Parking Problem	ONARGA AVE, Paonia, CO	PPD	PPD	WW
18:39:25	ANIMAL CONTROL	DELTA AVE, Paonia, CO	PPD	PPD	
20:23:57	WELFARE CHECK	COLORADO AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 4**

**Date Occurred:** 08/23/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:47:31	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
12:49:27	WELFARE CHECK	COLORADO AVE, Paonia, CO	PPD	PPD	
20:58:50	WELFARE CHECK	COLORADO AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 3**

**Date Occurred:** 08/24/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:55:34	Wanted Person	GRAND AVE, Paonia, CO	PPD	PPD	A
12:10:00	CITIZEN ASSIST	HIGHWAY 133, Paonia, CO	PPD	PPD	
13:17:45	FRAUD	GRAND AVE, Paonia, CO ""	PPD	PPD	
14:32:01	CITIZEN ASSIST	GRAND AVE. Paonia, CO """"	PPD	PPD	
15:15:51	CITIZEN ASSIST	I tcpf 'C'xg.'Paonia, CO	PPD	PPD	
18:20:41	SUICIDE/ATTEMPT	RIO GRANDE AVE, Paonia, CO	PPD	PPD	
19:01:09	Disturbance	FREEDOM ST, Paonia, CO	PPD	PPD	
20:55:35	CITIZEN ASSIST	MEADOWBROOK BLVD Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 8**

**Date Occurred:** 08/25/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
03:54:58	DOMESTIC	GRAND AVE, Paonia, CO	PPD	PPD	UNF

**Total Incidents for this Date: 1**

**Date Occurred:** 08/26/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
07:50:26	ANIMAL CONTROL	NORTH FORK AVE, Paonia, CO	PPD	PPD	
10:18:56	WELFARE CHECK	ORCHARD AVE, Paonia, CO	PPD	PPD	
13:12:57	SUICIDE/ATTEMPT	HARDING RD, Paonia, CO 39126	PPD	DIST3	
17:22:07	TrafficAccident	HIGHWAY 133, Hotchkiss, CO	PPD	DIST3	

**Total Incidents for this Date:** 4

**Date Occurred:** 08/27/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:28:53	Traffic Stop	BOX ELDER AVE, Paonia, CO	PPD	DIST3	CIT
17:26:08	CITIZEN ASSIST	3RD ST, Paonia, CO	PPD	PPD	
19:46:16	Traffic Stop	2ND STREET, Paonia, CO	PPD	PPD	CIT
20:13:40	CIVIL PROBLEM	OAK AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date:** 4

**Date Occurred:** 08/28/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
02:46:56	DOMESTIC	200 BLOCK OF MAIN AVE, Paonia, CO	PPD	PPD	A
13:18:31	DEATH INVESTGTN	3RD ST, Paonia, CO	PPD	PPD	
15:47:20	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
16:52:30	Disturbance	GRAND AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date:** 4

**Date Occurred:** 08/29/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:28:49	Medical/transfe	3RD ST, Paonia, CO	PPD	PPD	
15:22:40	ALARM	GRAND AVE, Paonia, CO	PPD	PPD	
15:40:43	THEFT	DELTA AVE, Paonia, CO	PPD	PPD	
18:54:23	Noise Complaint	POPLAR AVE, Paonia, CO	PPD	PPD	VW

**Total Incidents for this Date:** 4

**Date Occurred:** 08/31/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:19:24	CIVIL PROBLEM	3RD ST, Paonia, CO	PPD	PPD	
12:13:50	FRAUD	ALDER CT, Paonia, CO	PPD	PPD	
16:31:47	VIN INSPECTION	4TH ST, Paonia, CO	PPD	PPD	
17:24:36	911/hangup	MAIN AVE, Paonia, CO	PPD	PPD	
18:07:20	M-1 HOLD	GRAND AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date:** 5

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Total reported: 54

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CIT 5, VW 2, UNF 1, AA 3, WW 1

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**Report Includes:**  
All dates between `00:00:01 08/15/20` and `00:00:01 09/01/20`, All agencies matching `PPD`, All disposition's, All natures,  
All location codes, All cities

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**DEVOR & PLUMHOFF, LLC**  
Attorneys and Counselors at Law

Bo James Nerlin  
[bo@coloradowestlaw.com](mailto:bo@coloradowestlaw.com)

MEMORANDUM

To: Board of Trustees, Town of Paonia  
From: Bo James Nerlin, Esq. *Bo James Nerlin*  
Re: Town Attorney Report  
Date: 9/4/2020  
CC: Ms. Corinne Ferguson

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This memo is an outline of the recent projects that I have been working on as the Town Attorney. This memo is to serve as an outline and not a comprehensive list.

Marijuana Ballot Initiative

In the packet is a revised language updating the ballot language for the marijuana taxing question. This language has been provided to Delta County, and in the event the Board consents, it should be ratified this evening.

Paonia Ditch Company

A letter went out to the Paonia Ditch Company last week seeking compensation for the Paonia Ditch Culvert Pipe under the 200 block of Main Ave. I have received word from the Paonia Ditch Company that they are meeting in September and thereafter will provide a response to the Town.

Police Department Matters

I have been in touch with Chief Ferguson with respect to an employment contract for a new officer, negotiations for the use of an animal shelter; and meeting with Judge Huffman to update the Municipal Codes and Municipal Court procedures.

Board Training

I propose a Board Training and legislative update on one of the following dates, September 29 or October 6. This training session can be conducted either in person or via zoom.

AGENDA SUMMARY FORM

		Treasurer's Report	
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:



## PRESIDENTIAL MEMORANDA

# Memorandum on Deferring Payroll Tax Obligations in Light of the Ongoing COVID-19 Disaster

BUDGET &amp; SPENDING

Issued on: August 8, 2020



MEMORANDUM FOR THE SECRETARY OF THE TREASURY

SUBJECT: Deferring Payroll Tax Obligations in Light  
of the Ongoing COVID-19 Disaster

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. The 2019 novel coronavirus (COVID-19) that originated in the People's Republic of China has caused significant, sudden, and unexpected disruptions to the American economy. On March 13, 2020, I determined that the COVID-19 pandemic is of sufficient severity and magnitude to warrant an emergency declaration under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207, and that is still the case today. American workers have been particularly hard hit by this ongoing disaster. While the Department of the Treasury has already undertaken historic efforts to alleviate the hardships of our citizens, it is clear that further temporary relief is necessary to support working Americans during these challenging times. To that end, today I am directing the Secretary of the Treasury to use his authority to defer certain payroll tax obligations with respect to the American workers most in need. This modest, targeted action will put money directly in the pockets of American workers

3.

and generate additional incentives for work and employment, right when the money is needed most.

Sec. 2. Deferring Certain Payroll Tax Obligations. The Secretary of the Treasury is hereby directed to use his authority pursuant to 26 U.S.C. 7508A to defer the withholding, deposit, and payment of the tax imposed by 26 U.S.C. 3101(a), and so much of the tax imposed by 26 U.S.C. 3201 as is attributable to the rate in effect under 26 U.S.C. 3101(a), on wages or compensation, as applicable, paid during the period of September 1, 2020, through December 31, 2020, subject to the following conditions:

(a) The deferral shall be made available with respect to any employee the amount of whose wages or compensation, as applicable, payable during any bi-weekly pay period generally is less than \$4,000, calculated on a pre-tax basis, or the equivalent amount with respect to other pay periods.

(b) Amounts deferred pursuant to the implementation of this memorandum shall be deferred without any penalties, interest, additional amount, or addition to the tax.

Sec. 3. Authorizing Guidance. The Secretary of the Treasury shall issue guidance to implement this memorandum.

Sec. 4. Tax Forgiveness. The Secretary of the Treasury shall explore avenues, including legislation, to eliminate the obligation to pay the taxes deferred pursuant to the implementation of this memorandum.

Sec. 5. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

3.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) You are authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP

# How do I defer payroll tax payments?

(COVID-19 gov. 2020(Sep02))

Learn how to set up the Payroll application to defer the employee share of Social Security tax payments. Under the Executive Order "Memorandum on Deferring Payroll Tax Obligations in Light of the Ongoing COVID-19 Disaster", an employee has the option to defer Social Security tax payments from September 1, 2020 to December 31, 2020.

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**Note:** Social Security tax deferral applies to wages paid September 1, 2020 to December 31, 2020. You are responsible for remitting deferred amounts to the IRS between January 1, 2021 and April 30, 2021 due dates.

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## Which employees can participate?

It's up to the employee. The executive order uses the phrase, "shall be made available", which means the employee makes the decision to defer Social Security tax or continue to pay Social Security tax during the deferral period.

The executive order reads, "the deferral shall be made available with respect to any employee the amount of whose wages or compensation, as applicable, payable during any bi-weekly pay period generally is less than \$4,000, calculated on a pre-tax basis, or the equivalent amount with respect to other pay periods."

## Who is responsible for collecting and paying deferred Social Security tax from employees?

It's the employer's responsibility to collect the deferred Social Security tax and pay it to the IRS by April 30, 2021.

The executive order reads, "an Affected Taxpayer must withhold and pay the total Applicable Taxes that the Affected Taxpayer deferred under this notice ratably from wages and compensation paid between January 1, 2021 and April 30, 2021 or interest, penalties, and additions to tax will begin to accrue on May 1, 2021, with respect to any unpaid Applicable Taxes. If necessary, the Affected Taxpayer may make arrangements to otherwise collect the total Applicable Taxes from the employee."

AGENDA SUMMARY FORM

	Disbursements		
Summary:			
Notes:			
Possible Motions: Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:

FSBC OPS DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		124,106.77
ACCOUNTS PAYABLE	08/22/20 - 09/04/20	(74,682.90)
TRANSFER TO SUMMIT	APPROVED 06/23/20 (\$100,000)	
CHASE CREDIT CARD	8/23/2020	(640.55)
TRANSFER TO PAYROLL	8/28/2020	(20,788.99)
PAYROLL TAXES	8/28/2020	(20,765.30)
BALANCE AFTER PAYMENT		7,229.03

1  
*[Signature]*

FSBC SUMMIT/PAYROLL DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		334,801.27
TRANSFER FROM OPS		-
CURRENT FSBC PAYROLL BALANCE		25.00
TRANSFER FROM OPS		20,788.99
PAYROLL (DIRECT DEPOSIT)	8/28/2020	(20,788.99)
BALANCE AFTER PAYMENT		334,826.27

1

FSBC INTERNAL GRANT BALANCE		
BALANCE		33,521.84
TRANSFER TO COLOTRUST	APPROVED 06/23/20	(454.96)
TRANSFER TO COLOTRUST	SEWER LOAN RESERVE-APPROVED 05/26/20	(33,041.88)
CD TOTAL		25.00

3  
4  
*[Signature]*

FSBC LOC BALANCE		
FSBC CD#1 @ 2.00%	GENERAL	255,051.53
FSBC CD#2 @ 0.55%	GENERAL-COLLATERAL FOR LOC	201,670.73
CD TOTAL		456,722.26
LOC (\$200,000)-RENEWED 7/2019		-
BALANCE AVAILABLE SECURING LOC		456,722.26

*[Signature]*

COLOTRUST		
TOTAL	GENERAL	531,848.74
TOTAL	SEWER PROPERTY	529,940.06
	SEWER LOAN RESERVE	106,780.92
TRANSFER FROM INT GRANT	APPROVED 06/23/20	454.96
TRANSFER FROM INT GRANT	APPROVED 05/26/20	33,041.88
TOTAL		140,277.76
TOTAL	BRIDGE RESTRICTED	588,102.40

3  
4

GRANT FUNDS IN PROCESS		
COLORADO GRAND	EHS CENTER	10,000.00
DOLA	ASSET INVENTORY	
DOLA	GRAY&BLACK-MARIJUANA ENFORCEMENT	
DOLA (ADMIN)	SYSTEM ANALYSIS	
GOCO	PARK PLANNING	
TOTAL		-

R

BANK BALANCES			
FSBC		COLOTRUST	TOTAL
AS OF: 09/04/2020			
GENERAL		531,848.74	
SEWER RESTRICTED		529,940.06	
DEBT RESERVE		106,780.92	
BRIDGE RESERVE		588,102.40	
CONS.TRUST	3,121.81		
GRANT PASS THRU	25.00		
INT GRANT	33,521.84		
OPS	113,443.74		
PARK CONTRIBUTIONS	31,290.27		
PAYROLL	25.00		
SPACE-TO-CREATE	13,158.66		
SUMMIT	334,801.27		
WWTP	58,288.14		
CD#2-402	201,670.73		
CD#3-2578	255,051.53		
	1,044,397.99	1,756,672.12	2,801,070.11



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
09/08/2020	1043	Advance Plumbing	1085	236.00	.00	.00	236.00			
09/08/2020	1141	BO JAMES NERLI	31427-31433	5,502.00	.00	.00	5,502.00			
09/08/2020	21	Caselle, Inc	104460	989.00	.00	.00	989.00			
09/08/2020	22	CDPHE	WC21110282	350.00	.00	.00	350.00			
09/08/2020	24	City of Delta	071520 + 08	432.00	.00	.00	432.00			
09/08/2020	1139	Colorado Canopie	1582	760.00	.00	.00	760.00			
09/08/2020	1091	Dairy Specialists, L	RT116418	1,072.50	.00	.00	1,072.50			
09/08/2020	39	Delta County Inde	313735-3177	299.36	.00	.00	299.36			
09/08/2020	46	Dependable Lumb	2008-133384	590.69	.00	.00	590.69			
09/08/2020	48	Don's Market	01-964183	45.22	.00	.00	45.22			
09/08/2020	48	Don's Market	01-968583	20.02	.00	.00	20.02			
09/08/2020	48	Don's Market	02-827581	75.05	.00	.00	75.05			
09/08/2020	368	Double J Disposal	42363	81.00	.00	.00	81.00			
09/08/2020	986	Elevate Fiber	66210_2717	356.42	.00	.00	356.42			
09/08/2020	546	EmTech Inc.	9042	3,522.48	.00	.00	3,522.48			
09/08/2020	56	Enterprise Fund/La	331573-3337	2,794.25	.00	.00	2,794.25			
09/08/2020	62	Feather Petroleum	5132925-587	625.75	.00	.00	625.75			
09/08/2020	1138	IIMC	063020-0930	170.00	.00	.00	170.00			
09/08/2020	1136	Jennmar Services	830455	1,069.20	.00	.00	1,069.20			
09/08/2020	482	Larry D Gillenwate	423067	42.50	.00	.00	42.50			
09/08/2020	470	Leon, Susan	090120-0930	800.00	.00	.00	800.00			
09/08/2020	103	Master Petroleum	CL49271-IN	486.97	.00	.00	486.97			
09/08/2020	141	North Fork Service	124487-8204	813.83	.00	.00	813.83			
09/08/2020	122	Paonia Auto Parts	368098-3690	431.76	.00	.00	431.76			
09/08/2020	125	Paonia Farm & Ho	60563-63481	397.35	.00	.00	397.35			
09/08/2020	1114	Paonia Tree Servic	083120	10,000.00	.00	.00	10,000.00			
09/08/2020	1142	Peak Spirits, LLC	18696	350.00	.00	.00	350.00			
09/08/2020	499	Phonz +	10442	1,401.14	.00	.00	1,401.14			
09/08/2020	737	Ricoh USA Inc	5060261641	119.62	.00	.00	119.62			
09/08/2020	656	Schmueser Gordo	2013-471.00	11,323.00	.00	.00	11,323.00			
09/08/2020	152	Southwestern Syst	202731	13,054.85	.00	.00	13,054.85			
09/08/2020	152	Southwestern Syst	202738	488.25	.00	.00	488.25			
09/08/2020	152	Southwestern Syst	202739	1,024.75	.00	.00	1,024.75			
09/08/2020	152	Southwestern Syst	202740	590.00	.00	.00	590.00			
09/08/2020	152	Southwestern Syst	202747	1,500.50	.00	.00	1,500.50			
09/08/2020	1140	Susie Kaldis	2020-090320	275.00	.00	.00	275.00			
09/08/2020	861	The Paper-Clip LL	2037658-203	315.45	.00	.00	315.45			
09/08/2020	1125	Turtle Tracks	1277	1,045.00	.00	.00	1,045.00			
09/08/2020	161	UNCC	220080938	49.17	.00	.00	49.17			
09/08/2020	162	United Companies	1365306	609.28	.00	.00	609.28			
09/08/2020	173	Western Implemen	IN93364	38.52	.00	.00	38.52			
09/08/2020	491	Winwater Corp	055178-00	8,682.29	.00	.00	8,682.29			
09/08/2020	491	Winwater Corp	055713-00	1,852.72	.00	.00	1,852.72			
Grand Totals:			43	74,682.89	.00	.00	74,682.89			

Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount
09/08/2020	74,682.89	.00	.00	74,682.89	74,682.89



Manage your account online at : [www.chase.com/cardhelp](http://www.chase.com/cardhelp)

Customer Service: 1-800-945-2028

Mobile: Download the Chase Mobile® app today

September 2020						
S	M	T	W	T	F	S
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	6	7	8	9	10

New Balance  
**\$640.55**  
 Minimum Payment Due  
**\$25.00**  
 Payment Due Date  
**09/17/20**

**Late Payment Warning:** If we do not receive your minimum payment by the due date, you may have to pay a late fee, and existing and new balances may become subject to the Default APR.

**Minimum Payment Warning:** Enroll in Auto-Pay and avoid missing a payment. To enroll, go to [www.chase.com](http://www.chase.com)

### ACCOUNT SUMMARY

<b>Account Number:</b>	[REDACTED]
Previous Balance	\$917.71
Payment, Credits	-\$917.71
Purchases	+\$640.55
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
<b>New Balance</b>	<b>\$640.55</b>
Opening/Closing Date	07/24/20 - 08/23/20
Credit Limit	\$45,000
Available Credit	\$44,359
Cash Access Line	\$9,000
Available for Cash	\$9,000
<b>Past Due Amount</b>	<b>\$0.00</b>
<b>Balance over the Credit Limit</b>	<b>\$0.00</b>

### YOUR ACCOUNT MESSAGES

Your next AutoPay payment for \$640.55 will be deducted from your Pay From account and credited on your due date. If your due date falls on a Saturday, we'll credit your payment the Friday before.

Your AutoPay amount will be reduced by any payments or merchant credits that post to your account before we process your AutoPay payment. If the total of these payments and merchant credits is more than your set AutoPay amount, your AutoPay payment for that month will be zero.



Manage your account online at : [www.chase.com/cardhelp](http://www.chase.com/cardhelp)

Customer Service: 1-800-945-2028

Mobile: Download the Chase Mobile® app today

### ACCOUNT ACTIVITY

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
08/17	AUTOMATIC PAYMENT - THANK YOU	-897.14
08/20	SPRINT *WIRELESS 800-639-6111 KS CINDY JONES TRANSACTIONS THIS CYCLE (CARD 8901) \$673.78- INCLUDING PAYMENTS RECEIVED	✓ 223.36
08/04	COLORADO CWP 719-5456748 CO	85.00
08/04	COLORADO CWP 719-5456748 CO TRAVIS LOBERG TRANSACTIONS THIS CYCLE (CARD 2935) \$170.00	85.00
07/27	ZOOM.US 8887999666 CA	-3.16
07/27	ZOOM.US 8887999666 CA	-2.45
07/27	ZOOM.US 8887999666 CA	-4.34
07/27	ZOOM.US 8887999666 CA	-9.44
07/27	ZOOM.US 8887999666 CA	-1.18
08/12	AMZN Mktg US*MF57L9SY2 Amzn.com/bill WA	✓ 21.99
08/12	AMZN Mktg US*MF6321KV2 Amzn.com/bill WA	✓ 183.40
08/16	ZOOM.US 888-799-9666 CA CORINNE FERGUSON TRANSACTIONS THIS CYCLE (CARD 3742) \$224.82	✓ 40.00
07/31	USPS PO 0769660541 PAONIA CO TOWNOF PAONIA TRANSACTIONS THIS CYCLE (CARD 8181) \$1.80	✓ 1.80

20.57 }  
 -3.16  
 -2.45  
 -4.34  
 -9.44  
 -1.18

2020 Totals Year-to-Date	
Total fees charged in 2020	\$0.00
Total interest charged in 2020	\$0.00

Year-to-date totals do not reflect any fee or interest refunds you may have received.

### INTEREST CHARGES

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Balance Type	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charges
<b>PURCHASES</b>			
Purchases	13.24%(v)(d)	- 0 -	- 0 -
<b>CASH ADVANCES</b>			
Cash Advances	24.99%(v)(d)	- 0 -	- 0 -
<b>BALANCE TRANSFERS</b>			
Balance Transfer	13.24%(v)(d)	- 0 -	- 0 -

31 Days In Billing Period

- (v) = Variable Rate
- (d) = Daily Balance Method (Including new transactions)
- (a) = Average Daily Balance Method (Including new transactions)

Please see Information About Your Account section for the Calculation of Balance Subject to Interest Rate, Annual Renewal Notice, How to Avoid Interest on Purchases, and other important information, as applicable.

Employee Number	Name	85-00 Net Pay Emp Amt
1053	Beardslee, Dominic D	1,368.48
1024	Berger, Brian J	3,086.56
1052	Edwards, Roger	1,023.94
1002	Ferguson, J. Corinne	2,173.97
1020	Ferguson, Nell	1,999.65
1022	Hinyard, Patrick	1,357.56
1012	Huffman, Julie J	484.84
1001	Jones, Cynthia	1,775.49
1005	Katzer, JoAnn	935.15
1050	Loberg, Travis	2,030.46
1003	Mojarro-Lopez, Amanda	973.71
1023	Patterson, Taffine A	370.66
1054	Redden, Jordan	918.48
1051	Reich, Dennis	1,014.69
1021	Winnett, Lorin E	1,275.35
Grand Totals:		15 20,788.99

*Dell*  
*8/25/2020*  


0.\*  
20,788.99+  
20,168.52-  
002  
620.47\*  
0.\*



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
<b>2</b>							
2	IRS Tax Deposit		08/21/2020	74-00	Federal Tax Deposit Social Security	10-0216	1,016.17
2	IRS Tax Deposit		08/21/2020	74-00	Federal Tax Deposit Social Security	10-0216	1,016.17
2	IRS Tax Deposit		08/21/2020	75-00	Federal Tax Deposit Medicare Pay P	10-0216	367.94
2	IRS Tax Deposit		08/21/2020	75-00	Federal Tax Deposit Medicare Pay P	10-0216	367.94
2	IRS Tax Deposit		08/21/2020	76-00	Federal Tax Deposit Federal Withhold	10-0216	1,876.05
Total 2:							4,644.27
<b>4</b>							
4	Aflac		08/07/2020	63-01	Aflac Pre-Tax Pay Period: 8/7/2020	10-0225	120.18
4	Aflac		08/07/2020	63-02	Aflac After Tax Pay Period: 8/7/2020	10-0225	24.90
4	Aflac		08/21/2020	63-01	Aflac Pre-Tax Pay Period: 8/21/2020	10-0225	120.18
4	Aflac		08/21/2020	63-02	Aflac After Tax Pay Period: 8/21/2020	10-0225	24.90
Total 4:							290.16
<b>6</b>							
6	Colorado Dept of Labor		08/26/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	74.27
6	Colorado Dept of Labor		07/10/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	74.76
6	Colorado Dept of Labor		07/24/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	70.66
6	Colorado Dept of Labor		08/07/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	72.63
6	Colorado Dept of Labor		08/21/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	78.30
Total 6:							370.62
<b>9</b>							
9	Colorado Dept of Revenue		08/07/2020	77-00	State Withholding Tax Pay Period: 8/7	10-0217	771.00
9	Colorado Dept of Revenue		08/21/2020	77-00	State Withholding Tax Pay Period: 8/2	10-0217	826.00
Total 9:							1,597.00
<b>31</b>							
31	Mutual of Omaha		08/21/2020	51-01	Group# MOORetirement Plan Pay P	10-0220	255.40
31	Mutual of Omaha		08/21/2020	51-01	Group# MOORetirement Plan Pay P	10-0220	861.60
31	Mutual of Omaha		08/21/2020	51-02	Group# MOO Loan Payment Pay Pe	10-0220	307.22
Total 31:							1,424.22
<b>33</b>							
33	FPPA - Fire & Police Pensi		08/21/2020	50-00	FPPA Pay Period: 8/21/2020	10-0219	827.32
33	FPPA - Fire & Police Pensi		08/21/2020	50-00	FPPA Pay Period: 8/21/2020	10-0219	601.69
33	FPPA - Fire & Police Pensi		08/21/2020	90-00	Death & Disability Pay Period: 8/21/2	10-0219	210.59
Total 33:							1,639.60
<b>70</b>							
70	Rocky Mountain HMO		08/07/2020	60-01	RMHMO - Employee Only Pay Period	10-0223	252.84
70	Rocky Mountain HMO		08/07/2020	60-01	RMHMO - Employee Only Pay Period	10-0223	4,158.60
70	Rocky Mountain HMO		08/07/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	167.32
70	Rocky Mountain HMO		08/07/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	3,260.05
70	Rocky Mountain HMO		08/07/2020	60-04	RMHMO - Vision Pay Period: 8/7/202	10-0223	20.92

*etc*

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
70	Rocky Mountain HMO		08/07/2020	60-07	RMHMO - Employee + Spouse Pay P	10-0223	163.98
70	Rocky Mountain HMO		08/07/2020	60-07	RMHMO - Employee + Spouse Pay P	10-0223	722.02
70	Rocky Mountain HMO		08/21/2020	60-01	RMHMO - Employee Only Pay Period	10-0223	252.84
70	Rocky Mountain HMO		08/21/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	167.32
70	Rocky Mountain HMO		08/21/2020	60-04	RMHMO - Vision Pay Period: 8/21/20	10-0223	20.94
70	Rocky Mountain HMO		08/21/2020	60-07	RMHMO - Employee + Spouse Pay P	10-0223	163.98
70	Rocky Mountain HMO		08/21/2020	60-04	ADJ Vission	10-0223	121.97
70	Rocky Mountain HMO		08/21/2020	60-03	ADJ MOJARRO AUG	10-0223	1,049.98
Total 70:							✓ 10,522.76
71							
71	The Harford		08/07/2020	65-01	Group#013307460001 Hartford Basic	10-0226	25.44
71	The Harford		08/07/2020	65-02	Group#013307460001 Hartford Suppl	10-0226	34.22
71	The Harford		08/07/2020	65-03	Group#013307460001 Hartford Disab	10-0226	110.80
71	The Harford		08/21/2020	65-02	Group#013307460001 Hartford Suppl	10-0226	34.22
71	The Harford		08/21/2020	65-03	ADJ REDDEN	10-0226	4.84
71	The Harford		08/21/2020	65-03	ADJ CR - VASSEL	10-0226	17.70
Total 71:							✓ 182.14 <i>AUTO</i>
73							
73	Delta Dental of Colorado		08/07/2020	60-05	Dental RMHMO - Dental Pay Period:	10-0223	232.55
73	Delta Dental of Colorado		08/21/2020	60-05	ADJ REFUND	01-0223	232.60
Total 73:							✓ 465.15 <i>AUTO</i>
Grand Totals:							21,135.92 <i>(Signature)</i>

Report Criteria:  
 Unpaid transmittals included  
 Begin Date: ALL  
 End Date: ALL

AGENDA SUMMARY FORM

	Staff Retirement Plan Review and Update
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Summary:  
 Recommendation to transfer provider of staff retirement plan from Mutual of Omaha to Empower Retirement.

Notes:

Our local representative Shane Squibb will still be our contact.  
 There is no change in what the plan provided to staff.  
 There is a minimal reduction in cost to the Town and to Staff for the plan.

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

Town of Paonia	\$250,000			
	Current	Option 1	Option 2	Option 3
Recordkeeper	Mutual of Omaha Unbundled - NEED TPA	Empower Retirement Bundled	T. Rowe Price Unbundled - NEED TPA	Lincoln Financial Group Unbundled - NEED TPA
Cost	\$0 Flat Fee		\$700	\$0
Cost to Employee	1.59%	1.40%	0.82%	1.79%
	\$ 3,975.00	\$3,500.00	\$2,050.00	\$4,475.00
TPA (Third Party) Cost	Newport Group \$1,700	\$1,200	\$1,250	TRA - The Retirement Advantage \$1,250
Total Cost per year	\$ 5,675.00	\$ 4,700.00	\$4,000.00	\$ 5,725.00
			Town Costs up to \$1900	

- \* I would recommend the Empower or T.Rowe Price. When comparing the 2, you will find that Empower's technology will be far superior. You will also have a more Diversified offering of investments. The % of assets on all of the plans do go down if the plan assets continue to increase.
- \*\* Empower will reduce the current charge to the town by \$500 and reduction in % of the assets by \$500.
- \*\*\* T.Rowe would decrease the % of assets, but would increase the town obligation.
- \*\*\*\* Empower is the only plan that is bundled meaning they will assist in all of the TPA work and recordkeeping. This should reduce time and help with administration.



Shane Squibb, CFP  
 719-572-0071 ext 242  
[Shane@modernfinancialco.com](mailto:Shane@modernfinancialco.com)  
 Modernfinancialco.com

AGENDA SUMMARY FORM

	Ordinance 2020-09 Creation of Water Advisory Committee
---	--

Summary:  
 Second read and discussion of the water advisory committee structure and duties.

Notes:

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

**ORDINANCE NO. 2020-09**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF  
PAONIA, COLORADO, 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.

**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 (5) members; one (1) membership shall be filled by a current member 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 (1) nor more than three (3) memberships shall be members of the public.

2. It is the preference of the Board of Trustees that, of those members of the public encompassing Committee membership, one (1) shall be an in-Town water user, one (1) an out-of-Town water user, and one (1) an authorized representative of a local water company.

3. Appointment to membership shall be by the Board of Trustees for a term of three (3) years. 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.

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**

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.

**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 25<sup>th</sup> 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 \_\_\_\_\_, 2020.**

**TOWN OF PAONIA**

By: \_\_\_\_\_  
MARY BACHRAN, Mayor

ATTEST:

\_\_\_\_\_  
J. CORINNE FERGUSON, Town Clerk

6.

AGENDA SUMMARY FORM

	Western Slope Conservation Center – Draft Letter Regarding Sunset Roadless Area
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**Summary:**  
 Presentation and discussion of Sunset Roadless Area continued development.

**Notes:**

**Possible Motions:**

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

**TOWN OF PAONIA REQUEST TO BE  
PLACED ON AGENDA** PO Box 460 Paonia,  
CO 81428 970/527-4101  
paonia@townofpaonia.com

Here are things you need to know:

- You must contact the Town Administrator or Town Clerk prior to coming to the Board. Quite often the issue can be resolved by staff action.
- No charges or complaints against *individual* employees should be made. Such charges or complaints should be sent to the employee's Department Head in writing with your signature.
- Remarks that discriminate against anyone or adversely reflect upon the race, color, ancestry, religious creed, national origin, political affiliation, disability, sex, or marital status of any person are *out of order* and may end the speaker's privilege to address the Board.
- Defamatory, abusive remarks or profanity are *out of order* and will not be tolerated.

Please complete the following information and return this form no later than the Monday, a week prior to the Board meeting to the above address or bring it to the Town Hall at 214 Grand Avenue. Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m. Regular Board meetings are scheduled for the second and fourth Tuesdays of each month.

Name of person making presentation: Ben Katz

Organization, if speaking on behalf of a group: Western Slope Conservation Center

Is this a request for Board action? **Yes** No

Please provide a summary of your comments: In June, Mountain Coal Company (MCC) bulldozed a road in the Sunset Roadless Area, a few miles from Paonia and in the North Fork watershed headwaters, against the ruling of a federal court. This led the State of Colorado to issue a cessation order against further construction activities in the roadless area. Currently, MCC is petitioning the state of Colorado to lift or modify it's stop work order in order for the mine to conduct additional construction activities such as building drill pads and mine-vent drilling, which would contradict the federal court's ruling. We are asking the Town of Paonia to submit a letter to the state to ask them to keep the stop work order in place until MCC complies with legally mandated orders and the Colorado Roadless Rule.

What staff member have you spoken to about this? Please summarize your discussion: Mayor Mary Bachran and Corinne Ferguson have both been briefed on the issue. Mayor Mary suggested the letter should be put on Tuesday's

council agenda.

Contact information:

Name: Ben Katz

Physical Address: 204 Poplar Ave, Paonia CO 81428

Mailing Address: PO Box 1612, Paonia CO 81428

E-mail: [ben@theconservationcenter.org](mailto:ben@theconservationcenter.org)

Daytime Phone: 203-521-5134

WESTERN SLOPE  
CONSERVATION  
CENTER 

September 8th, 2020

Town of Paonia Board of Trustees  
PO Box 460  
214 Grand Ave  
Paonia, CO 81428

RE: Response to Mountain Coal Company's Request to Partially Lift Cessation Order Regarding the West Elk Mine

Dear Trustees for the Town of Paonia,

The Western Slope Conservation Center is a 600+ member organization that builds an active and aware community to protect and enhance the lands, air, water, and wildlife of the Lower Gunnison Watershed. The Conservation Center has a 40+ year history of working to ensure our public lands are well-managed with the highest level of protection they deserve. Thank you for the opportunity to address the town on concerns related to Mountain Coal Company's illegally bulldozed road in the Sunset Roadless Area and continued efforts to diminish the North Fork Valley's public lands, wildlife habitats, and heritage for future generations.

In June, after a federal court issued a decision invalidating the North Fork exception to the Colorado Roadless Rule, Mountain Coal Company bulldozed a road within the Sunset Roadless Area in violation of the court order. That action led the State of Colorado to issue a cessation order to the mine, prohibiting further construction activities in the roadless area. MCC is now requesting the state to lift its cessation order to allow them to continue to build well-pads and other infrastructure. MCC should not be able to profit from its wrongful acts by being allowed to construct further facilities from its illegally-built road. WSCC fully expects the mine to operate in compliance with the law, ensure transparency and open channels of communication with our community, and protect our public lands and climate for future generations.

For years, the coal mines have invested in our communities. They have supported generations of families who built the homes and streets and irrigation canals that have made our valley so productive. For more than a century, coal and agriculture have gone hand-in-hand. Farmers mined coal, and coal miners farmed.

Together, the Western Slope Conservation Center, local coal mines, and community residents formed good neighbor partnerships that not only mitigated impacts but directly supported conservation of the North Fork Valley. Offering just one example, over the last 15 years, the Western Slope Conservation Center and the West Elk Mine have worked together to put over 11,000 acres of private land into conservation easements, conserving our agricultural heritage forever.

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However, this recent act by MCC to illegally bulldoze a road, and then continue to attempt to clear prized roadless forests without clear legal authority or any public participation, demonstrates a lack of MCC's good neighbor partnerships. WSCC is asking the Town of Paonia to submit a letter to the state of Colorado Division of Reclamation, Mining and Safety to maintain the cessation order on behalf of the Town's residents interests. MCC had long been a good neighbor of WSCCs, but the company no longer seems to have our community's long-term interests in mind.

Within the attached items, you will find WSCC's own letter to the Colorado Division of Reclamation, Mining and Safety, as well as the Colorado Department of Natural Resources press release, a Colorado Sun article detailing the issue, and a draft letter to be signed by the Town of Paonia's Board of Trustees and Mayor.

Thank you for your time and commitment to our community.

Sincerely,



Ben Katz  
Public Lands Program Director  
Western Slope Conservation Center



# COLORADO

## Department of Natural Resources

[Home \(/\)](#) > [Latest News \(/category/press-release\)](#)

> [State Takes Action Against West Elk Mine Expansion into Protected Colorado Roadless Area](#)

# State Takes Action Against West Elk Mine Expansion into Protected Colorado Roadless Area

The Colorado Division of Reclamation and Mine Safety (DRMS) issued a cessation order to Mountain Coal Company, a subsidiary of Missouri-based Arch Coal and operator of the West Elk Mine in the North Fork Valley near Paonia, to prevent further road construction or tree removal within the protected Sunset Colorado Roadless Area (CRA). The 2012 Colorado Roadless Rule, one of two state rules adopted by the U.S. Forest Service in lieu of the 2001 federal roadless rule, limits road-building and other activities within undeveloped roadless areas.

The cessation order was issued following the construction of a new road in the Sunset CRA by Mountain Coal Company earlier this month. Mining activities have been allowed in the Sunset CRA in the past as a result of the “North Fork Exception” to the Colorado Roadless Rule.

However, in March, the Tenth Circuit Court of Appeals ruled that the Forest Service had not followed procedures required by the National Environmental Protection Act when it reinstated the exception in a 2016 land use plan, and ordered the exception be vacated by the District Court of Colorado. On Monday, the District Court issued an order formally vacating the North Fork Exception.

With the North Fork exception to the Colorado Roadless Rule vacated this week, the company must comply with the provisions of the Colorado Roadless Rule which precludes road building, other construction, and most surface disturbance. As a result, DRMS issued an order for the company to cease road building and other associated activities in the Sunset CRA. DRMS’ order does not prohibit the company from continuing its current operations below the surface at the mine.

[A link to the cessation order can be found here. \(https://drive.google.com/file/d/1JqF00m2IQ6A-mwCF2WvZuijiWUcOuOI/view\)](https://drive.google.com/file/d/1JqF00m2IQ6A-mwCF2WvZuijiWUcOuOI/view)

## Recent

7.



Mountain Coal Co. this month bulldozed a new road -- seen in the center of the photograph -- into the Sunset Roadless Area of the Gunnison National Forest, despite a federal appeals court ruling in March that overturned an exception allowing coal mine development in the roadless area. (Provided by Earthjustice)

**ENERGY**

# A federal court ruled a coal company couldn't build a road on public land near Paonia. The company did it anyway.

The 10th U.S. Circuit Court of Appeals in early March eliminated an exception that allowed a coal mine expansion in the Sunset Roadless Area

JUN 15, 2020 7:54PM MDT



Jason Blevins

7. Mountain Coal Company has bulldozed about a mile of new road into the Gunnison National Forest’s Sunset Roadless Area barely two months after a federal court ruling that banned the mining company from building new roads or methane-venting drill sites in the protected forest near Paonia.

A flurry of legal filings by conservation groups last week led to a Monday ruling by Colorado’s U.S. District Court in Denver vacating a Forest Service exception that carved out portions of the North Fork Valley where Colorado’s roadless area protections could not hinder expanded coal mining.

Monday’s ruling came as the courts recovered from the pandemic shutdown. Conservation groups suspect the mining company took advantage of the nearly two-month delay in court activity to build a road before the lower court could enforce an appeals court decision from March.



The Forest Service came up with the North Fork exception as Arch Resources — the nation’s second largest coal company, previously known as Arch Coal — pushed to expand its Mountain Coal operation into about 1,700 acres of the 5,800-acre Sunset Roadless Area in the Gunnison National Forest. The company’s push to lease the federal land began in 2010 with a plan to extract about 17 million tons of coal with an expansion of its West Elk Mine in Somerset. The expansion proposal included the need to build about six miles of roads to drill about 50 vents for methane from the expanded mine.

The Forest Service crafted an exemption to the state’s 2012 roadless rules to allow the mine expansion into the Sunset Roadless Area, sparking several years of lawsuits, appeals and environmental review as conservation groups battled the North Fork Exception to the state’s roadless protections. Even

7.

When the [Interior Department issued a moratorium on its coal-leasing program](#) in early 2016, the decision included an exemption for Arch Coal’s expansion of mining in the North Fork Valley.

[Read more energy coverage from The Colorado Sun.](#)

The conservation groups — including the Center for Biological Diversity, Wilderness Workshop, High Country Conservation Advocates and led by attorneys from Earthjustice — sued to stop the mine expansion in 2017. U.S. District Court judge rejected their arguments. But in March, the 10th U.S. Circuit Court of Appeals in Denver overturned that decision, arguing the Forest Service’s review of the mine expansion proposal “[failed to provide a logically coherent explanation](#)” for eliminating less harmful alternatives to expanding coal mining in roadless areas of the Gunnison National Forest.

The appeals court vacated the U.S. District Court’s decision that greenlighted the mine expansion and ordered the lower court to eliminate the North Fork Exception. It required the Forest Service to restart the review of the expanded mine plan.

But the U.S. District Court was not moving swiftly in March and there was no order vacating the ruling or overturning the exception in April or May. Earthjustice attorney Robin Cooley suspects Mountain Coal saw an opportunity in the pandemic shutdown to violate the order before it became official.



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7. I can't speak to their motivation, but I can definitely say that it isn't surprising to me that the District Court was taking some time given that the courts have been closed down by the COVID crisis so for Mountain Coal to use that to their advantage is pretty unacceptable," said Robin Cooley, the Earthjustice attorney who argued the case before the U.S. Court of Appeals and who filed a motion last week asking the District Court to record the appeals court decision.

In filings with the Court of Appeals, Arch Coal argued that if the North Fork Exception was eliminated, its Mountain Coal Co. would not be able to build roads needed for an expanded mine.

"Mountain Coal said what would happen if the court vacated the North Fork Exception," Cooley said. "And the court vacated the exception and they built their road anyway."

The appeals court decision was a big win for environmental groups that had spent more than 10 years battling coal mining in the North Fork Valley's roadless areas. Especially after the Bureau of Land Management in April approved a Resource Management Plan that [expanded oil and gas development in the North Fork Valley](#) despite years of work by valley residents and conservation groups to limit the acreage available for energy development.

The North Fork Valley has emerged as a battleground for the Trump Administration's "energy dominance" agenda, where a long tradition of energy development is fading as tourism and agriculture grow. President Donald Trump campaigned on promises to support coal, but the industry is in decline, with [mines closing](#), [jobs disappearing](#) and [renewable energy surging](#). Cooley suspects the Trump Administration may be pushing federal agencies to better support the coal industry.

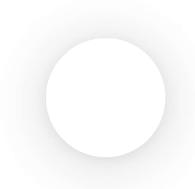
"It's hard for me to believe the Forest Service did not know about this," Cooley said. "But I think it's consistent with the agenda for the Forest

7. service to turn a blind eye when a company goes out and does something so brazen.”



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- [When the Union soldier fell at the Colorado Capitol, it may have started a chain reaction](#)
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- [Mayhem continues at Granby Ranch as new owner takes over Grand County ski and golf community](#)

WESTERN SLOPE  
CONSERVATION  
CENTER 

September 2, 2020

Ginny Brannon, Director  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman St., Rm. 215  
Denver, CO 80203  
Ginny.brannon@state.co.us

Re: Response to Mountain Coal Company's Request to Partially Lift Cessation Order  
CO-2020-001 Regarding the West Elk Mine

Dear Ms. Brannon:

The Western Slope Conservation Center (WSCC) respectfully requests that the Colorado Division of Reclamation, Mining and Safety (DRMS) not modify or lift Cessation Order CO-2020-001 which is currently in place for the West Elk Mine. WSCC is a Paonia-based membership organization that works to protect and enhance the lands, air, water and wildlife of the Lower Gunnison Watershed. We have 600+ members who mostly reside in the North Fork Valley.

We support DRMS's decision to issue the Cessation Order in response to Mountain Coal Company (MCC) unlawfully constructing a new road into the Sunset Roadless Area. MCC's proposed activities are not permitted under the Tenth Circuit Court of Appeals' decision ordering vacatur of the North Fork exception and the District Court's formal order vacating the exception; therefore, the Cessation Order must remain in place. The Tenth Circuit's mandate that was issued April 24, 2020 removed any lawful basis for MCC to construct roads, drill pads, or undertake any other activities using the illegal road. MCC's rush to bulldoze, during a pandemic, before the District Court formalized the Tenth Circuit's order and MCC's attempt to manufacture a grey-area for its illegal bulldozing is disingenuous behavior that DRMS should not reward.

Coal mining and its well-paying jobs have been a cornerstone of our local economy in the North Fork Valley, and WSCC has historically maintained a good relationship with the management of the West Elk Mine. However, we are outraged by MCC's actions this summer to construct a new road and drill pads in the Sunset Roadless Area in violation of the Colorado Roadless Rule and without first informing our local community. MCC's illegal and destructive road bulldozing in June led to multiple peaceful protests held by local North Fork Valley residents. WSCC and many people in

our community are opposed to additional mining activities in the absence of clear legal authority and a new public engagement process. MCC's failure to comply with the federal Clean Water Act and Colorado Water Quality Control Act by bulldozing in roadless forest without first obtaining required stormwater discharge permits and complying with effluent limit guidelines shows more disregard for the law and the local community.

Our economy is necessarily transitioning away from coal mining, and we want to ensure that permanent damage to our remaining wildlands does not result from additional mining activities that we know cannot and will not sustain the industry into the future. We have seen economic transition already in Delta County as communities move away from fossil fuel economic dependence to more diversified economies that include family-owned farms and ranches, recreation, tourism, technology, renewable energy, the arts and healthcare. We want to ensure this diversifying economy thrives, which means ensuring a healthy environment and natural amenities for residents and tourists alike.

MCC had long been a good neighbor of ours, but the company no longer seems to have our community's long-term interests in mind. WSCC fully expects the mine to operate in compliance with the law, ensure transparency and open channels of communication with our community, and protect our public lands and climate for future generations. For those reasons we strongly urge you to maintain the Cessation Order in the interest of our local community.

Thank you for considering this letter.

Sincerely yours,



Scott Braden  
Interim Executive Director  
Western Slope Conservation Center  
204 Poplar Ave.  
Paonia, CO 81428

CC: Senator Michael Bennet  
Dan Gibbs, Executive Director, Colorado Department of Natural Resources

September XX, 2020

Ginny Brannon  
Director  
Colorado Division of Reclamation, Mining and Safety  
1313 Sherman St., Rm. 215  
Denver, CO 80203  
Ginny.brannon@state.co.us

Re: Response to Mountain Coal Company's Request to Partially Lift Cessation Order CO-2020-001 Regarding the West Elk Mine

Dear Ms. Brannon:

The Town of Paonia respectfully wishes to comment on behalf of our residents' interests on Mountain Coal Company's request to either modify or lift Cessation Order CO-2020-01.

We recognize that coal mining has played an important role in our community for decades, and the local mines have been a cornerstone of our economy. Our Town and residents have maintained a good relationship with the West Elk Mine and value the jobs and economic benefits the mine provides.

However, recent events at the mine, such as Mountain Coal Company's (MCC's) unlawful decision to bulldoze a new road into the Sunset Roadless Area, threaten our environment and public lands cherished by many of our constituents. Because the North Fork coal mining exception was struck down in court, we urge the State to hold the line against additional activities (such as additional road-building, pad construction or vent drilling) that would further impair the Sunset Roadless Area. MCC should not be able to profit from its wrongful acts by being allowed to construct further facilities from its illegally-built road.

We also understand that the MCC may not be in compliance with State of Colorado and federal permitting requirements for stormwater and effluent limitation guidelines, as the Clean Water Act requires, for its recently bulldozed road. We note that the Division of Reclamation, Mining and Safety Rules and Regulations provide that discharges from coal mining operations shall be made in compliance with the State and Federal Clean Water Acts. Regulations of the Colorado Mined Land Reclamation Board for Coal Mining, Rule 4 Performance Standards 4.05.2(7), and so continued construction in the area of the new construction may violate your Division's rules. Protecting our Town from runoff pollution is important, and so we would hope that the State

would also require MCC to obtain any necessary permits in this regard before any further construction in the area takes place.

We hope that the State will consider these important issues before it lifts or modifies the Order.



Dear Planning Commission members and Commissioners Roeber, Suppes and Lane:

The Town of Paonia has recently been provided an overview of the proposed Delta County Land Use Code. In response to that presentation and in reviewing the third draft of the Code, we respectively offer the following comments:

**Control of the areas surrounding the Town of Paonia limits**

Under the current Intergovernmental Agreement (IGA) with Delta County, Paonia has the right to decide land use in the area to which we supply water. This consists of about a three mile radius of the Town and abuts the Town borders. The draft Land Use Plan eliminates most of this area from our primary decision making and instead allows any of the permitted or “allowed by right” activities to be administratively approved without consultation with the Town nor with public input. These include zones that allow intensive agriculture (factory farming, CAFOs), medium industry, and heavy industry. These uses, even with 1,000 foot setbacks, are not compatible with the developing culture and economy of the Town and will harm the Town and its citizens’ right to earn a living.

The North Fork Valley is home to a high concentration of organic agriculture, farm-to-table producers, award-winning Colorado wineries, and growing agri-tourism. Many of these are within a three mile radius of the Town of Paonia, and many residents of our town rely on these nearby businesses for jobs, for locally produced goods, and for bringing people into the valley who then support other businesses in town. Taking away the Town’s ability to regulate activities adjacent to the Town’s borders violates previous agreements.

While a portion of these lands are primarily used for agriculture, and may never be developed beyond those uses, there exist significant residential areas within those lands which are more urban than agricultural. Designating them as A5 is not appropriate to the kind of living situation currently in place and opens the door to enhanced agricultural activity that could harm the people living in those areas. The same is true in many of the areas designated A20. Further, classifying anything as A35 within a stone’s throw of the Town borders is not reasonable. Sanctioning activities in these areas which, according to the rubric, are allowed by right or permit with only administrative review, is likely to harm the health, safety and welfare of people living in these areas without giving the residents any recourse to prevent that harm. These kinds of actions do not serve the people living adjacent to the Town nor the Town itself.

We ask for one of two possible solutions to this issue:

1. The area encompassing the land included in the Growth Management Agreement dated January 14, 2003 be zoned as an Urban Growth Area.

Or,

2. That a new Growth Management Agreement be signed by the Town and Delta County which cedes land use decision making of the area in question must obtain the approval of the Town of

Paonia, and that this agreement be completed prior to the finalization of the new Land Use Code.

### **Prohibition of any marijuana uses**

The ban on marijuana uses in any zone is not in the best interest of the long term growth and financial prosperity of the county.

Cannabis is legal in the State of Colorado. It is a highly lucrative form of agriculture and far less intrusive and harmful than confined animal feeding operations. It conforms to the County vision of itself as an agricultural center and can further this perception beyond just the confines of the County borders. It can bring in much needed income into the County as well. In short, this ban demonizes a legitimate form of agriculture.

The Town of Paonia and Cedaredge both have marijuana issues on the ballot for this November. If the voters agree to these shops, limiting the ability of local farmers to grow products for these shops reduces the economic viability of the County. It also curtails the ability of shops to provide to potential customers with a line of locally grown and possibly organic “boutique” versions of cannabis products. It disallows businesses that could create custom edibles and other kinds of wares which could help spur small business and bring much needed money into the hands of the citizens and the tax coffers of the County. This ban could also harm the financial viability of such shops by eliminating the special products which could help the towns effectively compete with other shops in nearby counties.

In the end, this ban is short sighted and blind to the realities of the marijuana trade in the State. We should be capitalizing on it, increasing tourism because of it, and putting much needed dollars into the pockets of farmers and craftspeople instead.

### **Right to Farm**

Colorado’s Right to Farm statute provides protections to existing agricultural operations and agricultural lands and also protects changes in the type of agricultural product and changes in ownership. These protections, however, are limited to agricultural operations that were established prior to the commencement of the use of the area surrounding such agricultural operation for nonagricultural activities.

Expanding the right to farm protections to include uses in the agriculture land use category regardless of when they are established prevents existing residents’ right to protest agricultural impacts on established land uses no matter the harms they may inflict. This directly contravenes Chapter 1, Section 2B of the Land Use Plan that states: “The right to develop...does not include the right to physically damage or adversely impact neighboring landowners.” As stated above, it will allow activities by right or permit which can harm the existing residential properties adjacent to it. It also tilts the table in favor of agriculture above all other uses, which is detrimental to the economic diversity, health and vitality of the county.

The Right to Farm section should conform with the State's comprehensive laws, not undermine them.

We appreciate the opportunity to comment on the proposed plan and look forward to further revisions based on community input.

Thank you,

AGENDA SUMMARY FORM

	Paonia Bulk Water System Upgrade
---	----------------------------------

**Summary:**  
 The current bulk water fill station – which is no longer supported by the manufacturer, nor can we provide cards to new users – continues to have electrical issues.

**Notes:**

Public Works Director Loberg investigated several options to update the bulk water system, including the relocation and complete re-build if the current system. While several estimates were solicited, only two were received. One for upgrades at the current location and one for a new system. Included in the packet is the estimate – confirmed to still be accurate – for upgrading the current system. The item is within the budgeted amount in the approved 2020 budget and can be completed quickly upon execution of the estimate.

**Possible Motions:**

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

W-9  
Tax Exempt Form



### PRICE QUOTATION

**Flowpoint Environmental Systems Inc.**

191 University Blvd #467  
Denver, CO 80206-4613  
USA

Phone: (877) 655-5585 Fax: (888) 655-5588

Email: *Sales@flowpointsystems.com*

Quotation Number: 0320-S-0055  
Quotation Date: 2020-02-12  
**Expiration Date: 2020-04-12**  
Ship Via: INCLUDED  
FOB: FOB FACTORY  
Sales Person: JAY HILDRETH  
Terms: NET 30 DAYS

**To: TOWN OF PAONIA**

PO BOX 460  
214 GRAND AVENUE  
PAONIA, CO 81428  
Attn:TRAVIS

*Quote is still good called Per  
9/3/2020  
Jay Hildreth*

Line	Description	Quantity	Rate	Extended
1	ACCESS TERMINAL-SURFACE MOUNT 21" WIDE X 31" TALL X 16" DEEP NEMA 3R POWDERCOATED ALUMINUM INCLUDES ALLEN BRADLEY PLC AND FLOWPOINT STAINLESS STEEL KEYPAD INSULATED AND HEATED SURFACE WALL MOUNT	1.00	-	-
2	UBIQUITI RADIO KIT	1.00	-	-
3	WW-2"-910E0-03-G53-G-C-A5-EB-5AC-NN-N	1.00	-	-
4	FREIGHT-US	1.00	-	-
5	4 HOUR REMOTE STARTUP	1.00	-	-
<b>ALL PRICES ARE IN US DOLLARS</b>			<b>Quotation Total:</b>	<b>\$19,075.02</b>

**This is a quotation on the goods named, and is subject to the following conditions:**

- Taxes are not included.
- Installation is by others. Owner is responsible for all utility service connections including water service to and from station. Owner is responsible for offloading and / or storing the station until it is installed.
- All Shop Drawing Submittals and O&M Manuals are in Electronic Form (PDF) only. Hard copies, binding, and printing costs are by others
- Payment Terms: 20% on approval of shop drawings, 80% on delivery of goods.
- FOB Factory means the Owner is responsible for the station during freight (including, but not limited to any damage to unit during freight).
- Start Up services require: 1. Minimum 3 weeks notice to book 2. Completion of Start-up readiness checklist.

**In lieu of a formal purchase order commitment, to accept this quotation as your purchase order please sign below.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Position

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



**Flowpoint Environmental Systems Inc.**

191 University Blvd #467  
Denver, CO 80206-4613  
USA

Phone: (877) 655-5585 Fax: (888) 655-5588

Email:

## PRICE QUOTATION

Quotation Number:	0320-S-0055
Quotation Date:	2020-02-12
<b>Expiration Date:</b>	<b>2020-04-12</b>
Ship Via:	INCLUDED
FOB:	FOB FACTORY
Sales Person:	JAY HILDRETH
Terms	NET 30 DAYS

**Flowpoint One Year Manufacturer's Warranty (Included):**

Flowpoint Environmental Systems (Manufacturer) warranty is as follows, and extends ONLY to the original purchaser of the equipment and is limited to the purchase price of each part. Manufacturer warrant products against defects in materials or workmanship as follows:

**LABOR:** For a period of 1 (one) year from the date of commission (start up), if Manufacturer determines that the equipment is defective subject to the limitations of this warranty, Manufacturer will replace or repair it at no charge for labor. Manufacturer warrants any such work done against defects in materials or workmanship for the remaining portion of the original warranty period.

**PARTS:** For a period of 1 (one) year from the date of commission (start up), Manufacturer will supply, at no charge, new or rebuilt replacement parts in exchange for parts that the Manufacturer determines are defective subject to the limitations of this warranty. Manufacturer warrants any such replacement parts against defects in materials or workmanship for the remaining portion of the original warranty period.

This warranty "does not cover" installation of the system or damages incurred during shipping.  
This warranty "does not cover" consumer instruction, physical set up or adjustment of any electronic equipment, communication / signal reception problems, loss of use of the equipment, or unused programming charges due to equipment malfunction.  
This warranty "does not cover" cosmetic damage, damage due to lightning, electrical surges, fire, flood, or other acts of God, accident, misuse, abuse, vandalism, repair or alteration by other than factory service, negligence, or improper or neglected maintenance.  
This warranty "does not cover" equipment sold AS IS, REFURBISHED, or WITH ALL FAULTS, auction sales, equipment removal or reinstallation, nor equipment purchased, serviced, or operated by other dealers.

AGENDA SUMMARY FORM

	Waiving of Late Fees and Disconnections
---	---

**Summary:**  
 Board discussion and direction regarding the continued waiving of late fees and disconnection of services for non-pay.

**Notes:**

A PDF spreadsheet showing the current delinquent status of accounts are included in the packet. My recommendation to the Board is as follows:

- Continue to allow for the waiving of late fees for the month of September – to give staff time to begin advising our community that fees will resume in October.
- Permit staff to discuss delinquent accounts with accountholder that will require a payment plan to get the accounts current – using the number of months delinquent as the allotted time to recover the account. **EXAMPLE:** average bill of \$100. 4 months behind = \$400 due. The person would be expected to pay the current months bill plus extra towards delinquent balance and be current in five months.
- Proceed with lien process on delinquent accounts that are held by the property owner – should they not fulfill an agreement as defined above.
- Advise property owners who rent they have the option – in writing – to advise the Town they no longer want the Town to allow the delinquency to continue – as the property owner ultimately is responsible for delinquencies.

**Possible Motions:**

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

	B	D	E	F	G	H	I	J	K	L	M	N
1												
2												
3		TO DATE                      AUGUST        JULY        JUNE        MAY        APRIL        MARCH        FEBRUARY										
4												
5		Is Landlord	Balance	9/30/2020	30 days	60 days	90 days	120 days	150 day:	180 days	210 days	
6		Yes	108.48	0	0	15	93.48	0	0	0	0	
7		Yes	103.34	72.79	30.55	0	0	0	0	0	0	
8		Yes	204.54	0	91.3	91.17	22.07	0	0	0	0	
9		Yes	250.55	0	105.5	99.51	45.54	0	0	0	0	
10		Yes	57	0	57	0	0	0	0	0	0	
11		Yes	559.06	0	200.16	202	156.9	0	0	0	0	
14		Yes	360.36	0	84.09	50.65	45.13	42.91	47.02	40.8	49.76	
15		No	221.7	0	115.7	106	0	0	0	0	0	
16		No	178.02	0	103.02	75	0	0	0	0	0	
17		No	184.8	0	93.8	91	0	0	0	0	0	
18		No	624.28	0	89.47	89.56	90.61	88.44	91.71	90.07	84.42	
20		No	192.99	0	98.63	94.36	0.01	0	0	0	0	
21		No	351.41	0	150.82	200.59	0	0	0	0	0	
22		No	567.24	0	76.84	87.19	71.6	66	67.17	64.58	133.86	
23		No	760.98	0	103.36	118.82	106.09	95.55	93.38	93.31	150.47	
24		No	143.55	0	102.46	41.09	0	0	0	0	0	
25		No	189.72	0	94.3	95.42	0	0	0	0	0	
26		No	218.48	0	99.82	112.01	6.65	0	0	0	0	
27		No	199.81	0	101.83	97.98	0	0	0	0	0	
28		No	300.9	0	95.19	94.58	104.07	7.06	0	0	0	
29		No	178.91	0	72.13	106.78	0	0	0	0	0	
31		No	521.96	0	126.8	123.85	138.24	133.07	0	0	0	
32		No	326.75	0	92.02	91	82.73	61	0	0	0	
33		No	287.71	0	98.45	107.71	81.55	0	0	0	0	
34		No	427.32	0	121.32	121.46	121.26	63.28	0	0	0	
35		No	190.04	0	94.34	95.7	0	0	0	0	0	
36		No	348.77	0	92.83	94.46	91.78	69.7	0	0	0	
37		No	213.86	0	0	0	0	0	120.77	93.09	0	
38		No	534.14	01-	182.5	147.49	152.64	51.52	0	0	0	
39		No	197.5	0	0	101.45	96.05	0	0	0	0	
40		No	127.61	0	92.61	35	0	0	0	0	0	
41		No	208.52	0	104.62	103.9	0	0	0	0	0	
42		No	660.82	0	188.75	137.39	180.87	153.81	0	0	0	
43		No	203.3	0	101.73	101.57	0	0	0	0	0	
44		No	187.88	0	96.64	91.24	0	0	0	0	0	
45		No	281.11	0	93.73	94.23	93.15	0	0	0	0	
46		No	152	0	63	63	26	0	0	0	0	
47		No	344.07	0	105.52	104.56	112.72	21.27	0	0	0	
48		No	917.1	0	91	91	91	91	91	91	371.1	
49		No	184	0	91	91	2	0	0	0	0	
50		No	182	0	91	91	0	0	0	0	0	
51		No	396.35	0	98.82	99.19	99.37	98.97	0	0	0	
52		No	287.92	0	100.35	92.62	93.11	1.84	0	0	0	
53		No	326.36	0	114.53	120.73	91.1	0	0	0	0	
54		No	179.13	0	93.98	85.15	0	0	0	0	0	
55		No	281	0	63	63	63	63	29	0	0	
56		No	180.98	0	89.82	91.16	0	0	0	0	0	
57		No	390.24	0	160.92	160.86	68.46	0	0	0	0	
58		No	482.89	0	162.53	163.68	156.68	0	0	0	0	
59		No	205.04	0	102.23	102.4	0.41	0	0	0	0	
60		No	236.44	0	118.19	118.25	0	0	0	0	0	
61		No	69.04	0	29.04	40	0	0	0	0	0	
62		No	94	0	42.1	51.75	0.15	0	0	0	0	
63		No	171	0	57	57	57	0	0	0	0	
64		Grand Totals:	16000.84	193.89	5126.34	5034.4	2735.3	1108.42	540.05	472.85	789.61	
65			16,114.21	193.89	5,126.34	5,034.40	2,841.16	1,115.93	540.06	476.64	789.6	
66			Sep-19		5,431.82	651.25	429.9	0	0	0	0	

AGENDA SUMMARY FORM

	Paonia Streetlight Review Checklist Procedures
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Summary:  
Board discussion and review of streetlight evaluation checklist.

Notes:

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

Review & Decision-Making Checklist - Street Lights

Factor	Yes	No	Comments
A. Does lack of illumination at this site pose an ADA issue?			Light stays on, modifications possible see "Options/Recommendations"
B. Is there a documented history of public safety issues at this site, crime, accidents? Is there another unique safety issue with turning this light off?			Light stays on, modifications possible, review Public Safety records, see "Options/Recommendations"
C. Is the light on a designated "route to school?"			Light stays on, modifications possible see "Options/Recommendations"
D. Is the light in a high volume corridor (business district)?			Light stays on, modifications possible see "Options/Recommendations"
E. Are unique visual barriers present to driver's visibility?			Light stays on, modifications possible see "Options/Recommendations"
Would it be helpful to also designate "Dark Sky" routes?			
Are more than 2/3 of those impacted by the light in favor of removal?			If factors A-E not an issue, light is turned off
Can this light be temporarily turned off as a pilot for one calendar year? If so, date of review for status _____			
Has this light been through a vetting process to turn it off?			
Can this light be replaced by pedestrian lighting or mitigate by using "options/recommendations?"			
OPTIONS/RECOMMENDATIONS: First, determine what needs to be lit. Then consider: leave light on, review in one year; turn light off review in one year; remove light place in inventory; dim the light; replace light with pedestrian lighting; change shielding on light; mail-in or on-line survey of those impacted;			
DECISION-MAKING PROCESS: Review This Streetlight Review Checklist input from Public Works Director, Police Chief, Dark Sky Paonia Trustee Representative, and Town Administrator. If majority consensus is reached the decision stands, if not, it goes to full Board for a decision.			

AGENDA SUMMARY FORM

	Town Administrator 3-Month Evaluation
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Summary:

Notes:

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

AGENDA SUMMARY FORM

	<p>Regular Minutes: 08/11/2020</p>
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Summary:

Notes:

Possible Motions:  
Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran

**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**August 11, 2020**

**RECORD OF PROCEEDINGS**

The Regular Board Meeting held Tuesday via Zoom, August 11, 2020, was called to order at 6:33 PM by Mayor Mary Bachran, followed by the Pledge of Allegiance.

**Roll Call**

PRESENT  
Mayor Bachran  
Trustee William Bear  
Trustee Budinger  
Trustee Dave Knutson  
Trustee Michelle Pattison  
Trustee Mick Johnson  
Trustee Tamie Meck

**Approval of Agenda**

Agenda Approval  
Motion made by Trustee Knutson, Seconded by Trustee Meck, and unanimously carried to approve the agenda as presented. Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

**Announcements**

Shop Safe Shop Local Salute  
Carried forward to next in-person meeting.

Announcements  
None.

**Recognition of Visitors & Guests**

## 5. Visitors & Guests

Tree Board Chair, Paula Martin

Dark Skies Update, Aaron Watson

Tree Board Chair, Paula Martin updated the board on the following:

- Arbor Day tree planting was a success
- Sick tree day was a success
- (2) Two trees will be planted in the fall at the Paonia Elementary School as a welcome back for the kids.

Board & Public comments:

- Discussion ensued by the community regarding a proposal to replace in Town sidewalks without taking trees out.
- Roger Baril suggested using “Robodonnell” for replacing sidewalks.
- A community member noted concern regarding the cost of pruning and removing trees.
- A community member noted concern with the loss of shade to homes from the removal of trees.

Dark Skies:

- Aaron Watson updated the Board on the new streetlights.
- (IDA) International Dark-Sky Association approved the streetlights.
- 2700 Kelvin are the new installed lights.

Compliments and Complaints regarding the new lights:

- A petition was signed by homeowners at the top of Pan American requesting to have the streetlight at the corner turned off.
- The 2nd and Clark neighborhood spoke out against a streetlight being bright on the corner of their street.
- Aaron Watson suggested that if the lights have been off for several years then they should remain off and for areas where complaints of bright streetlights he recommended to place a dimmer on the lights at an extra cost to the Town.
- Aaron Watson suggested the Town contact the shield company regarding the complaints with the shields.
- Three community members were not in favor of the new streetlights and expressed their concerns in regarding the brightness.
- Two community members were in favor of and grateful for all the lights that were replaced in town with the new 2700 kelvin lights.
- Town Administrator Ferguson discussed that in past it was discussed to replace all the lights in Town and stated that the lights will be assessed on a case by case basis in the near future.

**Executive Session**

- 6. Executive Session for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); regarding U.S District Court Civil Action #20-CV-01389-STV - Eric Pace v. Town of Paonia.

Motion made by Trustee Bear, Seconded by Trustee Knutson, and unanimously carried to enter into executive session for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); regarding U.S District Court Civil Action #20-CV-01389-STV - Eric Pace v. Town of Paonia.

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

Entered into executive session: 7:20 pm  
 Returned to open meeting:

Council Member	Attendees	Other	Attendees
Trustee Bear	X	Administrator/Clerk Ferguson	X
Trustee Budinger	X	Town Attorney Nerlin	X
Trustee Johnson	X	Special Attorney Poppe	X
Trustee Knutson	X		
Trustee Meck	X		
Trustee Pattison	X		
Mayor Bachran	X		

- 7. Potential Action Following Executive Session  
None.

**Staff Reports**

- 8. Administrator Report:

- Discussed multiple open projects
- The first Let's Talk series was about the food trucks was a success.
- The Let's Talk series about building will be on August 26th at 4:00 pm.
- The community suggested a Let's talk series about streetlights.
- Community member Roger Baril discussed the proposal of the pilot program for replacing sidewalks, and Administrator Ferguson stated that a plan is in the works.

**Public Work's Report:**

- Main Avenue Culvert bid award on the agenda for tonight's meeting.

- Trustee Bear requested a cost assessment of the third street storm sewer repair.
- Water spill spreadsheet update was requested by Trustee Pattison - Spreadsheet is in the works.

Police Department Report:

- Yard signs for Back the Badge available in the Paonia Police Department.
- August 19th, 2020 first day of school and the Schools Resource Officer (SRO) will be back at the Paonia High, Junior, and Elementary schools.
- The police blotter was in the packet.

9. Let's Talk! Series

- The Let's Talk series about building will be held August 26th at 4:00 pm.
- The community suggested a town streetlighting to be the next Let's talk series.
- Let's Talk series will be held every few months on the last Wednesday at 4:00 pm.

**Disbursements**

10. Treasurer's Report:

- Reviewed payroll and disbursements

11. Disbursements:

Motion made by Trustee Knutson, Seconded by Trustee Budinger, and unanimously carried to approve disbursements as presented. Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

**Regular Business**

12. Paonia Skate Park Update:

- Jay Canode provided update's regarding the Paonia Skate Park.
- Delta County donated \$10,000 towards the Paonia Skate Park project.
- Upcoming grant cycles - The Tony Hawk and El Palmar.
- Jay Canode asked the Town to finalize the contribution amount for the next grant cycle for March 2021.
- Summary of the recommended contributions were in the packet.

Board and Staff discussion points:

- Letter from a concerned citizen regarding the impacts was provided.
- Cost concerns.
- Town-owned optional locations for the Skate Park - consideration of the new location be an in-kind donation. - it is not considered as in-kind because it is a Town-owned property.

Motion made by Trustee Pattison, Seconded by Trustee Johnson and carried with 1 nay, 5 ayes to approve contribution as recommended by staff contingent on the GOCO funding. Voting Yea: Trustee Bear, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck. Voting Nay: Trustee Budinger

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

13. Paonia Tree Board Appointment

- Jeff Thompson is interested in serving on the Tree Board. A statement by the interested candidate was in the packet.

Motion made by Trustee Meck, Seconded by Trustee Knutson and unanimously carried to appoint Jeff Thompson to serve on the Tree Board. Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

14. Delta County General Election Intergovernmental Agreement

- The Delta County General Election Intergovernmental Agreement for the November General Elections was in the packet.

Motion made by Trustee Budinger, Seconded by Trustee Knutson and unanimously carried to approve the Delta County General Election Intergovernmental Agreement as

presented. Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

15. Main Avenue Culvert Bid Award

- Discussion ensued regarding the culvert bid award. Received three bids the staff and public works committee recommended to award Roop Excavating who was the lowest bidder at \$20,200. Bids were in the packet.

Motion made by Trustee Meck, Seconded by Trustee Bear and unanimously carried to award the Main Avenue culvert bid to Roop Excavation in the amount of \$20,200 of 80 feet of culvert pipe. Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

Motion made by Trustee Knutson, Seconded by Trustee Bear, and unanimously carried to extend meeting until 9:35 pm.

Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

16. Ordinance 2020-TBD Creation of Water Advisory Board

- Discussion ensued regarding tabling Ordinance 2020-TBD Creation of Water Advisory Board until the next in person meeting.

Motion made by Trustee Pattison, Seconded by Trustee Knutson and unanimously carried to table Ordinance 2020-TBD Creation of Water Advisory Board until the next in person meeting. Voting Yea: Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck

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

17. Resolution 2020-TBD Marijuana Ballot Language

- Discussion ensued regarding the proposed resolution for the Marijuana ballot language.
- Draft resolution 2020-TBD for the marijuana ballot language was in the packet.
- Town Attorney Nerlin's memorandum regarding the Marijuana ballot language was in the packet.
- Number of questions to have on the ballot - 1 or 2
- Type of Marijuana - retail / medical
- Sunset clause
- Pot for potholes slogan
- A community member suggested a carbon tax

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

Motion made by Trustee Budinger, Seconded by Trustee Pattison and carried with 4 ayes - 2 nays to approve the Town allowing recreational and medical marijuana as a two

question on the ballot with a sunset of 5 years and revenue will go to streets and infrastructure. Voting Yea: Trustee Budinger, Trustee Pattison, Trustee Johnson, Trustee Meck. Voting Nay: Trustee Bear, Trustee Knutson.

### **Consent Agenda**

18. No Items For Approval  
None.

### **Mayor's Report**

19. CDOT Revitalizing Main Street Grant Information  
The Town of Paonia applied for the CDOT Revitalizing Main Street Grant.
20. Mayor's Report  
Board and staff retreat - October 02, 2020, at 4:00 and 5:00 pm

### **Committee Reports**

21. Finance & Personnel  
Tabled.
- Governmental Affairs & Public Safety  
Tabled.
- Trustee Pattison announced the Let's Talk session regarding Building and Building Inspection will be held August 26, 2020 at 4:00 pm.
- Public Works-Utilities-Facilities  
Tabled.
- Space to Create  
Tabled.
- Tree Board  
Tabled.

### **Adjournment**

22. Adjournment  
Mayor Bachran adjourned the meeting at 9:47 pm.

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Amanda Mojarro, Deputy Clerk

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Mary Bachran, Mayor

AGENDA SUMMARY FORM

	Mayor's Report		
Summary:			
Notes:			
Possible Motions: Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran

AGENDA SUMMARY FORM

	Finance & Personnel Governmental Affairs & Public Safety Public Works-Utilities-Facilities Space to Create Tree Board
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Summary:

Notes:

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:

AGENDA SUMMARY FORM

	Adjournment
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Summary:

Notes:

Possible Motions:

Motion by: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_ vote: \_\_\_\_\_

Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran: