



**TOWN OF PAONIA**  
**TUESDAY, MARCH 12, 2019**  
**REGULAR TOWN BOARD MEETING AGENDA**  
**6:30 PM**

**Roll Call**

**Approval of Agenda**

**Announcements**

**Recognition of Visitors & Guests**

**Consent Agenda**

1. Regular Minutes February 12, 2019  
Regular Minutes February 26, 2019  
Western Slope Conservation Center - Special Event - 3/28/19 - Edesia

**Mayor's Report**

**Staff Reports**

Town Administrators Report  
2. Water System Update  
Public Works Report  
Police Department Report  
Town Treasurer Report

**Disbursements**

**Unfinished Business**

3. Personnel Handbook Sections 202 & 209 Amendment – Access to Personnel Files and Medical Information Privacy

**New Business**

4. PUBLIC HEARING: 397 Clark Avenue A – Special Use
5. Revised Preliminary Environmental Assessment for the North Fork Mancos Master Development Plan

**Committee Reports**

Finance & Personnel  
Public Works/Utilities/Facilities  
Governmental Affairs/Public Safety  
Space to Create  
Tree Board

**Executive Session**

6. Town Administrator Review

**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 Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:



# AGENDA SUMMARY FORM



Approval of Agenda

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



## Announcements

Summary:


Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM

	Visitors & Guests		
Summary:			
Notes:			
Possible Motions:			
Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____			
Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



## Consent Agenda

Summary:

Notes:

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**February 12, 2019**

**RECORD OF PROCEEDINGS**

**Roll Call**

**PRESENT**

Mayor Charles Stewart  
Mayor Pro-Tem Chelsea Bookout  
Trustee Mary Bachran  
Trustee William Bear  
Trustee Karen Budinger

**Approval of Agenda**

Motion made by Trustee Bear, Seconded by Trustee Budinger to approve the agenda as presented. Motion carried.

**Announcements**

1. None

**Recognition of Visitors & Guests**

2. None

**Consent Agenda**

3. Minutes – January 22, 2019

4. Special Event License – The Learning Council – March 2, 2019 – Edesia Kitchen

5. Special Event License – Forage Sisters – February 27, 2019 – Edesia Kitchen – This item was removed from consent agenda.

Motion by Trustee Bachran, supported by Trustee Bookout to approve consent agenda as amended. Motion carried unanimously.

Special Event License – Forage Sisters – February 27, 2019 – Edesia Kitchen

Motion by Trustee Bookout supported by Trustee Bachran to approve the special event as an on-premise license. Motion carried unanimously.

**Mayor's Report**

6. None

**Staff Reports**

Town Administrators Report

7. None

Public Works Report

8. None

Police Department Report

9. None

Town Treasurer Report

10. None

**Disbursements**

Motion by Trustee Bookout supported by Trustee Bachran to approve disbursements as presented. Motion carried unanimously.

**Unfinished Business**

12. Ordinance 2019-02 Municipal Code Amendment – Fences, Hedges, & Walls

Motion by Trustee Bookout, supported by Trustee Bachran to adopt Ordinance 2019-02 Municipal Code Amendment as presented. Motion carried unanimously.

13. Town Administrator Evaluation Schedule

Motion by Trustee Bookout, supported by Trustee Bachran to strike item three from procedures. Motion carried unanimously.

Motion by Trustee Bookout, supported by Trustee Budinger to approve procedures as amended. Motion carried unanimously.

Motion by Trustee Bookout, supported by Trustee Bachran to approve forms as presented. Motion carried unanimously.

14. Personnel Handbook Sections 202 & 209 Amendment – Access to Personnel Files and Medical Information Privacy

Motion by Trustee Bookout, supported by Trustee Bachran to table to next Board meeting. Motion carried unanimously.

**New Business**

15. Flying Fork Café – Liquor License Transfer

Motion by Trustee Bear, supported by Trustee Bookout to approve the liquor license transfer from the Flying Fork Café, LLC to En Passant, LLC as presented. Motion carried unanimously.

16. Solar Energy International – Colorado Energy Office Grant - Electric Car Charging Station

Motion by Trustee Budinger, supported by Trustee Bookout to direct Mayor Stewart to endorse a letter of support for the grant application for an electric car charging station in the Town of Paonia.

Motion to amend by Trustee Bear, supported by Trustee Bookout contingent upon receipt of a letter of understand. Motion carried unanimously.

Main amended motion carried unanimously.

17. Resolution 2019-05 2018 Budget Amendment

Motion by Trustee Bookout, supported by Trustee Budinger to adopt Resolution 2019-05 – 2018 Budget amendment as presented. Motion carried unanimously.

18. Town Fund Changes/Transfer Request

Motion by Trustee Bookout, supported by Trustee Budinger to approve the change and transfer requests of Town funds. Motion carried unanimously.

**Committee Reports**

Finance & Personnel

Public Works/Utilities/Facilities

Governmental Affairs/Public Safety

Tree Board

**Adjournment**

19. Adjournment

Motion by Trustee Bear, supported by Trustee Bookout to adjourn. Motion carried unanimously.

---

J. Corinne Ferguson, Town Clerk

---

Charles Stewart, Mayor

**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**February 26, 2019**

**RECORD OF PROCEEDINGS**

**Roll Call**

**PRESENT**

Mayor Charles Stewart  
Mayor Pro-Tem Chelsea Bookout  
Trustee Mary Bachran  
Trustee William Bear  
Trustee Karen Budinger  
Trustee Samira Hart  
Trustee Dave Knutson

**Approval of Agenda**

Mayor Stewart provided an overview regarding the water emergency declaration last week as well as the water company shut-down due to low tanks. Mayor Stewart recommended to amend the agenda to move the Administrator and Public Works report to follow approval of agenda to allow for updating and public questions.

Motion to amend the agenda as presented. Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Motion to approve the amended motion made by Trustee Bear, supported by Trustee Hart. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

**1. Administrator's Report**

Administrator Knight provided an overview of the water issues occurring for the water users on the Town of Paonia waterlines and a rough timeline of events, including the implementation of a system-wide boil order, the locating and repairing of major and minor waterline breaks, water testing, and the rescinding of the boil order.

Administrator Knight noted several entities and individuals who have offered assistance to the Town and residents, as well as the team work of staff to address the issues.

Administrator Knight also offered the reasoning behind the decision to shut-down the out-of-town water companies. A public information meeting will be held Thursday night at 6pm with a staff update to the community on the situation and circumstances of the water issue.



## 2. Public Works Report

Public Works Director Loberg expounded on the technical side of the water events including a description of detecting, isolating, and repairing of leaks. Town has purchased a leak detection device to allow Town to search and isolate water leaks. The amount of water coming in to the tanks is substantially lower than previous weeks. Two crews are on call to assist with detected leak repairs, so we can address multiple leaks at once.

Discussion ensued regarding usual water production, conservation, spring-line repairs, and KVNf coverage.

Trustee Bear asked if out-of-town meters have been checked to isolate leaks. There have not been any indicators of leaks on customer side. Believes the leaks are on main lines to meters or main trunk lines.

Mayor Stewart added that the decision to turn off out-of-town water was to avoid a critical situation again as of last week.

Discussion ensued regarding water production requirements and drought conditions.

Natasha Leger - questioned the differences between what occurred last weeks to this week and how the Town plans to obtain and provide raw water.

Thomas Markle - strongly consider changing billing structure for how services are provided to town to decrease infrastructure charge and increase use charges.

Kristina Smith - asked for an explanation of the water system.

Mike Lehman - questioned why we can't shut Town off at night and restore out-of-town during the night. - Admin Knight explained the necessity to then place on boil order.

Patricia Oienick - works at the school kitchen, the boil water order did require a large amount of dumped water which is counterproductive to conservation.

Lorinda Lehman - questioned why the Town can't turn on water for a few hours.

Discussion ensued regarding the difficulties with turning on and recharging water company systems.

Kris Stewart - provided additional information regarding the County assistance to the Town.

## Announcements

3. Announcements  
None.

### **Recognition of Visitors & Guests**

Susie Kaldis - Announced that the S2C community meeting will be at Town Hall tomorrow evening at 6:30 and asked if the meeting should be cancelled.

Administrator Knight stated the S2C team have done a lot of work and believes the meeting should go on.

Natasha Leger - on behalf of CHC - provided information regarding the opportunity to address legislative changes for oil and gas in the near future.

Energy Tech approved for the Remote Area Medical clinic for the first weekend in August.

### **Consent Agenda**

None.

### **Mayor's Report**

4. None.

### **Staff Reports**

#### Police Department Report

5. Oath of Office – Officer Andrew Vassel was welcomed and received his oath of office. The two new patrol vehicles have decals and will be outfitted soon. School Resource Officer Taffine Patterson is doing well and has been well-received at the schools. Training continues.

#### Town Treasurer Report

6. None.

### **Disbursements**

7. Disbursements

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart to approve disbursements as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

### **Unfinished Business**

8. Personnel Handbook Sections 202 & 209 Amendment – Access to Personnel Files and Medical Information Privacy

Motion made by Mayor Pro-Tem Bookout, Seconded by Trustee Hart to table to next Board meeting. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

## **New Business**

### **9. Delta County Sheriff – Back the Badge Sales Tax Presentation**

Delta County Sheriff Mark Taylor was present to discuss the county-wide effort regarding the Back the Badge public safety initiative. Sheriff Taylor provided information regarding the changes facing law enforcement in general.

A slide show presentation ensued.

Opened for Board questions - Chief Ferguson stated a main priority is to retain officers and to provide relief to the Town general fund.

Discussion ensued regarding what will be taxed and how the Town will address potential shortfalls and additional information that could be provided to help support the effort.

### **10. Blue Sage Center for the Arts – Letter of Support**

Debra Muzikar – a Blue Sage representative provided information regarding the Laura Jane Musser grant letter of support request.

Motion made by Trustee Knutson, Seconded by Trustee Bachran to approve the letter of support as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

### **11. Public Hearing: 401 Vista Drive Home Occupancy**

Trustee Knutson recused himself from the dais and joined the public to present his request for the home occupancy application.

Public Hearing opened at 8:43pm

Administrator Knight presented the staff and planning commission recommendation for approval.

Mr. Knutson provided information regarding the necessity for his home-based business.

No public comment.

Closed hearing at 8:48pm.

Motion made by Trustee Bear, Seconded by Trustee Hart to approve the Home-Based Occupancy application for Mr. Knutson at 401 Vista Drive as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

### **12. Resolution 2019-07 Retail Liquor Delivery**

Mayor Stewart provided information regarding the state allowance for liquor licensed stores to offer delivery. The Town has no approval or input authority, but the Town can add a requirement to provide a copy of the State issued license to the Town.

Motion made by Trustee Bear, Seconded by Trustee Hart to approve Resolution 2019-07 Retail Liquor Delivery as presented. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart Voting Nay: Trustee Knutson.

### 13. CDOT – Title 6 Non-Discrimination Plan

Mayor Stewart provided an overview of the CDOT/USDOT federal assistance requirement to enact a non-discrimination plan that is in line with the Town non-discrimination resolution.

Trustee Knutson requested sexual preference and gender identity be added.

Trustee Bachran requested religion be added.

Mayor Stewart noted the Federal statute states what classes are protected.

Trustee Hart recommended the Board refer to the Town attorney to review and weigh in. Administrator Knight noted he believes as long as the minimum standards are met the Town could create additional policy standards.

Motion made by Trustee Knutson, Seconded by Trustee Bachran to amend the Non-Discrimination Plan as discussed. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

Motion made by Trustee Knutson, Seconded by Trustee Bachran to approve the on-Discrimination Plan as amended. Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson.

### **Committee Reports**

#### **Finance & Personnel**

Reviewed disbursements. Nothing additional.

#### **Public Works/Utilities/Facilities**

Met the 19th to discuss a variety of issues including the water issue, waterline extension, 1MG tank lining, the 2MG tank lining, funding, a pressure analysis, playground equipment funding, teen center roof, and safe routes to school plan.

#### **Governmental Affairs/Public Safety**

Met and discussed the building code update and scheduling a listening session for April 16th from 6 to 730pm. Met with NFSIS regarding a plastic bag ban presentation for a potential ordinance to give to the Board.

#### **Space to Create**

Received grant funds for a Vista Volunteer application. A potential candidate is Evan Bolt, currently volunteering at Town during the S2C application period.

Tree Board

Tamie Meck has announced her resignation. Several people have reached out with interest and will come to Town to present at a later date.

**Adjournment**

Motion made by Trustee Hart, Seconded by Mayor Pro-Tem Bookout.

Voting Yea: Mayor Pro-Tem Bookout, Trustee Bachran, Trustee Bear, Trustee Budinger, Trustee Hart, Trustee Knutson

---

J. Corinne Ferguson, Town Clerk

---

Charles Stewart, Mayor

DRAFT

**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: Patrick Dooling/Allison Elliot  
Organization, if speaking on behalf of a group: WSCC - western Slope Conservation Center

Is this a request for Board action?                      Yes      No

Please provide a summary of your comments:

WSCC would like to have its annual meeting at  
Edessa. We would like to sell beer & wine at  
this event.

What staff member have you spoken to about this? Please summarize your discussion:

Contact information:

Name: Patrick Dooling/Allison Elliot

Mailing Address: [REDACTED]

E-mail: Brilliot@gmail.com

Daytime Phone: [REDACTED]

Office Use Only:
Received: _____
Approved for Agenda: _____
Board Meeting Date: _____



Departmental Use Only

**In order to qualify for a Special Events Permit, You Must Be Nonprofit and One of the Following (See back for details.)**

- |                                    |  |  |
|------------------------------------|--|--|
| <input type="checkbox"/> Social    | <input type="checkbox"/> Athletic                              | <input type="checkbox"/> Philanthropic Institution           |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge Or Chapter    | <input type="checkbox"/> Political Candidate                 |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> Of A National Organization Or Society | <input type="checkbox"/> Municipality Owning Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution                 |  |

LIAB	Type of Special Event Applicant is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/>	Malt, Vinous And Spirituous Liquor	Liquor Permit Number
2170 <input type="checkbox"/>	Fermented Malt Beverage (3.2 Beer)	
	\$25.00 Per Day	
	\$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate Western Slope Conservation Center	State Sales Tax Number (Required) 84-0728632
---	---

<p>2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP)</p> <p>PO Box 1612, 204 Poplar Paonia, CO 81428</p>	<p>3. Address of Place to Have Special Event (include street, city/town and ZIP)</p> <p>Edesia Kitchen 395 Clark Ave Paonia, CO 81428</p>
--	---

Name	Date of Birth	Home Address (Street, City, State, ZIP)	Phone Number
------	---------------	---	--------------

4. Pres./Sec'y of Org. or Political Candidate			
Patrick Dooling, Ex. Dir.			

5. Event Manager	Allison Elliot
------------------	----------------

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year?  
☒ NO ☐ YES HOW MANY DAYS? \_\_\_\_\_

7. Is premises now licensed under state liquor or beer code?  
☒ NO ☐ YES TO WHOM? \_\_\_\_\_

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☒ Yes ☐ No

List Below the Exact Date(s) for Which Application is Being Made for Permit														
Date <u>3-28-19</u>			Date			Date			Date			Date		
Hours	From	<u>6</u> <u>P</u> .m.	Hours	From	.m.	Hours	From	.m.	Hours	From	.m.	Hours	From	.m.
	To	<u>8</u> <u>P</u> .m.		To	.m.		To	.m.		To	.m.		To	.m.

### Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature	Title	Date
-----------	-------	------

### Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	<input type="checkbox"/> <b>City</b> <input type="checkbox"/> <b>County</b>	Telephone Number of City/County Clerk
--	--	---------------------------------------

Signature	Title	Date
-----------	-------	------

**DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY**

## Liability Information

License Account Number	Liability Date	State	Total
19		-750 (999)	\$ .

Permission for event for Western Slope Conservation Center

Western Slope Conservation Center has permission to apply for a special event permit on March 28<sup>th</sup> 2019 at the Edesia Community Kitchen located at 395 Clark Ave in Paonia. Alcohol will be permitted only within the designated spaces in the building and not allowed outside of the building per town regulations. Signs will be posted at all doors to comply with regulations.



Mary George

President HMF Inc. dba Edesia Community Kitchen

Property owner as member of 395 Clark LLC



OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

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

NFRIA-WSERC Conservation Center, Inc.

is a

Nonprofit Corporation

formed or registered on 02/03/1977 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19871317074 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/14/2019 that have been posted, and by documents delivered to this office electronically through 02/18/2019 @ 16:46:06 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 02/18/2019 @ 16:46:06 in accordance with applicable law. This certificate is assigned Confirmation Number 11398184 .



*Jena Griswold*

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

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

LOT 1  
41695.2 SQ. FT.  
0.957 ACRES

Edesia Kitchen  
395 Clark Ave.  
Pasadena

14' Garage Door

14' Garage Door

36" Door  
water main  
meter pit

Gas  
shut off

6 metal Doors

3 Ascending Rate  
Rise Heat Detectors  
monitored by  
superior Alarm  
and fire protection

Alcohol  
Inside only

Liquor  
Storage

Exhaust Hood with  
Fire Suppression monitored  
By superior Fire protection

Full station

36" Door

Gas  
shut off

36" Door

main Electrical  
Disconnect

36" Door

24.3' +/-

10' Garage Door

walk way

52.05'

295.77'

(238.79')

25.0'





NFRICON-01

LGROSHONG

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/21/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HUB International Insurance Services (COL) 1125 17th Street, Suite 900 Denver, CO 80202	CONTACT NAME: PHONE (A/C, No, Ext): (303) 893-0300 FAX (A/C, No): (866) 243-0727 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Alliance of Nonprofits for Insurance, Risk Retention Group (ANI) NAIC # 10023 INSURER B: Pinnacol Assurance Company 41190 INSURER C: INSURER D: INSURER E: INSURER F:
INSURED  NFRIA-WSERC Conservation Center, Inc. PO Box 1612 Paonia 81428	

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	X	2018-11117	05/31/2018	05/31/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 LIQUOR LIABILITY \$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		2018-11117	05/31/2018	05/31/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	4031557	10/01/2017	10/01/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: River Float and Fest 6/2/18

## CERTIFICATE HOLDER

## CANCELLATION

Town of Paonia Paonia River Park PO Box 460 Paonia, CO 81428	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	---

# AGENDA SUMMARY FORM



## Mayor's Report

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



## Administrators Report - Water System Update

### Summary:

Administrators update regarding the Town water issues and update.

### Notes:

### Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



## Public Works Report

Summary:

Notes:

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



Police Report

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# Paonia Police Department

## Law Incident Table, by Date and Time

**Date Occurred:** 02/15/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
14:04:12	Information	paonia care & rehab, ,	PPD		
16:06:46	VIN INSPECTION	GRAND AVE; PPD, Paonia, CO	PPD	PPD	
19:22:28	Traffic Stop	70 SAMUEL WADE RD, Paonia, CO	PPD	DIST3	WW
<b>Total Incidents for this Date: 3</b>					

**Date Occurred:** 02/16/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:51:43	Traffic Stop	100 Block of 3RD St, Paonia,	PPD	PPD	CIT
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 02/17/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
04:09:46	CIVIL PROBLEM	OAK AVE, Paonia, CO	PPD	PPD	
11:38:10	Wanted Person	SAMUEL WADE RD; \, Paonia, CO	PPD	PPD	CAA
21:49:53	ANIMAL PROBLEM	ALDER DR, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 3</b>					

**Date Occurred:** 02/18/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:23:08	CRIM MISCHIEF	4TH ST, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 02/19/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:06:51	ANIMAL CONTROL	GRAND AVE, Paonia, CO	PPD	PPD	UTL
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 02/20/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:25:29	AGENCY ASSIST	HIGHWAY 133; Delicious orchards, Hotchkiss, CO	PPD	DIST3	
<b>Total Incidents for this Date: 1</b>					



**Date Occurred:** 02/21/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:53:45	VIN INSPECTION	GRAND AVE; PPD, Paonia, CO	PPD	PPD	
17:31:40	CIVIL PROBLEM	MAIN AVE, Paonia, CO Highway	PPD	PPD	
19:04:13	AGENCY ASSIST	133mm, Paonia,	PPD	DIST3	

**Total Incidents for this Date: 3****Date Occurred:** 02/22/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:05:16	WILDLIFE	GUNNISON MOUNTAIN LN, Paonia, CO	PPD	DIST3	
23:23:09	AGENCY ASSIST	OAK AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2****Date Occurred:** 02/23/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:59:52	Information	GRAND AVE, Paonia, CO	PPD	PPD	
19:32:22	Traffic Stop	1200 BLOCK of 2ND STREET, Paonia,	PPD	PPD	CIT
21:29:23	Traffic Stop	200 BLOCK OF MAIN AVENUE, Paonia,	PPD	PPD	WW

**Total Incidents for this Date: 3****Date Occurred:** 02/24/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:04:38	CIVIL PROBLEM	paonia, ,	PPD		
19:55:43	TRESPASS	2ND ST, Paonia, CO	PPD	PPD	
21:26:09	SUSPICIOUS	3RD ST, Paonia, CO	PPD	PPD	VW

**Total Incidents for this Date: 3****Date Occurred:** 02/25/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
16:08:30	Traffic Stop	50 Block of SAMUEL WADE RD, Paonia, CO	PPD	PPD	CIT
16:49:21	AGENCY ASSIST	CHICKORY RD; reporting at PPD, Hotchkiss, CO	PPD	DIST3	

**Total Incidents for this Date: 2****Date Occurred:** 02/26/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
06:56:03	WILDLIFE	RIO GRANDE AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 1****Date Occurred:** 02/27/19

---

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
16:09:10	Code Enforce	400 BLOCK OF DELTA AVENUE, Paonia, CO	PPD	PPD	WW
16:35:17	Code Enforce	400 BLOCK OF DELTA AVE., Paonia, CO	PPD	PPD	WW
<b>Total Incidents for this Date: 2</b>					

---

**Date Occurred:** 02/28/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:49:16	TRESPASS	GRAND AVE, Paonia,	PPD	PPD	VW
16:12:37	CIVIL PROBLEM	PAN AMERICAN AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 2</b>					

---

Total reported: 28      VW=2, WW= 4, CIT= 3, CAA=1, UTL= 1

---



---

**Report Includes:**

All dates between `00:00:01 02/15/19` and `00:00:01 03/01/19`, All agencies matching `PPD`, All disposition's, All natures, All location codes, All cities

---

# AGENDA SUMMARY FORM



## Treasurer's Report

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



## Disbursements

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

FSBC OPS DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		420,803.68
ACCOUNTS PAYABLE	02/12/19-02/25/19	(47,942.67)
TRANSFER TO COLOTRUST	APPROVED 2/12/19	(200,864.56)
PAYROLL TAXES	1/25/2019	(7,702.04)
BALANCE AFTER PAYMENT		164,294.41

FSBC SUMMIT DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		108,830.13
CURRENT FSBC PAYROLL BALANCE		24.59
PAYROLL (DIRECT DEPOSIT)	1/25/2019	(20,096.06)
BALANCE AFTER PAYMENT		88,758.66

FSBC LOC BALANCE		
FSBC CD#2 BALANCE	GENERAL	200,009.63
CD TOTAL		200,009.63
LOC DRAW		
BALANCE AVAILABLE SECURING LOC		200,009.63

CREDIT CARD		
CHASE	2/23/2019	-
CITIBANK	2/25/2019	-
TOTAL		-

COLOTRUST - GENERAL		
		179,233.32
TRANSFER FROM CD	APPROVED 2/12/19	200,864.56
TOTAL		380,097.88
COLOTRUST RESTRICTED - SEWER PROPERTY		
TOTAL		515,381.47
COLOTRUST RESTRICTED - SEWER LOAN RESERVE		
TOTAL		103,847.33
COLOTRUST - BRIDGE RESTRICTED		
TOTAL	TRANSFER FROM CD ~ APPROVED 2/12/19	574,743.70

GRANT FUNDS IN PROCESS		
WPA	WATER PROJECT	184,778.38
CDPHE	STORM DRAIN PROJECT	9,877.77
TOTAL		194,656.15

Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
03/12/2019	1014	AAP of Delta CO #	2482-495374	8.56	.00	.00	8.56			
03/12/2019	1043	Advance Plumbing	0457	200.00	.00	.00	200.00			
03/12/2019	1047	Beardslee, Domini	BOOTS-0302	100.00	.00	.00	100.00			
03/12/2019	14	Bolinger & Queen I	51171	42.30	.00	.00	42.30			
03/12/2019	21	Caselle, Inc	93739	989.00	.00	.00	989.00			
03/12/2019	1003	Colorado Municipa	2019SPRING	175.00	.00	.00	175.00			
03/12/2019	996	Corbin & Associate	SRO TRAINI	325.00	.00	.00	325.00			
03/12/2019	39	Delta County Inde	100198-1002	51.11	.00	.00	51.11			
03/12/2019	43	Delta Montrose Ele	2-2019-S	2,826.45	.00	.00	2,826.45			
03/12/2019	46	Dependable Lumb	1902-049967	3,252.31	.00	.00	3,252.31			
03/12/2019	48	Don's Market	02470137	30.65	.00	.00	30.65			
03/12/2019	48	Don's Market	02-476663	45.48	.00	.00	45.48			
03/12/2019	48	Don's Market	06204	42.50	.00	.00	42.50			
03/12/2019	48	Don's Market	RESTITUTIO	8.07	.00	.00	8.07			
03/12/2019	368	Double J Disposal	36325	1,976.00	.00	.00	1,976.00			
03/12/2019	50	Duckworks Auto P	11044-30197	97.38	.00	.00	97.38			
03/12/2019	56	Enterprise Fund/La	291413-2923	2,076.25	.00	.00	2,076.25			
03/12/2019	62	Feather Petroleum	5726443-550	365.89	.00	.00	365.89			
03/12/2019	81	High Country Printi	022819	85.00	.00	.00	85.00			
03/12/2019	1011	J. David Reed, PC	75879-75881	2,067.00	.00	.00	2,067.00			
03/12/2019	470	Leon, Susan	030119-0331	700.00	.00	.00	700.00			
03/12/2019	645	Mail Services, LLC	1674762	377.20	.00	.00	377.20			
03/12/2019	103	Master Petroleum	CL-32308-IN	420.79	.00	.00	420.79			
03/12/2019	763	Mesa County Healt	706-19 - 731-	520.00	.00	.00	520.00			
03/12/2019	141	North Fork Service	583776-5837	877.04	.00	.00	877.04			
03/12/2019	1083	North Fork Valley	117	1,000.00	.00	.00	1,000.00			
03/12/2019	122	Paonia Auto Parts	350771-3513	485.00	.00	.00	485.00			
03/12/2019	125	Paonia Farm & Ho	1970-3850	188.46	.00	.00	188.46			
03/12/2019	499	Phonz +	357	1,075.10	.00	.00	1,075.10			
03/12/2019	499	Phonz +	378	295.88	.00	.00	295.88			
03/12/2019	737	Ricoh USA Inc	5055968101	137.73	.00	.00	137.73			
03/12/2019	145	Robert's Enterprise	030119-0430	80.00	.00	.00	80.00			
03/12/2019	152	Southwestern Syst	202446	971.50	.00	.00	971.50			
03/12/2019	226	Stewart Ditch and	2019	648.45	.00	.00	648.45			
03/12/2019	861	The Paper-Clip LL	2030935-203	404.85	.00	.00	404.85			
03/12/2019	162	United Companies	1279933	143.52	.00	.00	143.52			
03/12/2019	441	USA Blue Book	822050	6,216.50	.00	.00	6,216.50			
03/12/2019	175	WestWater Engine	4-525.18.01A	16,121.24	.00	.00	16,121.24			
03/12/2019	177	Wilmore & Compa	8542	1,432.50	.00	.00	1,432.50			
03/12/2019	491	Winwater Corp	049507-00	612.80	.00	.00	612.80			
03/12/2019	491	Winwater Corp	049645-00	470.16	.00	.00	470.16			
Grand Totals:			41	47,942.67	.00	.00	47,942.67			

## Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount
03/12/2019	47,942.67	.00	.00	47,942.67	47,942.67
Grand Totals:					
	47,942.67	.00	.00	47,942.67	

BANK BALANCES		
	FSBC	COLOTRUST
	AS OF: 3/8/19	
WWTP	58,069.04	179,591.75
SPACE-TO-CREATE	72,547.22	516,412.15
INT GRANT	573,935.77	104,055.02
PAYROLL	24.59	
SUMMIT	88,734.07	
OPS	415,154.49	
CONS.TRUST	4.37	
PASS THRU	25.00	
PARK CONTRIBUTIONS	24,050.00	
CD#1	CLOSED	
CD#2	200,009.63	
	1,432,554.18	800,058.92
		2,232,613.10

## Report Criteria:

Unpaid transmittals included  
Begin Date: ALL  
End Date: ALL

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
2							
2	IRS Tax Deposit		02/22/2019	74-00	Federal Tax Deposit Social Security	10-0216	1,152.78
2	IRS Tax Deposit		02/22/2019	74-00	Federal Tax Deposit Social Security	10-0216	1,152.78
2	IRS Tax Deposit		02/22/2019	75-00	Federal Tax Deposit Medicare Pay P	10-0216	372.60
2	IRS Tax Deposit		02/22/2019	75-00	Federal Tax Deposit Medicare Pay P	10-0216	372.60
2	IRS Tax Deposit		02/22/2019	76-00	Federal Tax Deposit Federal Withhold	10-0216	2,002.01
Total 2:							5,052.77
4							
4	Aflac		02/22/2019	63-01	Aflac Pre-Tax Pay Period: 2/22/2019	10-0225	120.18
4	Aflac		02/22/2019	63-02	Aflac After Tax Pay Period: 2/22/2019	10-0225	24.90
Total 4:							145.08
6							
6	Colorado Dept of Labor		12/28/2018	98-00	SUTA State Unemployment Tax Pay	10-0218	78.71
6	Colorado Dept of Labor		01/11/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	64.80
6	Colorado Dept of Labor		01/25/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	70.45
6	Colorado Dept of Labor		02/08/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	70.04
6	Colorado Dept of Labor		02/22/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	80.48
Total 6:							364.48
9							
9	Colorado Dept of Revenue		02/22/2019	77-00	State Withholding Tax Pay Period: 2/2	10-0217	847.00
Total 9:							847.00
31							
31	Mutual of Omaha		02/22/2019	51-01	Group# MOORetirement Plan Pay P	10-0220	459.53
31	Mutual of Omaha		02/22/2019	51-01	Group# MOORetirement Plan Pay P	10-0220	812.94
31	Mutual of Omaha		02/22/2019	51-02	Group# MOO Loan Payment Pay Pe	10-0220	66.18
Total 31:							1,338.65
33							
33	FPPA - Fire & Police Pensi		02/22/2019	50-00	FPPA Pay Period: 2/22/2019	10-0219	646.08
33	FPPA - Fire & Police Pensi		02/22/2019	50-00	FPPA Pay Period: 2/22/2019	10-0219	492.25
33	FPPA - Fire & Police Pensi		02/22/2019	90-00	Death & Disability Pay Period: 2/22/2	10-0219	172.29
Total 33:							1,310.62
70							
70	Rocky Mountain HMO		02/22/2019	60-01	RMHMO - Employee Only Pay Period	10-0223	434.21
70	Rocky Mountain HMO		02/22/2019	60-01	RMHMO - Employee Only Pay Period	10-0223	3,473.98
70	Rocky Mountain HMO		02/22/2019	60-03	RMHMO - Employee + Family Pay Pe	10-0223	343.44
70	Rocky Mountain HMO		02/22/2019	60-03	RMHMO - Employee + Family Pay Pe	10-0223	2,747.60
70	Rocky Mountain HMO		02/22/2019	60-04	RMHMO - Vision Pay Period: 2/22/20	10-0223	37.63
70	Rocky Mountain HMO		02/22/2019	60-05	RMHMO - Dental Pay Period: 2/22/20	10-0223	193.84

mo.

Oth.

mo.

mo.

02/21/19



Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
Total 70:							7,230.70
71							
71	The Harford		02/22/2019	65-01	Group#013307460001 Hartford Basic	10-0226	21.20
71	The Harford		02/22/2019	65-02	Group#013307460001 Hartford Suppl	10-0226	29.38
Total 71:							50.58
73							
73	Delta Dental of Colorado		02/22/2019	60-05	Dental RMHMO - Dental Pay Period:	10-0223	193.84
Total 73:							193.84
Grand Totals:							16,533.72

mo.

## Report Criteria:

Unpaid transmittals included  
Begin Date: ALL  
End Date: ALL

0.\*

5,052.77+

1,338.65+

1,310.62+

003

7,702.04\*

Employee Number	Name	85-00 Net Pay Emp Amt
1054	Beardslee, Dominic D	1,572.78
1052	Edwards, Roger	887.01
1002	Ferguson, J. Corinne	1,451.31
1020	Ferguson, Neil	1,675.15
1022	Hinyard, Patrick	1,439.27
1001	Jones, Cynthia	1,609.22
1000	Knight, Kenneth D	1,938.36
1050	Loberg, Travis	2,092.62
1003	Mojarro-Lopez, Amanda	1,033.97
1025	Patterson, Taffine A	1,221.41
1055	Redden, Jordan	477.18
1051	Reich, Dennis	1,008.41
1026	Vassel, Andrew C	1,029.73
1056	Voight, Steven P	1,305.83
1024	Winnett, Lorin E	1,353.81

Grand Totals:

15	20,096.06
----	-----------

*put  
2/26/19**10/11/19*

## 202 ACCESS TO PERSONNEL FILES

Effective Date: 6/01/2018 Revision Date:

The Town maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Town, and access to the information they contain is restricted, subject to the Colorado Open Records Act. Generally, only supervisors and management personnel of the Town who have a legitimate reason to review information in a file are allowed to do so. All personnel records are maintained in compliance with the laws related to public records. No documents shall be released from a personnel record, except as required by the Open Records Act, without a written request from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the Town from liability, claims, and demands resulting from such release.

Employees who wish to review their own file should contact the Town Clerk. With reasonable advance notice, employees may review their own personnel files, except for any previous employer recommendations or references contained therein, in the Town's offices and in the presence of a Town representative. An employee shall have the opportunity to submit a letter to the file, responding to or rebutting information contained in his/her file.

## 209 MEDICAL INFORMATION PRIVACY

Effective Date: 6/01/2018 Revision Date:

The Town is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Town Clerk is the designated Privacy Officer for all employee medical information.

# AGENDA SUMMARY FORM



PUBLIC HEARING: 397 Clark Avenue A – Special Use

Summary:  
The Board of Trustees public hearing

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

**Minutes**  
**Planning Commission Regular Meeting**  
**Town of Paonia, Colorado**  
**March 06, 2019**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Planning Commission held Wednesday, March 6, 2019, was called to order at 6:01 PM by Chairperson Barbara Heck, followed by the Pledge of Allegiance.

Roll Call:

Commission members present were as follows:

Barbara Heck  
Lucy Hunter  
Bill Bear  
Charles Stewart

Absent commission members were as follows:

Monica Foguth

Town Staff present were as follows:

Administrator Ken Knight  
Deputy Clerk Amanda Mojarro

A quorum was present, and Chairperson Barb Heck proceeded with the meeting.

**Approval of Agenda**

Motion by Mr. Stewart, supported by Ms. Hunter to approve the agenda as presented. Motion carried unanimously.

**Unfinished Business**

Minutes – February 5, 2019

Motion by Ms. Hunter, supported by Mr. Bear to accept the planning commission minutes for – February 5, 2019, as presented. Motion carried unanimously.

**Special Use Permit - Zimmer - 397 Clark Avenue # A**

Chairperson Barbara Heck opened the meeting to discuss, Mr. Zimmer's special use permit to manufacture pottery at - 397 Clark Avenue # A.

Administrator Knight read off the administrator notes, informing the planning commission members regarding the business that was happening in the residential area at 397 Clark Avenue # A.

Points Informed to Committee:

- I-1 zone requires a special use permit.
- Duration of the manufacturing of the pottery not being recognizable.
- Tenant advertised on Facebook a pottery one-day class.
- The town became aware and informed owner of the requirement that needed to be met.

Discussion ensued the potential impact in the air and water quality, due to potential use of toxic materials during the manufacturing process of pottery.

Mr. Zimmer communicated to the committee members that he is not familiar with the process and assured that the air and water quality is considered not to be impacted. Jasmine tenant at 397 Clark Avenue # A communicated to the committee members there are no toxic materials being used in the process of manufacturing pottery and clay traps have been placed.

Motion by Mr. Stewart withdrawn by Mr. Stewart to recommend to the Board of Trustees approval of the special use permit to manufacture pottery at 397 Clark Avenue # A. Motion carried unanimously

Motion by Mr. Stewart supported by Mr. Bear to recommend to the Board of Trustees approval of the artistic manufacturing of pottery at 397 Clark Avenue # A. Motion carried unanimously

Discussion ensued with much deliberation regarding traffic at 397 Clark Avenue # A and the impact in the surrounding residential area would have.

Traffic Impact Discussion Points:

- Curve cut off warehouse B concerns
- Heavy traffic on Minnesota Rd. and Clark Rd
- Two-way traffic between Minnesota Rd and Clark Rd
- Protection and maintenance of the East side of the Minnesota Rd sidewalk
- Emplace a traffic control sign

Discussion ensued regarding the times and how often workshops will be conducted at 397 Clark Avenue # A warehouses. Mr. Zimmer communicated the time of these workshops would be during evenings and weekends. The warehouse contains (5) five kiln wheels, the use of these wheels is (1) one person per kiln wheel a total of (5) five people attending the workshop.

Motion by Mr. Stewart, supported by Mr. Bear to recommend to the Board of Trustees the approval of a workshop limit of (5) five students (3) three times per month. Motion carried unanimously

Discussion ensued concern regarding the retail sales use in an area zoned industrial with residential use, containing commercial activities.

Discussion Points:

- Kiln opening parties
- Creating a retail center
- The frequency of retail sales

Motion by Mr. Bear supported by Mr. Stewart to recommend to the Board of Trustees approval of an approach apron and traffic control sign at the intersection of Minnesota Avenue curb cut. Motion carried unanimously

Motion by Mr. Stewart supported by Ms. Hunter to recommend to the Board of Trustees approval of limited retail sales activity with limits being determined by the Board of Trustees. Motion carried unanimously

### **Adjournment**

Motion by Mr. Stewart supported by Mr. Bear to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Ms. Heck at 6:54 pm

---

Amanda Mojarro, Deputy Clerk

---

Barbara Heck, Chairperson

DRAFT



**TOWN OF PAONIA**  
**WEDNESDAY, MARCH 06, 2019**  
**PLANNING COMMISSION MEETING AGENDA**  
**6:00 PM**

**Call to Order**

**Roll Call**

- [1.](#) Planning Roll Call

**Approval of Agenda**

- [2.](#) Agenda Approval

**Unfinished Business**


- [3.](#) Minutes – February 5, 2019
- [4.](#) Special Use Permit – Zimmer – 397 Clark Avenue #A

**Adjournment**


- [5.](#) Adjournment




# AGENDA SUMMARY FORM

<p>Agenda Item # CALL</p> 	<p>Planning Roll Call</p>		
<p>Summary: Meeting opening -</p>			
Empty space for meeting summary			
<p>Vote:</p>	<p>Barb Heck:</p>	<p>Bill Bear:</p>	<p>Monica Foguth:</p>
<p>Lucy Hunter:</p>	<p>Charles Stewart:</p>		
Empty space for additional notes			

# AGENDA SUMMARY FORM

<p>Agenda Item # CALL</p> 	<p>Agenda Approval</p>		
<p>Summary: Meeting opening -</p>			
Empty space for agenda item details			
<p>Vote:</p>	<p>Barb Heck:</p>	<p>Bill Bear:</p>	<p>Monica Foguth:</p>
<p>Lucy Hunter:</p>	<p>Charles Stewart:</p>		
Empty space for additional notes			

# AGENDA SUMMARY FORM

Agenda Item # CALL 	Minutes – February 5, 2019		
Summary: Meeting opening -			
Empty space for meeting minutes			
Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
Lucy Hunter:	Charles Stewart:		
Empty space for additional notes			

**Minutes**  
**Planning Commission Regular Meeting**  
**Town of Paonia, Colorado**  
**February 5, 2019**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Planning Commission held Tuesday, February 5, 2019, was called to order at 6:30 PM by Chairperson Barbara Heck, followed by the Pledge of Allegiance.

Roll Call:

Commission members present were as follows:

Barbara Heck  
Lucy Hunter  
Bill Bear  
Charles Stewart  
Monica Foguth

Town Staff present were as follows:

Administrator Ken Knight  
Town Clerk Corinne Ferguson  
Deputy Clerk Amanda Mojarro

A quorum was present, and Chairperson Barb Heck proceeded with the meeting.

**Approval of Agenda**

Motion by Mr. Stewart, supported by Chairperson Barb Heck to approve the agenda as presented. Motion carried unanimously.

**Unfinished Business**

**Minutes – January 15, 2019**

Motion by Mr. Bear, supported by Mr. Stewart to accept the planning commission minutes for – January 15, 2019, as presented. Motion carried unanimously.

**Unfinished Business**

**Minutes – January 15, 2019**

Motion by Mr. Bear, supported by Mr. Stewart to accept the planning commission minutes for – January 15, 2019, as presented. Motion carried unanimously.

**Home Occupancy Permit – Knutson – 401 Vista Drive**

Chairperson Barbara Heck opened the meeting to discuss Mr. Knutson's home occupancy permit for 401 Vista Dr.

Administrator Knight read the administrator notes to the planning commission there were (2) two positive (0) zero negative comments regarding Mr. Knutson's home occupancy permit. The application was received in a timely manner, fees were all paid, publication and notices were all met by Mr. Knutson. Mr. Knight communicated that staff reviewed Mr. Knutson's application, there were no issues.

Discussion ensued concerns with Mr. Knutson's home occupancy permit for his Human resource consulting and executive business at 401 Vista Drive use for office space and client meetings.

Points of Concern:

- Parking
- Hiring an Employee
- Outside wall mounted business sign

Motion by Ms. Hunter, supported by Mr. Bear to approve with Recommendation to approve Mr. Knutson's Home Occupancy Permit for 401 Vista Drive, by the Town Board.

### **Special Use Permit - Zimmer - 397 Clark Avenue # A**

Chairperson Barbara Heck continued with next business item, Mr. Zimmer's special use permit to manufacture pottery at - 397 Clark Avenue # A.

Administrator Knight read off the administrator notes to the planning commission regarding Mr. Zimmer's special use permit for making pottery at 397 Clark Avenue # A. Informing that there were (0) zero complaints and (0) zero comments.

Mr. Zimmer was absent, and no one was there to represent for the meeting. Town Clerk Corinne Ferguson contacted Mr. Zimmer to inform him about the meeting. It was asked by Mrs. Ferguson to continue the meeting in his absence, Mr. Zimmer responded that he was comfortable to continue.

Discussion ensued about how manufacturing pottery would have an impact on the surrounding neighborhood.

Discussion points:

- Multiple uses not just manufacturing
- Requesting to sale as retail
- Noise while manufacturing pottery
- Water pollution
- Traffic and Parking

Public discussion ensued of the health and safety impact regarding Mr. Zimmer's special permit use for the manufacturing of pottery. With (1) one Aye and (2) Nays

Public discussion point:

- Expanding of gas kilns to the outside
- The need for a clay trap
- Gas fumes from the metals and powders that come from the manufacturing of pottery

Traffic flow was a considerable discussion point, Chairperson Barb Heck requested the (2) two meeting minutes for Silver Leaf on what the board approved regarding traffic flow.

Mr. Knight informed the planning committee about the cease and desist order that was sent to Mr. Zimmer regarding the manufacturing of pottery at 397 Clark Avenue # A, last (2018) year. Since then there has been no known manufacturing of the pottery.

Discussion ensued with much deliberation regarding Mr. Zimmer's special use permit for manufacturing pottery at 397 Clark Avenue # A, concluded that Mr. Zimmer's presence is essential in clarifying the manufacturing pottery process.

Motion by Mr. Bear, supported by Mr. Stewart to continue to another date. Motion carried with (1) One Nay and (4) Four Ayes.

Public Notice meeting for March 06, 2019, posting requirements, meeting the timeline of the (15) fifteen days and fees must be met and paid in full by Mr. Zimmer.

### **Adjournment**

Motion by Ms. Hunter supported by Mr. Bear to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Ms. Heck at 7:16 pm


---

Amanda Mojarro, Deputy Clerk

---

Barbara Heck, Chairperson

# AGENDA SUMMARY FORM

<p>Agenda Item # CALL</p> 	<p>Special Use Permit – Zimmer – 397 Clark Avenue #A</p>		
<p>Summary: Meeting opening – Continued from PC meeting 2/5/2019</p>			
<p>ADMINISTRATOR NOTES:</p> <p>All manufacturing in the I-1 zone requires a Special Review. It appears that pottery has been manufactured within 397 Clark Avenue #A for quite some time and it was not noticeable. It was only after the potter advertised on Facebook that pottery was available and a one - day class would be held that the Town then became aware of the activity. At that time; the owner of the warehouse was informed that a Special Review would be required.</p> <p>CLERK NOTES:</p> <p>The application was received more than 30 days prior to hearing. An outstanding invoice for the rescheduled hearing in the amount of \$151.25 has not been paid (as of 3/4/19). All publication and posting requirements were met.</p>			
<p>Vote:</p>	<p>Barb Heck:</p>	<p>Bill Bear:</p>	<p>Monica Foguth:</p>
<p>Lucy Hunter:</p>	<p>Charles Stewart:</p>		

## SPECIAL REVIEW/VARIANCE APPLICATION

Name Frederick Zimmer Application Date 10/25/18  
Property Address 397 Clark Ave P&Z Hearing Date 1.15.19  
Telephone Number [REDACTED] Council Hearing Date 1.22.19

Cancelled  
to be  
rescheduled

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

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

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

The special review application shall include the following:

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



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

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

## I. Site Plan

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

## II. Project Summary

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

- a. Reason for Special Review/Variance Tenants would like to be able to hold workshops in the existing space as well as manufacture/fabricate & sell wholesale & retail the pottery they make
- b. Current Zoning of Property I-1
- c. What land boundary changes are necessary? None
- d. What addition/changes to existing buildings/structures will be made? None
- e. What new buildings/structures will be constructed? None
- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric. None
- g. Will property have Commercial/Private or Public Use? Commercial and Public
- h. Anticipated traffic flow and volume? 5 to 8 vehicles per week. This is not an increase in traffic flow

- i. Detail the Safety and Disabled Access accommodations? All entrances AND restrooms are handicap accessible
- j. Detail the possible environmental impact; such as noise, lighting glare, pollutants, etc. As stated this request does not create any changes to the functioning of the building.

Comments: This application is to Accomodate Elsewhere Studio's pottery studio.

### III. Public Notice Requirements

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

### IV. Acknowledgement to Pay Fees

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

### FEES PAID HEREUNDER ARE NON-REFUNDABLE UPON SIGNING

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

SIGNED

Frederick Zimmer

PRINTED NAME

Frederick Zimmer

DATE:

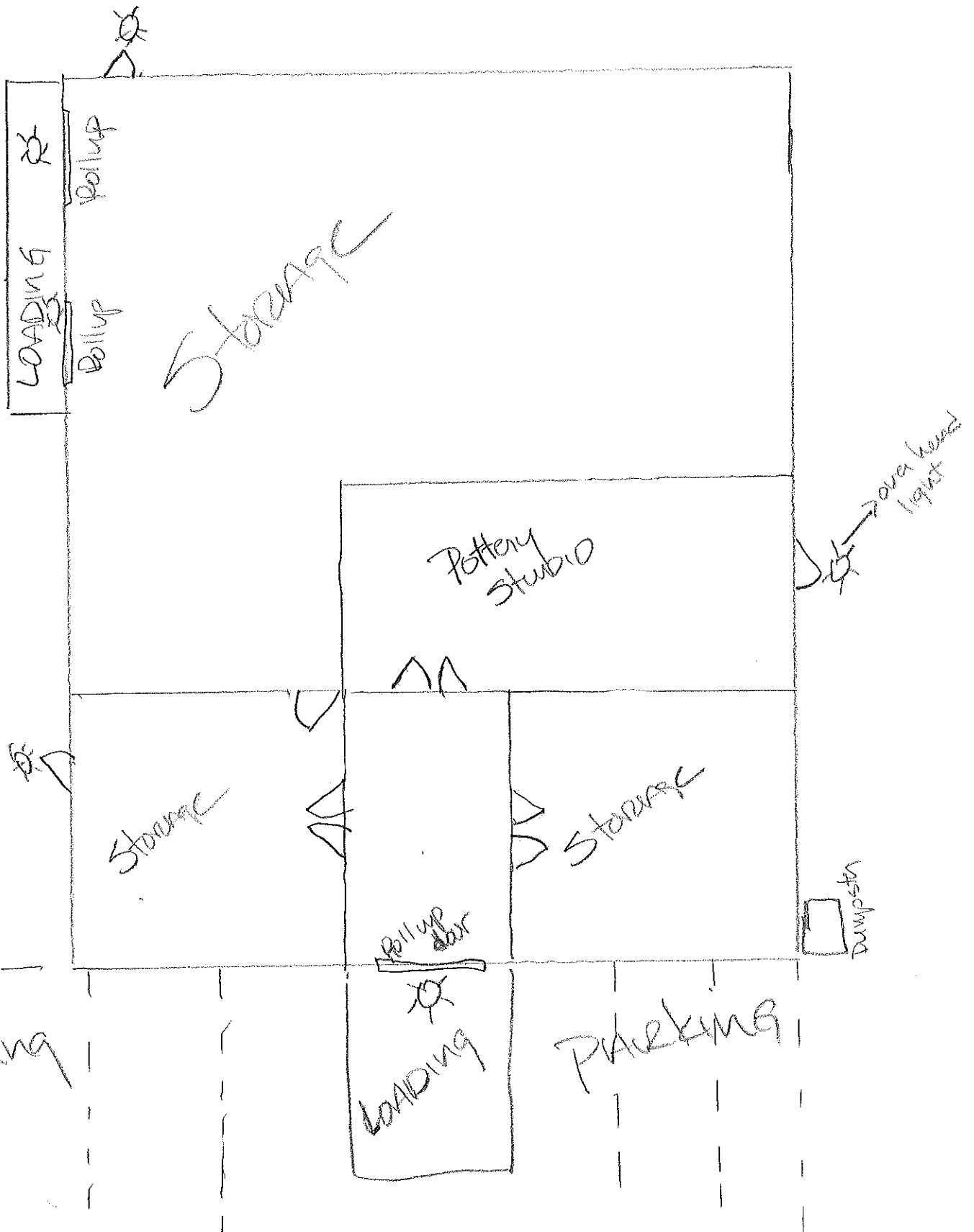
12/13/18

Clerks Acceptance

[Signature]  
per KK.

DATE

12.13.18



Clark Ave

Parking

owners  
John Marx  
Mary George

395  
Clark Ave

Parking

LOADING

LOADING  
Packing

owners  
Zach Krampf

397B  
Clark Ave

Parking

Minnesota Ave

Parking

DELTA COUNTY  
**INDEPENDENT**

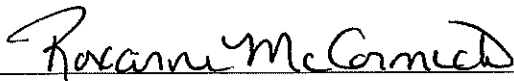
401 Meeker St.  
P.O. Box 809  
Delta, CO 81416

**AFFIDAVIT OF PUBLICATION**

STATE OF COLORADO }  
COUNTY OF DELTA } ss.

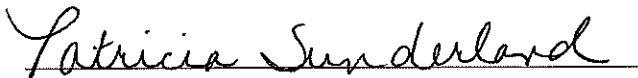
I, Roxanne McCormick, do solemnly swear that I am advertising director of the *Delta County Independent*; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Delta, State of Colorado, continuously and uninterruptedly in said County of Delta for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, and all amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that the annexed legal notice or advertisement was published in the regular and entire issue two consecutive insertions; that the first publication of said notice was in the issue of said newspaper dated February 13th, A.D., 2019, and that the last publication of said notice was in the issue of said newspaper dated February 20th, A.D., 2019.

In witness whereof I have hereunto set my hand this 20th day of February, A.D., 2019.

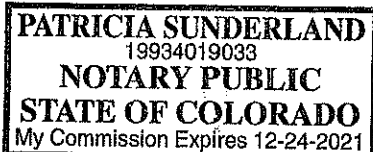


Advertising director of said *Delta County Independent*

Subscribed and sworn before me, a Notary Public in and for the County of Delta, State of Colorado, this 20th day of February, A.D., 2019.

  
Notary Public

My commission expires 12/24/2021  
900 Cypress Wood Lane  
Delta, CO 81416



**NOTICE OF PUBLIC HEARING  
CONTINUANCE**

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Planning Commission will hold a public meeting on Wednesday, March 6, 2019 on or after 6:00PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:

**Special Use Permit for Frederick Zimmer:**

397 Clark Avenue #A, Paonia CO 81428

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Board of Trustees will hold a public meeting on Tuesday, March 12, 2019 on or after 6:30PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider the Planning Commission recommendation for:

**Special Use Permit for Frederick Zimmer:**

397 Clark Avenue #A, Paonia CO 81428

If you are unable to attend but wish to comment, comments can be made at Paonia Town Hall: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or [paonia@townofpaonia.com](mailto:paonia@townofpaonia.com) until March 1, 2019.

Published in the Delta County Independent February 13 and 20, 2019.

DELTA COUNTY  
**INDEPENDENT**

P.O. Box 809  
401 Meeker St.  
Delta, CO 81416  
(970) 874-4421

**INVOICE**

Paonia, Town of  
PO Box 460  
Paonia, CO 81428

**AD CAPTION: Planning Commission Zimmer**

DATE	LINES	RATE	COST
February 13, 2019			
February 20, 2019	36	.608	21.89

This amount will appear on your next monthly statement.

Thank you!

MEMBER

COLORADO  
**PRESS**  
ASSOCIATION

## Corinne Ferguson

---

**From:** Lyn Howe <wordpress@www.townofpaonia.com>  
**Sent:** Wednesday, January 9, 2019 7:05 PM  
**To:** Corinne Ferguson  
**Subject:** Contact from TownofPaonia.com

**Name:** Lyn Howe

**Email:** [REDACTED]

**Comment or Question:** Regarding the special use permit for Frederick Zimmer and home occupancy permit for Dave Knutson I received via registered mail, I have no concerns and would support the council to approve them.

Thank you

Lyn Howe

[REDACTED]  
Paonia

---

Time: January 9, 2019 at 7:04 pm

IP Address: 209.206.68.110

Contact Form URL: <http://www.townofpaonia.com/contact/>

Sent by an unverified visitor to your site.



February 19, 2019

Board of Trustees, Town of Paonia  
P.O. Box 460  
Paonia, Colorado 81428

RE: Special Review Application – 395 Clark Avenue #A;  
Six Month Review

Dear Trustees:

I represent Mr. Cowell and Ms. West concerning the Edesia special use review of the warehouse property accessed by Clark Avenue. On January 22, 2019, the Trustees by motion requested Mr. Knight to meet with both parties to discuss possible solutions and report back to the Trustees on February 26, 2019.

After not hearing from Mr. Knight, undersigned sent an email to Mr. Knight on February 13, 2019, inquiring when the meeting would be held. Mr. Knight responded right away that he was working on it. On February 19, 2019, Mr. Knight let the parties know that he would be unable to conduct a meeting prior to February 26, 2019.

Since Mr. Knight has not had an opportunity to hold a meeting between my clients and Ms. George, my clients request that the six month review of the Edesia special uses be continued until March 6, 2019.


Sincerely,

Carol A. Viner

cc: clients



# AGENDA SUMMARY FORM

Agenda Item # CALL 	Adjournment		
Summary: Meeting opening -			
Empty space for meeting summary			
Vote:	Barb Heck:	Bill Bear:	Monica Foguth:
Lucy Hunter:	Charles Stewart:		
Empty space for additional notes			

**March 7th, 2019**

**Dear Planning Committee and Town Board,**

On behalf of the members of Paonia Clayworks, thank you for this opportunity to communicate our needs and desires regarding our studio space at 397 Clark in Paonia.

The purpose of this letter is to address hopefully all of the questions and concerns raised at the Wednesday, March 6<sup>th</sup> Planning Committee meeting.

**MISSION/VISION:**

We are a quiet, 7-member collective of ceramists, artists and teachers. Our vision is to make and sell beautiful pottery, be a cultural resource to our community, and learn and grow as artists and teachers.

We mostly keep to ourselves, make pottery, and gift or trade with friends and family. We are committed to being valuable, considerate neighbors and community members.

**STUDIO MEMBERSHIP:**

At present we are a 7-member collective. At any given time, usually less than half the members are on-site. Most of the time there is just 1 of us in there. We anticipate growing to 10 to 12 members, within the next 12-18 months.

**BENEFITS WE PROVIDE TO THE COMMUNITY:**

- Convenient work-space for local artist-members to throw/build pottery in
- Instruction in ceramics for potters of all ages
- Beautiful, hand-made ceramics for sale/trade/gift
- Innovative partner with non-profits
- Resource for ceramics residents of Elsewhere Studios Artist Residency program
- Experimental works made from locally-sourced clays and glazes
- Host cutting-edge visiting artists to learn + teach new techniques to our community

**WORKSHOPS/CLASS/EVENTS:**

We are a small space with only 5 wheels and 2 small kilns. We'll occasionally host small classes and workshops. We'll also host occasional events like kiln-openings and open studios (weekends mostly) where we tour the studio and provide work for purchase. Most of these events will be held off-hours.

**RETAIL:**

With the hosting of kiln-openings and open studio hours, we would have a limited need for additional retail hours. However, we would like to reserve the right to open our studio on a limited basis for selling our wares. At the planning committee meeting, 8 days per month was offered and we think that is fine.

**PARKING/TRAFFIC:**

We are aware of the sensitivity of parking/traffic at our location. In the event of a class, event or workshop - again, mostly during off-hours - we would proactively take the following measures:

- Encourage visitors to walk/bike to the class, workshop or event
- Post clear signage of where parking is OK
- Ask drivers to enter the parking lot via Minnesota, not Clark
- Coordinate in advance with neighbors (Frederick, Nalby, John and Mary George) to make sure there is space for any additional parking, if anticipated

**IN SUMMARY:**

As we stated above, we are a small, quiet collective. Mostly we just want to make and sell art, teach people about ceramics, and learn new techniques that add beauty to our community and valley.

Our anticipated growth is organic and limited. We aim to provide tangible benefits to our community with the smallest impact possible.

If you have any additional questions or concerns, a few of our members will be at the Tuesday (March 13<sup>th</sup>) meeting. Additionally, you can email Pieter at [pietervanwinkle@gmail.com](mailto:pietervanwinkle@gmail.com), Karen at [karengoodaz@gmail.com](mailto:karengoodaz@gmail.com), or Jasmine at [jasmineholthausen@gmail.com](mailto:jasmineholthausen@gmail.com).

Thank you for your attention to this matter!

**Warm regards,  
Paonia Clayworks**

# AGENDA SUMMARY FORM



## Revised Preliminary Environmental Assessment for the North Fork Mancos Master Development Plan

### Summary:

Discussion requested by Mayor Pro-Tem Bookout - Opening discussion and public input regarding the revised EA.

### Notes:

### Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

U.S. DEPARTMENT OF THE INTERIOR **BUREAU OF LAND MANAGEMENT**

ePlanning

**DOI-BLM-CO-N040-2017-0050-EA (North Fork  
Mancos Master Development Plan (NFMMDP))**> [NEPA Register](#) > [DOI-BLM-CO-N040-2017-0050-EA](#) > [Home](#)

Project Search:

  
Go☐ Find Whole Words Only[Home](#)[Documents](#)[Contact Information](#)[How to get Involved](#)[Meetings](#)[Maps](#)[Data](#)[Links](#)[FAQs](#)

Last Updated:

02/28/2019 09:24:24 MST

**Home****Synopsis of Project** **NEW!****The Proposal**

Gunnison Energy LLC (GELLC) proposes to drill, complete, and operate up to 35 horizontal wells from one existing well pad, one expanded well pad, and three new well pads and to construct access roads and gathering pipelines in Gunnison and Delta counties, Colorado. The project, referred to as the North Fork Mancos Master Development Plan (NFMMDP), would occur within an area encompassing 34,906 acres of public and private lands. This includes 25,790 acres administered by the U.S. Forest Service, Grand Mesa-Uncompahgre-Gunnison National Forests, Paonia Ranger District; 468 acres administered by the Bureau of Land Management (BLM), Uncompahgre Field Office; and 8,648 acres of private lands. Federal fluid mineral estate in the project area totals 30,972 acres, including all of the Federal lands and 4,714 acres beneath some of the private lands. General access to the project area would be via State Highway 133 to County Road 265. GELLC hopes for approval to begin project activities in summer 2019. Project workforce would be approximately 122 during the 4-year development phase, including construction, drilling, and completion activities, depending on one versus two drilling rigs. Long-term operational life of the project is estimated at 30 years, during which time up to 700 billion cubic feet of natural gas is expected to be produced.

The proposal includes use of up to 26 miles of existing roads and up to 4.2 miles of upgraded or new administrative access roads. The lack of certainty regarding road lengths reflects that the EA analyzes two road options for accessing one of the Federal well pads, depending on GELLC's ability to obtain access across private land instead of constructing a new road segment across National Forest System lands. Total initial surface disturbance associated with the project would be approximately 35.9 acres on Federal (mostly National Forest System) lands and 10.2 acres on private lands. Of these totals, 14.5 acres on Federal lands and 2.9 acres on private lands would remain disturbed over the long-term, until final reclamation of the pads.

**Modifications to the Proposed Action Leading to Preparation of the Revised Preliminary EA**

Since publication for public review of a Preliminary EA in May 2018, GELLC has modified its proposal to use the most common and reliable method of hydraulic fracturing, called the slickwater method, instead of the originally proposed nitrogen foam (or gel) method analyzed in an earlier Preliminary EA published in May 2018. GELLC now considers the nitrogen foam method unfeasible based on the geology of the targeted Mancos Shale in combination with the anticipated depth and length of the horizontal well bores. In addition, the nitrogen used in the nitrogen foam method must be transported and handled onsite at high pressures. The modification in completions method would result in increased water requirements from the initially estimated 30,000 barrels (3.9 acre-feet) per well to the currently estimated 500,000 barrels (64.4 acre-feet) per well for completions. For all uses, including drilling, completions, and ongoing dust abatement, the increased per-well water consumption is estimated to increase from 44,535 barrels (5.8 acre-feet) to 522,520 barrels (67.3 acre-feet) per well. Annual consumption is estimated at 336.7 acre-feet during the first year, when five wells are planned, and 404.1 acre-feet during the second year, when six wells are planned.

Existing water sources—primarily the Hotchkiss Water Treatment facility within the project area, GELLC's water right facility for the Elk Creek Mine (Oxbow Mining), and produced water from GELLC's coalbed methane wells—would be sufficient to meet 90% of the proposed water requirements. To make up the difference during the first 2 years, GELLC proposes to truck 34 acre-feet of water acquired from the City of Delta via State Highways 92 and 133 to a turnoff into the project area on a private road north of Paonia Reservoir. Once inside the project area, the water would be transferred into GELLC's existing pipeline system. GELLC is actively pursuing additional water sources and storage facilities to eliminate the need for truck haulage in the third and fourth years. The Revised Proposed Action also includes use of a temporary surface pipeline to deliver water from the Elk Creek Mine water right facility to an existing pad near the southern end of the project area, where it would be transferred into GELLC's existing pipeline system.



The currently proposed method of completions would also require the delivery of sand, used as a "proppant" to help keep the fractures open and facilitate release of natural gas into the well bore. Delivery of sand would utilize haul trucks traveling on SH 133 from a railroad loadout at the Elk Creek Mine to the intersection with CR 265, and from there to pads being completed. Both the water and sand haulage would occur on 50 to 60 days distributed through late summer and fall.

#### Project History

The first opportunity for public comment was the scoping period from February 17, 2017, to April 17, 2017. A total of 1,349 scoping comments on the Proposed Action were submitted by individual citizens, elected officials, governmental entities, and non-governmental organizations. A public comment on the original Preliminary EA was held from May 10, 2018, to June 9, 2018. During the second public comment period, 102 unique comment letters and emails were received, along with 117 form letters. Included on this project webpage are the names of commenters on the Preliminary EA and synopses of their comments.

#### Note to Reviewers

To help reviewers focus on portions of the Revised Preliminary EA that differ from the earlier Preliminary EA, the current version uses a **BLUE FONT** to indicate new or substantially revised information based on the modified Proposed Action and comments received during public review of the earlier version.

The BLM and the GMUG National Forests are soliciting public input on the Revised Preliminary Environmental Assessment for the North Fork Mancos Master Development Plan (NFMMDP). As described above, the Revised Preliminary EA incorporates revisions associated with modifications to the Proposed Action submitted by the proponent (Gunnison Energy LLC).

For comments to be considered, submissions must be received **via the Comment Submissions tab on this website**; **via regular mail** to the BLM Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, Attn: North Fork Mancos; or **via email** to [comments-rocky-mountain-gmug@fs.fed.us](mailto:comments-rocky-mountain-gmug@fs.fed.us) with "North Fork Mancos" in the subject line.

**Comments must be received by April 1, 2019, or within 30 days of publication of the legal notice in the *Grand Junction Daily Sentinel*, the GMUG's newspaper of record, whichever is later.** Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold from public review your personal identifying information, we cannot guarantee that we will be able to do so.

Although the BLM and GMUG have combined the analysis and comment periods, the two agencies will have separate decision processes. In order to obtain standing to object to the GMUG's decision on this project, comments must have been received during scoping last year or during this comment period. This Preliminary EA is a Forest Service activity implementing a land management plan subject to the requirements of 36 CFR 218 A and B.

## NFMMDP: What's Changed?

Issue	Original Project	2019 Update
Fracking Method	Nitrogen Foam-Gel	Slickwater
Water Consumption	5.8 Acre-Feet/well	67.3 Acre Feet/well
Water Source	n/a	<p>Various Sources:</p> <ul style="list-style-type: none"> <li>• City of Delta</li> <li>• Elk Creek Mine</li> <li>• “Open River” water on Muddy/West Muddy Creek</li> <li>• Recycled Water from CBM wells</li> <li>• Unspecified Sources for Years 3-4</li> </ul>
Sand Use	n/a	Slickwater fracking requires sand as the proppant. A total amount was not supplied in the EA
Water/Sand Transportation	n/a	<p>Water will be transported by a combination of trucks and pipelines. The water purchased from the City of Delta will all be hauled by truck to a loadout near Somerset.</p> <p>Sand will be hauled by some as-yet-to-be-specified combination of truck and rail from Fruita.</p> <p>Overall traffic at its peak as the result of these changes would increase traffic on Hwy 133 by 23% at the project's peak.</p>

# North Fork Mancos Master Development Plan Fact Sheet – March 2019

Gunnison Energy's North Fork Mancos Master Development Plan (NFMMDP) is BACK. In 2017, the company proposed to drill, frack, and operate up to **35 new wells** in the Upper North Fork watershed about 12 miles northeast of Paonia. The project was on hold for much of last year as the company tested possible fracking methods, and they have chosen to proceed with a much more water-intensive process than was originally proposed.

## **The Project - Background:**

- 34,906-acre project on mostly public lands.
- 35 new wells from 4 new well pads and one existing pad.
- Adjacent to the recently approved 146-well Bull Mountain MDP.
- The project would be developed over 4 years.

## **The Project - New Information**

- The updated proposal would use 67.3-acre feet (or nearly 22,000,000 gallons) of water for each well.
- The total estimated water use for the entire project is 2,355.5-acre feet. (or roughly 767,000,000 gallons).
- Water would come from a variety of sources:
  - Fresh water from the Muddy Creek/West Muddy Creek when available,
  - The West Elk Mine's water right,
  - The City of Delta,
  - Recycled/produced water from other oil and gas operations, including Coal Bed Methane (CBM) wells.
- The new fracking method would also require a significant amount of sand to prop up the newly formed fractures.

## **Issues:**

- ❖ **The amount of water for the project is roughly equal to 20% of the capacity of the Paonia Reservoir. The water system in the North Fork Valley is already highly stressed. Withdrawing that much water is incompatible with the other, existing uses in the area.**
- ❖ **Delivering so much water to the project area would require a significant increase in truck traffic from Delta to Somerset.**
- ❖ **The project would require hauling sand in trucks from Fruita (about 50 round trips per day over 50-60 days) from the Elk Creek Mine to the well pads.**
- ❖ **The NFMMDP is adjacent to the 146-Well Bull Mountain Master Development Plan**
- ❖ **East Muddy Creek, West Muddy Creek, Hubbard Creek-North Fork Gunnison River Watersheds, which feed some of the North Fork Valley's most important irrigation and drinking water sources, are at risk.**
- ❖ **The project is proposed in one of the most geologically unstable regions in the State, which witnessed the largest mudslide in the country, and Hwy 133 has regular problems with rockfalls.**
- ❖ **There are already injection wells in the area that may be correlated with recent earthquakes near Carbondale (2.8 magnitude on January 19th, 2017 28 km S of**



# North Fork Mancos Master Development Plan Fact Sheet – March 2019

Carbondale; 1.6 magnitude on January 19th 26 km S of Carbondale) and Paonia (3.5 magnitude on July 23, 2016 7 km NE of Paonia).

- ❖ **Wildlife and Game Management Unit 521 is at risk. This area is part of a popular, heavily used, and highly prized hunting area, and includes critical habitat for Colorado's elk and deer herds.**
- ❖ **Rural gas gathering pipelines are exempt from federal pipeline safety regulations.**
- ❖ **This project is the first phase of a potential 104-well, 13-pad development by GELLC within the NFMMDP project area, for which detailed planning and analysis are currently unavailable.**

BLM and the US Forest Service are seeking comments from the public to identify concerns and issues before they begin drafting the environmental assessment analyzing the proposal. **The comment deadline is now April 1, 2019.**

## **Send comments to the BLM and USFS:**

- ❖ Stating that this application is incomplete until the operator can demonstrate a source for all the water to be used in this project, and conducting an EA without that information is premature and invalid.
- ❖ Requesting that no new development until federal resource management planning is revised to properly protect the resources of the North Fork Valley. Any new development during the resource planning revision process now underway for the Uncompahgre Field Office Planning Area and the USFS' Grand Mesa, Uncompahgre, and Gunnison National Forests, prejudices the cumulative impacts analysis required by the National Environmental Policy Act.
- ❖ Requesting a full Environmental Impact Statement instead of the currently proposed Environmental Assessment. The proposed project is complex, impacts 3 critical watersheds of the North Fork Valley, is proposed in one of the most geologically unstable areas in the State and with recent earthquake activity that may be related to existing injection wells, and is adjacent to the 146-Well Bull Mountain Master Development Plan, which was also subject to a full Environmental Impact Assessment. This alone merits a full Environmental Impact Assessment.

## **You can send your comments to:**

Allen Crockett  
Bureau of Land Management  
2300 River Frontage Road  
Silt, CO 81652  
or email comments to  
[blm\\_co\\_si\\_mail@blm.gov](mailto:blm_co_si_mail@blm.gov)  
or fax to (970) 876-9090

Niccole Mortenson  
Grand Mesa Uncompahgre and Gunnison  
National Forest All Units  
2250 Highway 550, Delta, CO, 81416  
[nmortenson@fs.fed.us](mailto:nmortenson@fs.fed.us)



March 8, 2019

Board of Trustees for the Town of Paonia  
P.O. Box 460  
214 Grand Avenue  
Paonia, CO 81428

Dear Trustees for the Town of Paonia,

Citizens for a Healthy Community (CHC) is a 500+ member grassroots nonprofit organization dedicated to protecting the air, water and foodsheds of the North Fork Valley and the Delta County region. CHC continues to be concerned about the impacts of oil and gas development in the Upper North Fork Valley watersheds and impacts on the Town of Paonia. In May of 2018, the Town of Paonia submitted a very strong series comments to the Bureau of Land Management (BLM) on the Preliminary Environmental Assessment for the North Fork Mancos Master Development Plan (NFMMDP), addressing issues related to potential impact on a range of resources.

Now, Gunnison Energy, LLC (the project proponent), has brought the project back to the BLM for further review after proposing major changes to the hydraulic fracturing method. Originally, the project proposed to use the nitrogen foam/gel method, but that proved to be unfeasible in the project area for a variety of reasons. The company has now proposed to change to the slickwater method, which is dramatically more water-intensive. Where the nitrogen foam method would use 5.8 acre-feet of water per well, the slickwater method will require 67.3 acre-feet per well. An acre-foot is 325,851 gallons. The entire project would now require 2,355.5 acre-feet or slightly over 767,000,000 gallons of water. The slickwater method also requires sand as a proppant, to hold up the newly formed fractures in the target formation.

The water for this project will come from a variety of sources, both tributary and non-tributary. Tributary water is water that contributes to stream flows in the Gunnison River Subbasin. Non-tributary water does not. Tributary sources include Muddy Creek and West Muddy Creek water diverted during open river periods (Colorado Water Commissioner must approve these withdrawals), water from the Elk Creek Mine water right, and finally they have purchased 34 acre-feet per year for the first two years of the project from the City of Delta (this water will be hauled by trucks from Delta to a loading point near Somerset).

Non-tributary sources will be recycled produced water from coalbed methane (CBM) wells in the area. While the BLM is treating water from CBM wells as “non-tributary,” implying that

there will be no impact on surface water, there are still serious concerns about groundwater depletions. This issue has come up in the Delta County oil and gas working group discussions, as concern about the connection between groundwater and surface flows grows.

In years 3 and 4 of the project, there is a 368.5 acre-foot short fall in Gunnison Energy's water supply. The Revised Preliminary Environmental Assessment (REA) describes this water as "Currently Unsecured Additional Sources." This unsecured water cannot come from tributary sources, as there is a 2017 US Fish and Wildlife Service Programmatic Biological Opinion safeguarding endangered fish species that limits the total amount of North Fork water that can be withdrawn for energy development. Current oil and gas development in the upper North Fork is pushing up against the limits of this safeguard. More importantly, the fact that this revised fracking method requires 34 acre-feet of water to be trucked from the City of Delta beginning in Year 1 of the project demonstrates that there isn't enough water locally to support this project.

This increased water use, as well as new need for hauling sand, and water from the City of Delta, has forced the BLM to reanalyze the project. The REA is largely similar to the original Preliminary EA that you have already commented on, with a few notable changes that reflect the updated project. The REA does in some places attempt to address some of the issues raised in earlier comments, but largely remains unchanged.

### **The BLM is now asking for your input on the REA.**

We sincerely appreciate your willingness to address these issues, and the work that you have done thus far. We respectfully request that you submit a letter to the BLM that reiterates the comments you have previously submitted, and addresses the following issues:

- Impact on Town of permanently withdrawing 2,335.5 acre-feet from the hydrologic cycle
  - Paonia is currently living through evidence of the fragility of our water systems. While the current water emergency was not caused by oil and gas operations, it is clear proof of how little room for error there is on an over-allocated, drought-stricken hydrologic system.
  - Water used for drilling wells and fracking them is never returned to the hydrologic cycle. It is either reused in future fracking efforts or stored forever deep down in wastewater disposal wells. While the water used from the Muddy and West Muddy Creeks, and potential groundwater depletions from coaled methane wells, does not supply the Town of Paonia water system, it does supply irrigators in the valley, and residents who rely on various ditches and canals for water supply. Permanently withdrawing the water threatens these residents and agricultural businesses, and therefore Paonia's economy. At least half of Paonia's economy relies on the water coming from the watersheds impacted by this project. Any stresses to surrounding source waters is likely to result in a burden on the Town's already strained systems.
  - The REA describes a 2017 programmatic Biological Opinion, produced by the US Fish and Wildlife Service and the US Forest Service, that limits the amount of water that can be withdrawn from the Gunnison Subbasin for energy development to 607 acre-feet annually. This limit is set to preserve adequate instream flows for the endangered and threatened species in the river system. Maintaining adequate instream flows for threatened and endangered species is also critical for the outfitters, guides, and

recreation businesses that rely on those same instream flows to support sport fishing all along the North Fork and its tributaries.

- Impact on Town of increased truck traffic for hauling both water and sand
  - The REA anticipates significant increases in traffic through Paonia as a part of this project. On the stretch of highway from just east of Hotchkiss all the way through Paonia, the project would result in a 63% increase in daily truck traffic. Further east of town, that increase would be well over 100%.
  - The BLM does not adequately address the safety concerns associated with such drastic increases in traffic. The REA relies on conditions of approval that require operators to follow all applicable traffic rules to mitigate any potential impact. The Hwy 133 corridor is already the second most dangerous route in the state of Colorado, as a result of the significant geohazards, rock falls, and mudslides that occur on a regular basis. Significantly increasing the amount of traffic in this corridor will likely increase accident rates and stress local emergency response teams, and adversely impact their ability to respond to other local emergencies.
  - This significant increase in heavy truck traffic will have a negative impact on the road surface.
- Importance of fully understanding all possible sources of water for this project
  - As was discussed briefly above, Gunnison Energy has not yet secured the rights to all the water required for this project. In years 3 and 4, there is a 368.5 acre-foot annual shortfall. This is likely the result of the programmatic Biological Opinion discussed above that limits the total amount of water that can be withdrawn from the Gunnison Subbasin for energy purposes. That means that Gunnison Energy will have to find non-tributary water to supply its needs. Where will that water come from? How can the BLM properly analyze the impact of this water use if it does not know where the water will come from?
  - 368.5 acre-feet is a significant amount of water. Trucking that amount of water through Paonia would require nearly 12,000 truck trips, ten times what is currently being considered. Transporting it via pipeline would require the installation of many miles of temporary, above-ground pipeline in addition to what is contemplated in this REA.
  - The BLM cannot consider development impacts that haven't been defined. That makes this application, and this REA not only incomplete but premature. With this REA, the BLM and Gunnison Energy are gambling with the upper North Fork's water future, which is already in peril under the pressures of drought, climate change, and likely sacrifices to support Colorado's Drought Contingency, and Demand Management Plans. The scope of water use for this project alone is great enough to merit an Environmental Impact Statement to understand fully the long-term implications of this scale of water withdrawals.

In addition to the above concerns, we ask that you reiterate the issues raised by the Town in previous comments, particularly the request that the agency conduct an Environmental Impact Statement. Given the sheer amount of water needed, the recent approval of the 146-well Bull Mountain Master Development Plan, a potential second phase of the NFMMDP, and the extent of the existing natural gas infrastructure, and unregulated pipelines and the number of oil and gas industry exemptions from environmental laws and regulations, an Environmental Impact Statement is necessary to analyze properly the potential cumulative impacts to and the carrying capacity of the region.

In addition, a moratorium on new development during an ongoing Resource Management Plan (RMP) revision process is required under the National Environmental Policy Act. The BLM is currently revising its Resource Management Plan for the Uncompahgre Planning Area, and the US Forest Service is currently undergoing a Forest Revision Plan. The project area in question was leased under an outdated RMP, and moving forward with development would prejudice the RMP revision process and would significantly impact the environment.

Please see the attachments for additional information. If the Board of Trustees has any questions or would like any additional information, please do not hesitate to contact me at [andrew@chc4you.org](mailto:andrew@chc4you.org) or at (970) 399-9700.

Sincerely,

Andrew Forkes-Gudmundson  
Associate Program Director  
Citizens for a Healthy Community

Attachments:

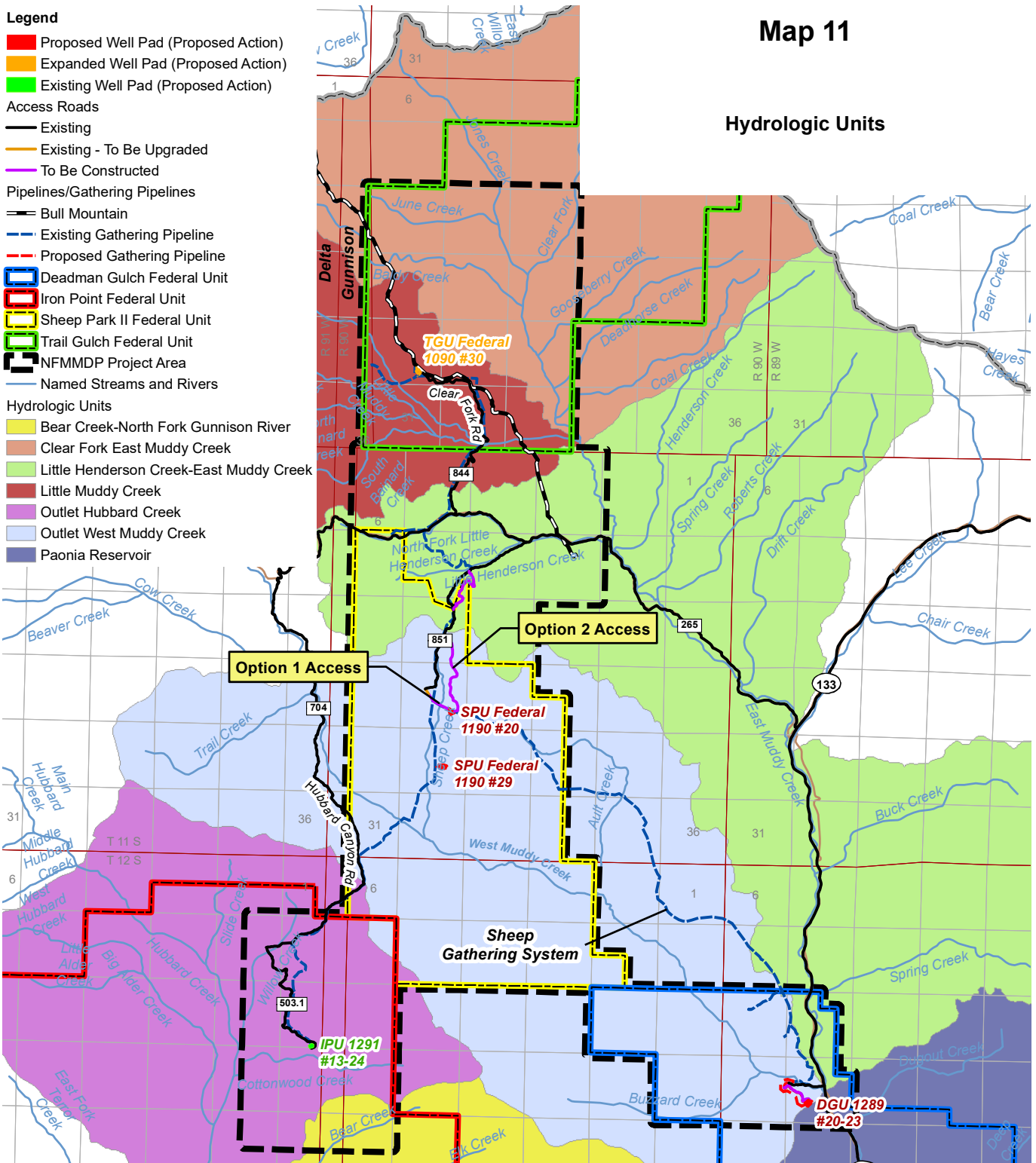
- NFMMDP: What's Changed?
- North Fork Mancos Master Development Plan Factsheet
- Map: Hydrologic Units NFMMDP

## Map 11

### Hydrologic Units

#### Legend

- Proposed Well Pad (Proposed Action)
- Expanded Well Pad (Proposed Action)
- Existing Well Pad (Proposed Action)
- Access Roads
  - Existing
  - Existing - To Be Upgraded
  - To Be Constructed
- Pipelines/Gathering Pipelines
  - Bull Mountain
  - Existing Gathering Pipeline
  - Proposed Gathering Pipeline
- Deadman Gulch Federal Unit
- Iron Point Federal Unit
- Sheep Park II Federal Unit
- Trail Gulch Federal Unit
- NFMMDP Project Area
- Named Streams and Rivers
- Hydrologic Units
  - Bear Creek-North Fork Gunnison River
  - Clear Fork East Muddy Creek
  - Little Henderson Creek-East Muddy Creek
  - Little Muddy Creek
  - Outlet Hubbard Creek
  - Outlet West Muddy Creek
  - Paonia Reservoir



2 0 2 Miles

No warranty is made by the Bureau of Land Management  
for use of the data for purposes not intended by the BLM



# AGENDA SUMMARY FORM



## Finance & Personnel

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



## Public Works/Utilities/Facilities

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:



# AGENDA SUMMARY FORM



Governmental Affairs/Public Safety

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



Space to Create

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM



Space to Create

Summary:


Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart:

# AGENDA SUMMARY FORM

	<p>Town Administrator Review</p>		
<p>Summary:</p>			
<p>Notes:</p>			
<p>Possible Motions:</p>			
<p>Motion by: _____ 2<sup>nd</sup>: _____ vote: _____</p>			
<p>Vote:</p>	<p>Trustee Bachran:</p>	<p>Trustee Bear:</p>	<p>Trustee Bookout:</p>
<p>Trustee Budinger:</p>	<p>Trustee Hart:</p>	<p>Trustee Knutson:</p>	<p>Mayor Stewart:</p>

# AGENDA SUMMARY FORM



Adjournment

Summary:

Notes:

Possible Motions:

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

Vote:	Trustee Bachran:	Trustee Bear:	Trustee Bookout:
Trustee Budinger:	Trustee Hart:	Trustee Knutson:	Mayor Stewart: