



**TOWN OF PAONIA**  
**214 GRAND AVENUE**  
**REGULAR TOWN BOARD MEETING AGENDA**  
**TUESDAY, MAY 09, 2023 6:30 PM**  
[HTTPS://US02WEB.ZOOM.US/J/88673216540](https://us02web.zoom.us/j/88673216540)  
**MEETING ID: 886 7321 6540**  
**ONE TAP MOBILE**  
**17193594580**

**PUBLIC PARTICIPATION:** MUST RAISE HAND AND BE RECOGNIZED BY THE MAYOR, COME TO THE PODIUM AND STATE YOUR NAME AND THE STREET ON WHICH YOU LIVE. TIME LIMIT IS 3 MINUTES, ONE TIME PER ITEM. DIRECT ALL COMMENTS TO THE MAYOR. NO RESPONSES WILL BE MADE BY STAFF OR BOARD DURING THE MEETING. NO DEROGATORY OR DEMEANING STATEMENTS OR PUBLIC DISPLAYS. PLEASE BE RESPECTFUL.

### **Roll Call**

### **Correspondence Received**

### **Approval of Agenda**

### **Announcements**

Proclamation National Police Week May 14 - 20, 2023  
 Recognition of Town of Paonia Staff Member Jordan Redden  
 Flooding Update

**Public Comment** - Any topic not included on the agenda, 3-minute time limit.

### **Consent Agenda**

#### **Minutes**

April 11, 2023 Regular Minutes  
 April 25, 2023 Regular Minutes

#### **Disbursements**

### **Staff Reports**

Interim Town Administrator  
 Police Chief  
     Progress Report  
     Blotter  
 Public Works Director  
     Project List

### **Actions & Presentations**

Public comments must be related to the agenda item, 3-minute time limit

### **Other Items**

1. Request of approval and sanction of the 16th annual Pickin' at the Park and waiver of fees by the Town of Paonia as a 'Legacy Event' - Rob Miller
2. Consider letters of interest and appoint Trustee to vacant seat on Town Board
3. Approval of expense to repair Police Department air conditioner.

4. Consideration and adoption of Ordinance 2023-04 - Clarifying the Water Moratorium in response to Referendum Petition on Ordinance 2023-02.
5. Board direction regarding Signatories on Town bank accounts and credit cards.
6. Request to submit a Revitalizing Main Streets grant to CDOT for \$250,000 for additional funds to complete the 5th and Grand intersection project.
7. Town Administrator recruitment process and update including discussion and decisions about pay range, preliminary interviews, and Interim Administrator.
8. Board review of draft letter regarding Gunnison Energy's latest development plan
9. Consideration and approval of draft comments on Jumbo Mountain Trail.

### **Executive Sessions**

EXECUTIVE SESSION, pursuant to C.R.S. Section 24-6-402(4)(f)(I), for the purposes of discussing a personnel matter concerning employees who have not requested that the matter be discussed in an open meeting, specifically pertaining to compensation and potential promotions.

### **Mayor & Trustee Reports**

Phoenix Rising Resources – Master Plan Update

Urban Rural Continuum – Affordable Housing Assessment Update

### **Adjournment**



AS ADOPTED BY:  
TOWN OF PAONIA, COLORADO  
RESOLUTION NO. 2017-10 – Amended May 22, 2018

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.

# Town of Paonia



Correspondence Received

CREEK VISTA CROSSING HOMEOWNERS ASSOCIATION  
A Colorado Non-Profit Corporation  
POB 133, Paonia, CO 81428

Interim Administrator, Leslie Klusmire, Town of Paonia P. O. Box 460 Paonia, CO 81428

RE: Creek Vista Crossing HOA Pedestrian, Utility, Access & Maintenance Easement

Dear Ms. Klusmire:

Especially in light of the Paonia Master Plan review being conducted by the newly appointed Consultant Team, and the upcoming Community Engagement Session (4-27-23), The Creek Vista Crossing HOA Board (CVCHOA) wants to address access to its Pedestrian, Utility, Access & Maintenance Easement. In a previous Parks, Recreation, and Trails Master Plan, drafted in 2022, and known as Paonia in Motion, it was suggested that the CVCHOA Pedestrian, Utility, Access & Maintenance Easement be used as a "public easement between the eastern end of Apple Valley Park and Vista Drive." The proposed plan shows bicycle access from Apple Valley Park across Minnesota Ave and through the CVCHOA Pedestrian/Utility Easement to Vista Drive, and continuing up Vista Drive to the BLM.

The Easement in question is shown on the Creek Vista Subdivision Plat. It belongs to the Creek Vista Crossing HOA, and it specifies Pedestrian and utility access only. The CVCHOA Board of Directors has discussed this matter and is not willing to change the easement to allow bicycles. Therefore, please do not include bicycle access through the CVCHOA easement in the future Master Plan being addressed by the new Consultant Team.

Thank you for your attention to this matter.

Sincerely,

Pam Schofield

CVCHOA President

Cc: Town of Paonia, Town Clerk - Samira Vetter

cc: Town of Paonia Masterplan Consultant Team:

Marissa Mommaerts, Resilience & Regeneration LLC  
Molly Wheelock, StudioMW  
Mara Mantoiu, StudioMW  
Scott Brown, Active Peace, LLC  
Calla Rose Ostrander, Phoenix Rising Resources, LLC

cc: North Trail Advocacy Group- Tracy McCurdy

cc: BLM Field Office Montrose CO – Caroline Kilbane



# NORTH FORK HIGH SCHOOL

438 Miners Way | Hotchkiss, Colorado | 81419

Phone: 970-872-3882 | Fax: 970-872-2390

WWW.NFHS.DELTASCHOOLS.COM



Principal: Amy Miller | Asst. Principal: Delaine Hudson | Counselor: Spencer Mahaffey Lightfoot

April 19th, 2023

Dear Town of Paonia,

We are writing to thank you for your support of North Fork High School GRAD Night 2023. We appreciate your donation of \$300.00.

The North Fork High School graduating class of 2023 is looking forward to the event "Grad Night" hosted by their parents and community. Again, Grad Night is designed to celebrate the achievements that these young people have made in completing their high school education. This year, our Grad Night will be on Monday, May 22, 2023 after their Graduation Ceremony and the celebration provides an alcohol free / substance free alternative for graduating seniors.

Thanks again for contributing so that our graduating class of North Fork High School may feel the love and support from their community.

Thank you for your support!

Sincerely,

North Fork High School Grad Night Parent Committee

1000 10th Street, Paonia, CO 81454

Thank you for your support!

We appreciate your contribution to our community.

Your support is greatly appreciated and will help us continue to provide the best education for our students.

If you have any questions or need more information, please contact the North Fork High School administration.

We look forward to seeing you at Grad Night on Monday, May 22, 2023.

Thank you again for your support and contribution to our school community.

# PROCLAMATION

## PROCLAIMING THE WEEK OF MAY 14<sup>th</sup> – 20<sup>th</sup>, 2023 AS POLICE WEEK IN THE TOWN OF PAONIA, COLORADO

To recognize National Police Week 2023 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, in 1962, President John F. Kennedy proclaimed May 15<sup>th</sup> as National Peace Officers Memorial Day and the calendar week in which May 15<sup>th</sup> falls, as National Police Week, and

**WHEREAS**, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Town of Paonia Colorado Police Department, and

**WHEREAS**, there were 43,649 assaults against law enforcement officers in 2021, resulting in approximately 15,369 injuries, and

**WHEREAS**, since the first recorded death in 1791, more than 23,800 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one member of the Town of Paonia Police Department in 1952, and

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C., and

**WHEREAS**, 224 police officers were killed in the line of duty in 2022, and

**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's Annual Candlelight Vigil, on the evening of May 13<sup>th</sup>, 2023, and

**WHEREAS**, the Candlelight Vigil is part of National Police Week, which takes place this year on May 14<sup>th</sup>-20<sup>th</sup>, and

**WHEREAS**, May 15<sup>th</sup> is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff, and

**THEREFORE, BE IT RESOLVED** that the Mayor and Board of Trustees of the Town of Paonia do hereby formally designate May 14<sup>th</sup> through May 20<sup>th</sup>, 2023, as Police Week in the Town of Paonia, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

**IN TESTIMONY WHEREOF** the Mayor of the Town of Paonia has hereunto subscribed her name and has caused the Official Seal of the Town of Paonia to be hereunto affixed on this 9<sup>th</sup> day of May 2023.

**ATTEST:**

**Town of Paonia, COLORADO**

\_\_\_\_\_  
Samira M Vetter, Town Clerk

By \_\_\_\_\_  
Mary Bachran, Mayor

# Town of Paonia

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## Consent Agenda



**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**April 11, 2023**

**RECORD OF PROCEEDINGS**

Mayor Bachran calls the meeting to order at 6:30 pm.

**Roll Call**

PRESENT

Mayor Mary Bachran

Trustee/Mayor Pro-Tem Thomas Markle

Trustee Dave Knutson

Trustee Paige Smith

Trustee Dave Weber

ABSENT

Trustee John Valentine

Trustee Rick Stelter

**Correspondence Received**

No comments were made.

**Approval of Agenda**

Motion made by Trustee Smith, Seconded by Trustee/ Mayor Pro-Tem Markle to accept public comment for the Interim Administrators report due to the content being important to both the Board and community.

Aye: Trustee Markle, Trustee Knutson, Trustee Smith

Nay: Trustee Weber

The motion carries.

Motion made by Trustee Weber, Seconded by Trustee/Mayor Pro-Tem Markle to approve the agenda.

The motion carries unanimously.

**Announcements**

Trustee Weber announces his resignation from the Board, thanks staff and states his admiration for their hard work. He believes that the water and sewer issues that he originally joined to help fix are in good hands, headed in a good direction and now he is ready to concentrate on fishing.

## **Public Comment**

**S. Watson:** Spring Clean-up comments and says ordinance cannot be trumped by resolution and believes that people are being over-charged on trash due to that.

## **Consent Agenda**

### Disbursements

Motion made by Trustee Weber, Seconded by Trustee/Mayor Pro-Tem Markle to approve the disbursements.

Trustee/ Mayor Pro-Tem Markle states for the record that we are placing a lot of public trust in the finance committee to look over disbursements carefully. This is the third time that disbursements have not been able to be viewed before the meeting.

Town Clerk Vetter explains that that invoices are in the system, but that staff needs to call the accounting program company to be walked through the check printing process. Staff has a large learning curve and will get them finished and out to the rest of the Board and public as quickly as possible and they will all be in the next packet as well.

Interim Administrator Klusmire adds that the staff has had a very stressful couple of weeks with many unexpected issues and asks the Board to please be patient with them.

Motion carries unanimously.

## **Staff Reports**

### Interim Town Manager-

#### PUBLIC COMMENT:

**S. Patterson:** asks about an investigative report and whether one will be available for the public to see.

**S. Watson:** Asks about whether the meters are radio reads or hand entry and asks questions about funds.

Interim Administrator Klusmire says that the priorities survey shows that Town is generally supported by community, water and sewer, of course, wins hands down, gives an update on the sewer collapse, and that a future possibility of staff equipment could mean public works could maybe do some of the smaller jobs themselves.

She also gives a brief summary on the financial accounting situation, explaining that it is complicated and harder to use than it needs to be, gives a summary of funds, fees and government accounting.

Trustee Weber states his concerns about the way the whole situation was dealt with.

Trustee Markle says Trustee Weber's concerns are better saved for the executive session.

He supports the Board implementing some accountability when it comes to the accounting, which he feels has been missing so far.

Police Chief Laiminger talks about the training reimbursement program they are using, mental health resources coming in handy but trending upwards and community outreach. Public Works Director Heiniger gives a verbal report due to the business, the delta water leak is fixed and should be online tomorrow (April 12). He also explains the old handheld vs the new handheld for meter reads and software and the issues that staff has had while trying to implement it.

## **Actions & Presentations**

### **Other Items**

#### **1. International Society of Arborists- Rocky Mountain Chapter Event in the Park Approval**

Kelly Mazur gives a summary of the event they are seeking approval to have in the Town Park.

Public Comment:

S. Watson: asks if the arborists use spikes during their events and is told no, they do not.

Motion made by Trustee Weber, Seconded by Trustee/Mayor Pro-Tem Markle, to approve the International Society of Arborists - Rocky Mountain Chapter event.

The motion carries unanimously.

#### **2. Letter of Support for River District Grant**

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith, to approve the Letter of Support for River District Grant.

The motion carries unanimously.

#### **3. Staff recommendation about USFS prescriptive burn in the West Elks around Town of Paonia Springs**

Jeremiah Garcia gives a summary of his concerns about the prescriptive burn. Interim Administrator Klusmire also shares her experience on the subject and the importance of environmental impacts and watershed issues. A District Ranger with United States Forest Service provides information and says there will be no fire on the ground until fall of 2024 so there is plenty of time to talk and address concerns before it happens. They also

discuss the process of mechanical treatment first and working together with the Town for proper infiltration.

Trustee Weber asks if they will be working with the Town to protect the infiltration galleries and Town property.

Public Comment:

S. Watson: asks what the term 'mechanical' means.

Trustee Weber makes a motion, Seconded by Trustee Smith, to approve sending the letter to the USFS.

The motion carries unanimously.

#### 4. Approval of MOU between Paonia Police Department and Bureau of ATFE

Police Chief Laiminger explains that the MOU brings the police department access to the Bureau of Alcohol, Tobacco, Firearms and Explosives databases and that even though it isn't used all the time it is a valuable tool.

Trustee Weber makes a motion, Seconded by Trustee Knutson to approve the Police Department signing the MOU with the Bureau of ATFE.

The motion carries unanimously.

#### 5. Approval of funding for repairs to Town financial system

M. Pattison: Thanks Interim Administrator Klusmire for her work and attention to this issue

A discussion occurs about whether it should say Broomfield or Delta County in the contract.

Town Attorney Cotton-Baez advises that it can be changed to Delta County if Professional Management Solutions are willing.

Trustee Smith makes a motion, Seconded by Trustee Weber, to approve the funding, pending the change of county and affirmative review by the Town Attorney.

#### 6. Ratification of funding approval for emergency sewer repair

Interim Town Administrator Klusmire provides an overview of emergency meetings, adds updates, and asks for ratification of the emergency motion.

Trustee Weber makes repairs on, Seconded by Trustee Smith, to ratify the funding decision made at the April 7 Emergency Meeting to approve funding up to \$350,000 for the collapsed sewer repair.

Trustee/ Mayor Pro-Tem Markle asks questions about staging, planning and work start time and whether there were any responses from other firms for bids.

The motion carries unanimously.

Trustee Smith asks if Roop Excavation is doing the repair work.

Interim Administrator Klusmire adds that they will but are also doing some training with Town staff both to keep costs down and help us prepare for doing some future work ourselves.

#### 7. Relationships with North Fork Pool, Park and Recreation District and North Fork Creative Coalition

Town Attorney Cotton-Baez provides an overview of past agreements with both groups and changes that he advises need to be made in Intergovernmental Agreement's that may not be advantageous to the Town and could be used for renegotiations.

Trustee Knutson asks if the Town can combine the MOU's for the organization into one broader agreement that deals with both the management and relationship aspects.

Trustee Weber asks if a new agreement could also include the expansions to the skate park.

Trustee Smith asks that there be a clearly defined process for reporting hazards or the Town giving direction to close included in the new agreements. She also asks that the issue of payments to be made by the Town to the NFPP&R District be looked into.

Trustee Knutson makes a motion, Seconded by Trustee Smith to authorize the Town Attorney to begin negotiations for a new MOU with the North Fork Pools, Parks & Recreation District.

The motion carries unanimously.

The discussion the turns to Resolution 2013-04 Town Support of Creative District Designation and the actions the Board resolved to do including appoint a representative to the North Fork Valley Creative Coalition Board, Town staff support of the NFVCC, and support and promotion of the Coalition events, with no clear definition of what those commitments may be. The Town Attorney suggests that entering into a formalized agreement could improve and refine the working relationship between the Town and the NFVCC.



Trustee Smith asks about clarifying some of the language about staff work time and the drafting of letters of support and asks if the resolution can be rescinded and superseded with the MOU.

Trustee Knutson Would prefer that the mayor be the signature on Town agreements.

Mayor Bachran points out that the Town needs to keep Resolution 2013-04 as it is state level and needs to be in place while there is a Creative District, but having an agreement with the NFVCC, who is running the Creative District is a separate issue.

Trustee Smith makes a motion, Seconded by Trustee/ Mayor Pro-Tem Markle to direct the Town Attorney to draft an MOU between the Town and the North Fork Valley Creative Coalition and suggest needed changes to Resolution 2013-04.

The motion carries unanimously.

8. Intergovernmental Agreement Growth Management Plan with Delta County Approval Reviewing Planning Commission recommendations.

Trustee Weber makes a motion, Seconded by Trustee Smith, to approve the IGA with the Planning Commission recommended changes and Section 8.

Public Comment:

M. Pattison: Questions about whether the Town or County drafted the agreement in the packet.

S. Watson: comments about reviewing the rules and be realistic when applying Town rules to properties in the Growth Management area that are far outside of town limits.

Trustee Smith asks about enclaves and annexation and asks where section 8 is?

Trustee/ Mayor Pro-Tem says thank you to Planning Commission for putting recommendation together and addressing issues that people had bad feelings about.

Main motion: to approve the IGA with the Planning Commission recommended changes and Section 8.

Motion carries unanimously.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith for a five-minute recess.

Motion passes unanimously.

Meeting resumes

Trustee Weber makes a motion, Seconded by Trustee/ Mayor Pro-Tem Markle, to move the Executive Session up on the agenda, while they have a quorum.

The motion carries unanimously.

9. Tabled to next regular meeting.

10. Tabled to next regular meeting.

11. Tabled to next regular meeting.

**Executive Session**

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Weber to enter Executive Session, pursuant to Section 24-06-402(40(b), C.R.S., for purposes of conferencing with the Town Attorney for the purposes of receiving legal advice on specific legal questions related to the removal of officers pursuant to Section 31-4-307, C.R.S.

Motion carries unanimously.

Executive Session starts: 8:22 pm

Executive session ends: 9:16 pm

**Adjournment**

Meeting Adjourns at 9:20 pm

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Samira M Vetter, Town Clerk

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Mary Bachran, Mayor



**Minutes**  
**Regular Town Board Meeting**  
**Town of Paonia, Colorado**  
**April 25, 2023**

**RECORD OF PROCEEDINGS**

Mayor Bachran calls the meeting to order at 6:35 pm.

**Roll Call**

PRESENT

Mayor Mary Bachran

Trustee/Mayor Pro-Tem Thomas Markle

Trustee Dave Knutson

Trustee Paige Smith

Trustee John Valentine

ABSENT

Trustee Rick Stelter

**Correspondence Received**

No comments made.

**Approval of Agenda**

Trustee Smith makes a motion, Seconded by Trustee/ Mayor Pro-Tem Markle to move items 10 and 12 up to be items 2 & 3.

Trustee Smith explains that since items 10 & 12 were left from the last regular meeting after they lost their quorum, she would like to see them dealt with earlier.

The motion carries unanimously.

**Announcements**

No announcements from the Board

Public Comment:

W. Brunner: Finance situation a mess, delivering a citizen's initiative to require a forensic audit of the books for the last two years.

Town Clerk receives the Citizen's Initiative and records the time and date of filing.

Trustee Knutson reminds the community of the Master Plan public session on Thursday 4/27 at 5:30 pm at Town Hall, pizza to be served at 5 pm.

Trustee Smith asks that the session be recorded for those who cannot be there.

Trustee/ Mayor Pro-Tem Markle announces Citizens Water Committee meeting April 26 at 5:30 pm at Town Hall.

### **Public Comment**

S. Watson: glad to see the big dig on Delta and the leak under the track fixed, wonders if the citizen next to it with a leak issue has had help mitigating her issue.

### **Consent Agenda**

Trustee Smith makes a motion, Seconded by Trustee Markle, to accept the consent agenda.

Town Clerk Vetter makes note of changes made to Minutes for the record:

- March 14th, under Administrators report finished a sentence to say "...the priorities identified during the work session."
- March 28th minutes, page 32 of the packet: inserted the agenda item titles after the numbers.
- March 28th minutes, added Trustee Smith's vote of Aye under the topic of the Town Administrator search.
- March 28th minutes, under School discussion, reworded Trustee Smith's comment to "She doesn't feel like it was worth the issues it has caused with public distrust."

Trustee Smith asks a question about paperwork with the Curiel LLC liquor license renewal and Town Clerk Vetter confirms the application is complete but all of it might not have made it into the packet.

Motion carries unanimously.

Disbursements:

Trustee Smith also notes that Staff is aware that a motion had been made about Departments being included on payroll disbursement forms and it will be forthcoming as soon as staff can work it out with Caselle. She then asks if anyone has any questions about disbursements since they are all included.

Trustee/ Mayor Pro-Tem Markle comments that he does like that more detail is included on the disbursements, including invoice allocation.

Trustee Smith explains that while it takes longer to go through this way, it does show how much allocation happens between the funds and thinks it would be helpful for it to continue that way.

Motion carries unanimously.

Trustee Knutson notes the OWL system is being used for the first time and thanks Mayor Bachran and Administrative Assistant Ruben Santiago for getting them set up.

Trustee Smith thanks Trustee Valentine for doing the research to upgrade the system.

Mayor Bachran explains it is a work in progress and still not set up fully but should be finished in the near future.

### **Staff Reports**

Interim Town Administrator:

Explains significant flooding risk and asks that the community please take the danger seriously. There is a flood page on the town website (<https://townofpaonia.colorado.gov>). Please help by maintaining your ditches and culverts, keep your eyes and ears open and report flooding to Town Hall or Delta Dispatch and look out for your neighbors! She stressed talking to your kids about not being close to ditches and river banks and the danger of unstable banks.

Thanks to Ruben Santiago, Trinity Santiago, JoAnn Katzer and Candy Wuollet for labelling and mailing over 1000 flood flyers to the community.

Public Works Director Heiniger and Interim Administrator Klusmire explain that the water plant shuts down only when the tank is full and before the leak under the railroad tracks was fixed it would shut down for about four hours at night. Since the repair has been complete, the water tanks shuts off for around 9 hours a night which is a significant improvement.

Trustee/ Mayor Pro-Tem Markle asks about the citizen meter pit issue on Delta Avenue that was brought up by a citizen earlier. Director Heiniger explains the issues with addressing that problem including equipment cost, and the fact that it crosses private property and the Town needs permission to access it.

JDS Hydro/ Respec will be giving moratorium lift update at the next Board Meeting.

There is a DOLA training work session with Dana Hlavac on May 4th, 2023 at 5:30 pm

Interim Town Administrator Klusmire states that she would like to dispel rumors about missing money, there is no indication of funds being missing. She goes on to explain how Governmental Accounting works and that they are not only working with Professional Management Solutions but working with CIRSA and the Police Department and there is no evidence of theft.

She goes on to talk about how the funds will likely be set up, what budget to actuals will look like, and when work is complete there will be consistent financial reporting, they will be easier to understand, and more financial transparency.

She also reminds the Board that she will be travelling the next couple of weeks for personal reasons.

Trustee Knutson expresses what he would like to see with the budget statements and project tracking.

Trustee Smith asks about occupational tax from marijuana revenue and how it will be tracked.

Administrator Klusmire gives a brief explanation of who Michelle Duran is and her qualifications.

Town Clerk Vetter lets the Board know that since they like the amount of detail in the disbursements, she will not change it.

Trustee/ Mayor Pro-Tem Markle adds that he would like the more detailed minutes to continue and appreciates the time put into it.

### **Actions & Presentations**

#### **Other Items**

1. Consideration of approval of Pickleball Tournament at Apple Valley Park – Max Heepke

Max Heepke presents his idea for Pickleball Tournament and talks about the community that uses them. He wanted to introduce the tournament idea in Apple Valley Park to the Board before they submitted the Large Park Event application. They plan on a double's tournament, varying degrees of skill, taco truck, vendors and music.

Public Comment:

R. Kokernot: Pickleball is fastest growing sport in the world, 40% more players in recent years, putting Paonia pickleball court on the map. It is a great sport, tournament will bring good revenue. Please approve.

P. McCarney: Pickleball changed my life and health, has back issues, helped exercise without added injuries. It provides cross generational experiences and many other benefits. If people are going to come to the tournament, lets show them Paonia flavor, let them experience Paonia through food and music while doing a nice event at Apple Valley Park.

S. Gulick: Been playing pickleball for 10 years, it is booming more than tennis and he would say it is the main sport in Paonia now.

C. Ostrander: Also plays because it is less strenuous than some sports and past injuries are benefiting from Pickleball. Event will help people get out to Apple Valley Park and maybe see/learn a new sport. Very diverse community of players. Please update bathrooms.

Trustees ask questions about what differences there are from other Large Park Events, whether staff foresees any issues.

M. Heepke explains that he wanted to open communication about a new event and gauge support.

Trustee/ Mayor Pro-Tem Markle asks that they please keep the event community focused as opposed to tourism focused.

Trustee Knutson asks that they please be mindful of alcohol limitations.

#### 10. Recommendations from Planning Commission for Zoning/Building proposed code changes

Mayor Bachran gives background on the issue and how the Planning Commission took it up and looked over it closely.

Public Comment:

S. Watson: Ch. 18- signs- disagrees with suggestions, it all has to do with Land Use and needs to go back to zoning. explains multiple deficiencies to the suggestions to move some of these things to building. Please restore to how it was and then work on it.

W. Brunner: Thank you S. Watson...stop hacking up the code, get planning commission several months of training, and then look at things with professionals.

Trustee Smith makes a motion, Seconded by Trustee. Mayor Pro-Tem Markle to restore all of it back to the Zoning Code.

Trustee Knutson suggests asking Administrator Klusmire, who has a lot of experience with Land Use what her opinion is.

Interim Town Administrator Klusmire says the Code needs a comprehensive revision and it needs to be done by professionals.

Trustee Smith withdraws her motion and asks instead to table the decision until they can have the Interim Town Administrator and the Town Attorney look at them.

Trustee/ Mayor Pro-Tem Markle asks for update on plan to share a building inspector with Delta. Administrator Klusmire explains that Delta lost their building inspector and while the agreement still stands, it cannot be implemented until the position is filled.

#### 12. Discussion of CML request to Oppose SB 23-213 and approval of opposition Resolution and Letter



Interim Town Administrator gives background of the bill being opposed; changes that have been made due to opposition. Colorado Municipal League has sent update on it and opinions from legislators that it is not an affordable housing bill but instead taking land use rights away.

Town Attorney Cotten-Baez explains that local control is huge issue in this bill, and it doesn't guarantee any level of affordable housing. ADU's are permitted with this Bill, more density, effectively limit local growth management and it doesn't take municipal utilities into account. He believes that what is best for Paonia is focusing on the ADU's and to do it in a way that is best for our community.

Public Comment:

S. Watson: this is wildly unpopular it seems not likely to pass, sunlight and gardening is important to smaller areas. Thank you for supporting opposition to this.

Board:

Trustee Knutson makes a motion, Seconded by Trustee Smith, to go on record opposing bill in its original form but not including inflammatory language.

Motion is withdrawn.

Trustee Knutson makes a motion, seconded by Trustee Smith to approve Resolution in the packet and delegate letter writing to Trustee Smith and Trustee Knutson.

Trustee/ Mayor Pro-Tem Markle says he likes the letter the way it is written.

Aye: Trustee Knutson, Trustee Valentine

Nay: Trustee/ Mayor Pro-Tem Markle, Trustee Smith

Mayor Bachran breaks the tie: Nay

The motion fails.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith, to approve the letter and resolution as is.

Aye: Trustee/ Mayor Pro-Tem Markle, Trustee Smith, Trustee Valentine

Nay: Trustee Knutson

The motion carries.

2. Review and consideration of approval for Urban Rural Continuum contract.

Public:

S. Watson: Please do the mailing for that subsection we aren't reaching. Mail is the Gold standard. Would be nice to have a frank not public way of talking to these people. What are we wanting to do for growth? Do we want to grow?

Board

Trustee Knutson makes a motion Seconded by Trustee/ Mayor Pro-Tem Markle to approve contract without the optional add on's, with coordination clause, and designated Trustee's

Trustee/ Mayor Pro-Tem Markle asks if the study can focus on the citizen's before out of towners. It would be helpful if we could reach out to displaced citizens, and find out why they left? Let's use this study for good.

Trustee Smith discusses need to have cross communication about coordinating with Master Plan group and wants that in the contract. She would also like to know if one of the Board positions given on the committee, could be designated as the person providing direction to the contractors.

Trustee Smith volunteers to be on the committee.

Trustee Knutson also volunteers as he is on the Planning Commission.

Board discussion includes meeting times and changes to contract.

Trustee Knutson makes a motion, Seconded by Trustee Smith to amend the main motion to include Trustee Knutson and Trustee Smith.

Motion to amend carries unanimously.

Main motion: to approve contract without the optional add on's, with a coordination clause, and Trustee's Smith and Knutson as the designated Trustee's.

Motion passes unanimously.

3. Decision to repeal or send to Special Election: Section 1 of Ordinance 2023-02: Clarifying the moratorium of water tap sales by the Town by Referendum Petition.

W. Brunner: wants to know if he can be apart of the conversation

Public:



S. Patterson: People wanted to sign, appreciate the moratorium, understand the necessity of the moratorium. Want services corrected and functioning before development.

S. Watson: Appreciates the moratorium being in place and doesn't like any appearance of loosening. Lots broken: Code, finance situation, failing infrastructure. Please do not act in haste.

Board Discussion:

Interim Town Administrator explains she is confused by the referendum, the new language prevents ANY water extension and now she is able to say 'no' and does, weekly.

The clarification makes the moratorium stricter, individual interpretation doesn't matter in court; the code does. She believes that repealing this will weaken the moratorium because we have to go by what it says.

Trustee/ Mayor Pro-Tem Markle requests that the Town Attorney share what his interpretation is.

Town Attorney Cotten-Baez explains that his intention was to strengthen the moratorium and to make the restrictions clearer and defensible.

W. Brunner asks to be allowed to make a statement at this time and explains his problems with the clarifications ordinance.

1. He believes it is a bad idea to let the board muck around with a Citizen Initiative.
2. The definitions used ties the moratorium to the worst parts of the water code: pipe size and individual meters; which is also the most violated part of the ordinance.
3. Does like that it puts in what was left out by his attorney, which is that this trumps all other code.

He feels like the first moratorium was definitive enough.

Trustee Smith explains that one of the original definitions has allowed people to bypass the moratorium and asks why the clarification is bad when the new language has allowed the Town to stop people from adding use even with lawyers being hired?

Interim Administrator Klusmire explains how the former language made it problematic for her before the clarification.

W. Brunner disagrees and states the issue can be left to the voters to decide.

Trustee/ Mayor Pro-Tem Markle asks if it is possible to incorporate the original moratorium, clarification and the referendum language to solve the issue.

Town Attorney Cotten-Baez states that he agrees that the water code has many issues and with what he is hearing from the petitioners, if the Town moves quickly, this option could be explored and still leave time for the Resolution for Special Election and ballot language to be prepared if it doesn't satisfy the petitioners concerns.

Trustee/Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith, to direct the attorney to produce an example incorporating the language from the referendum petition, Ordinance 2023-02 Clarifying the moratorium of water tap sales by the Town and the original moratorium as fully as possible.

Trustee/ Mayor Pro-Tem Markle explains that he doesn't feel the elements of the motion are incompatible and with further clarification the special election can be avoided, and the moratorium can still be strengthened and continue with its intended purpose.

Discussion continues between Trustee's, Town Attorney, Interim Administrator and the petitioners about the differences in language and definitions that cause the problems and how it can potentially be fixed to mutual agreement.

Voting Aye: Trustee/Mayor Pro-Tem Markle, Trustee Smith, Trustee Knutson

Voting Nay: Trustee Valentine

The motion carries.

#### 4. Resolution 2023-04 Declaration of Board of Trustees Vacancy

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Smith to accept Resolution 2023-04

The motion carries unanimously.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Knutson to take a 5-minute recess.

Motion carries unanimously

Meeting resumes

Mayor Bachran points out that there are conditions that need to be set in Resolution 2023-04 Declaration of Board of Trustees Vacancy.

The Town Attorney explains the timeline and statutory requirements.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Knutson to amend Resolution 2023-04 part 3, to say not later than 14 days, not later than May 9th, 2023

Motion carries unanimously.

#### 5. Board meeting procedures discussion

Mayor Bachran asks if after a few months of running the meeting with new procedures there are any changes the Board wants to make.

Public Comment:

W. Brunner: The current way is an insult to the community, one good thing about Paonia is being able to have your say, recent issue with financial issues makes me feel vindicated. Stop stifling public comment. The response is what is important to the discussion. I urge you to go back to the public speaking after Board discussion way.

S. Watson: agree with W. Brunner and would have decided differently on the Referendum Petition item if she had heard the discussion first. Leslie is valuable to the Town because of the new systems. Still are not well developed packets. Might be a good comparison to go back to the old way.

Board Discussion:

Trustee Knutson: We are elected to represent; represent everyone not just the ones who are talking the loudest. I think we are on different pages and we should be representing them and deliberating with each other. Appreciate the public input and but the format from before exacerbates issues because of reacting.

Trustee/ Mayor Pro-Tem Markle: When did open public comment start? Doesn't care what other places do, he likes the way we used to do it because all of that community knowledge can be used. Eliminating the back and forth hurt us as a Board. We need good chairing, if it isn't going to be enforced it doesn't matter what we do. Propose that we follow Robert's Rules, everyone get a time to speak, motion maker first, go to public, go to second round, then public, then vote. It works to ease confrontation.

Trustee Smith agrees with Trustee/ Mayor Pro-Tem Markle and wants to take disbursements out of consent agenda so public can comment on it.

Trustee Valentine makes a motion, Seconded by Trustee Smith, to continue the meeting to 10 pm

Aye: Trustee Valentine, Trustee Smith, Trustee/ Mayor Pro-Tem Markle

Nay: Trustee Knutson

The motion carries.

Trustee Valentine: we invoke the public and give a forum to people who have agenda's and the other public; stays away from meetings because of conflict, scheming, and general conflict. Hesitates to buy into the public argument, until we are talking about all of the public and not just allowing a small group to attack and vent. Has been to a lot of meetings where you have to sign up to speak and they are effective as well, not buying into the public argument.

Mayor Bachran suggests that they wait to make changes until the new Trustee is appointed and has done some meetings under the current format.

Trustee Knutson makes a motion, Seconded by Trustee Smith to move on and not decide tonight.

Aye: Trustee Smith, Trustee Knutson, Trustee Valentine

Nay: Trustee/ Mayor Pro-Tem Markle

#### 6. Consideration of approval of contracting ADP for Payroll and HR services

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Knutson to approve contracting ADP for payroll and basic HR services.

Motion carries unanimously.

#### 7. Consideration of approval of ESRI Renewal Contract

Interim Administrator Klusmire states that she is encouraging bringing all contracts to Board for approval.

Public Works Director Heiniger states for the record that the ESRI GIS mapping is a very valuable tool and they use it all the time.

Trustee/ Mayor Pro-Tem Markle makes a motion, Seconded by Trustee Knutson to approve the ESRI Renewal Contract

The motion carries unanimously.

#### 8. Consideration of approval to hire hourly seasonal worker to plant and tend flower beds downtown.

JoAnn Katzer has volunteered to water, Chief Laiminger approved

Trustee Smith and her husband Shane would design and plant but would like to make sure the flowers were watered.

Interim Administrator Klusmire states that they need to talk to Town Attorney about the labor law liability before they go that route.

Trustee Smith says the other option is to hire by contract and they could also do work on peony beds at Town Park as well.

Public:

W. Brunner: budget has doubled, enough is enough, let them plant their own flowers, people can't pay their water bills, don't hire anyone else.

S. Watson: I have to maintain my own right of way, trees and so on. Would like to see volunteer work from shopkeepers for the gift of flowers. Parks contractor used to do this stuff; we should aim higher.

L. Howe: we did lots of volunteer work on garden and would like to see more volunteer. One person to coordinate some volunteers.

S. Patterson: Do not add any more things, take care of what we have now, don't start new stuff, when we have old things not being maintained.

Board:

Trustee/ Mayor Pro-Tem Markle echoes that property owners should have to maintain them. Get the shop owners to help.

Trustee Smith makes a motion, Seconded by Trustee Valentine, to continue to another meeting.

The motion carries unanimously.

#### 9. Board discussion of Town position of Jumbo Mountain Trail

Trustee Knutson notes that the issue is outside of the comment period but feels the Town should have a position since it includes Apple Valley Park.

Public Comment:

L. Howe: Western Slope Conservation Center had a large gathering about this, look at their suggestions, please stand up against OHV on trails.

W. Brunner: uses Jumbo Mountain all the time and stays away from it during animal sheltering times. Green Gate prohibits guns going through, shouldn't sign off on this. Specific planning 101, two neighborhoods having culverts shouldn't have shut that down.

R. Beers: No sidewalks in Apple Valley, parking is an issue with how much use the trail gets. Consider the area.

Trustee Smith says she cannot comment since she doesn't have enough information and it is moot since they cannot do anything without us.

Trustee Smith makes a motion, Seconded by Trustee Knutson, to extend the meeting for 5 minutes.

Aye: Trustee Smith, Trustee Valentine, Trustee Knutson

Nay: Trustee/ Mayor Pro-Tem Markle

Board discussion on Pan American and Apple Valley Park

Trustee Knutson will draft comments and bring back to the Board.

#### 11. Discussion of Sidewalk fee ballot renewal language

Board would like this to come back at another meeting

Trustee Smith makes a motion, Seconded by Trustee Knutson to have data on what sidewalks have been fixed and when; included in the packet.

Motion carries unanimously.

### Mayor & Trustee Reports

#### Adjournment

Meeting adjourns at 10:11 pm

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Samira M Vetter, Town Clerk

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Mary Bachran, Mayor



**Town Board Staff Memo****Subject: Disbursement Clarification****Author: Samira Vetter, Town Clerk****Date: 5/9/2023****Notes for clarification:**

- On the 'Select invoices for payment report' please note that in the 'Pay' column the ones marked with 'N' Are logged but not paid in this disbursement set
- The separate loan payment is only made every six months and is not included in the disbursement list due to being paid by ACH and needs to be logged in Caselle with help from Michelle Duran. It is not included in the total on the disbursement sheets but was approved by the Mayor and Trustee Smith before being released for payment.
- Payroll service are in the process of being set up with ADP, they should be doing payroll from here on.



Report Criteria:  
Report type: Summary

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
05/23	05/09/2023	0	24	City of Delta )	70-0201	1,086.00
05/23	05/09/2023	0	48	Dependable Lumber, Inc.	70-0201	38.05
05/23	05/09/2023	0	81	High Country Printing Inc	10-0201	1,128.12
06/23	05/09/2023	0	58	Delta County Landfill	80-0201	1,334.50
06/23	05/09/2023	0	122	Paonia Auto Parts	20-0201	255.38
05/23	05/09/2023	0	152	Southwestern Systems, Inc )	70-0201	1,072.50
05/23	05/09/2023	0	491	WINSUPPLY COMMERCIAL CHARGE	70-0201	22,255.82
05/23	05/09/2023	0	656	Schmueser Gordon Meyer, Inc.	60-0201	774.00
05/23	05/09/2023	0	803	Galls, LLC	14-0201	34.42
05/23	05/09/2023	0	182	Oldcastle SW Group Inc	70-0201	6,830.88
05/23	05/09/2023	0	125	Paonia Farm & Home Supply Inc	70-0201	27.85
05/23	05/09/2023	0	441	USA Blue Book	80-0201	1,181.38
05/23	05/09/2023	0	661	The Paper-Clip LLC	10-0201	10.42
05/23	05/09/2023	0	931	Roop Excavating LLC	70-0201	960.00
05/23	05/09/2023	0	687	Black Hills Energy	60-0201	1,583.85
05/23	05/09/2023	0	1124	JDS-Hydro Consultants, Inc	70-0201	6,535.00
05/23	05/09/2023	0	1211	Oasis Nursery	16-0201	280.00
05/23	05/09/2023	0	1214	Technical College of the Rockies	14-0201	1,633.61
05/23	05/09/2023	0	1272	League of Nebraska Municipalities	10-0201	34.10
05/23	05/09/2023	0	1273	League of Kansas Municipalities	10-0201	130.00
05/23	05/09/2023	0	1283	Sustainable Futures LLC	10-0201	12,191.95
05/23	05/09/2023	0	1305	Paige Smith	10-0201	175.00
Grand Totals:						<u>59,552.81</u>

Report Criteria:

Report printed and checks created

Due Date	Vendor Number	Name	Invoice Number	Net Due Amount	Pay	Payment Amount	Discount Amount	Remittance
04/30/2023	1124	JDS-Hydro Consultants, Inc	INV-0323-	5,243.75	Y	5,243.75	.00	Vendor Address
04/30/2023	1124	JDS-Hydro Consultants, Inc	INV-0323-	1,291.25	Y	1,291.25	.00	Vendor Address
05/06/2023	491	Winwater Corp	06860301	5,847.74	Y	5,847.74	.00	WINSUPPLY COM
05/09/2023	987	Black Hills Energy	50580395	775.67	Y	775.67	.00	Vendor Address
05/09/2023	1283	Sustainable Futures LLC	042023	12,191.95	Y	12,191.95	.00	Vendor Address
05/09/2023	1214	Technical College of the Rockies	23-13470	1,633.61	Y	1,633.61	.00	Vendor Address
05/10/2023	56	Delta County Landfill	396295	514.25	Y	514.25	.00	Vendor Address
05/11/2023	861	The Paper-Clip LLC	2046719-1	10.42	Y	10.42	.00	Vendor Address
05/12/2023	441	USA Blue Book	328364	119.76	Y	119.76	.00	Vendor Address
05/12/2023	441	USA Blue Book	328738	1,061.62	Y	1,061.62	.00	Vendor Address
05/14/2023	56	Delta County Landfill	396592	230.25	Y	230.25	.00	Vendor Address
05/17/2023	56	Delta County Landfill	396770	289.75	Y	289.75	.00	Vendor Address
05/17/2023	162	United Companies Inc	1513210	1,475.86	Y	1,475.86	.00	2
05/18/2023	803	GALLS, LLC	02420435	34.42	Y	34.42	.00	Galls, LLC
05/19/2023	987	Black Hills Energy	08788320	262.85	Y	262.85	.00	Vendor Address
05/19/2023	987	Black Hills Energy	53157128	310.17	Y	310.17	.00	Vendor Address
05/19/2023	987	Black Hills Energy	98430215	235.16	Y	235.16	.00	Vendor Address
05/19/2023	56	Delta County Landfill	396911	300.25	Y	300.25	.00	Vendor Address
05/19/2023	46	Dependable Lumber, Inc.	2304-2758	8.95	Y	8.95	.00	Vendor Address
05/19/2023	1305	Paige Smith	042023-09	175.00	Y	175.00	.00	Vendor Address
05/19/2023	122	Paonia Auto Parts	399321	27.08	Y	27.08	.00	Vendor Address
05/19/2023	491	Winwater Corp	06865201	16,408.08	Y	16,408.08	.00	WINSUPPLY COM
05/20/2023	81	High Country Printing Inc	19582	1,128.12	Y	1,128.12	.00	Vendor Address
05/20/2023	122	Paonia Auto Parts	399375	51.81	Y	51.81	.00	Vendor Address
05/20/2023	162	United Companies Inc	1514006	1,298.33	Y	1,298.33	.00	2
05/21/2023	1272	League of Nebraska Municipalit	193025	34.10	Y	34.10	.00	Vendor Address
05/21/2023	125	Paonia Farm & Home Supply I	152720	1.89	Y	1.89	.00	Vendor Address
05/21/2023	125	Paonia Farm & Home Supply I	152731	13.98	Y	13.98	.00	Vendor Address
05/21/2023	162	United Companies Inc	1514343	4,056.67	Y	4,056.67	.00	2
05/24/2023	24	City of Delta	2162023-0	1,086.00	Y	1,086.00	.00	Vendor Address
05/24/2023	46	Dependable Lumber, Inc.	2304-2764	29.10	Y	29.10	.00	Vendor Address
05/24/2023	1273	League of Kansas Municipalitie	6841	130.00	Y	130.00	.00	Vendor Address
05/24/2023	122	Paonia Auto Parts	399470	21.50	Y	21.50	.00	Vendor Address
05/24/2023	122	Paonia Auto Parts	399473	36.98	Y	36.98	.00	Vendor Address
05/24/2023	122	Paonia Auto Parts	399477	118.01	Y	118.01	.00	Vendor Address
05/24/2023	125	Paonia Farm & Home Supply I	152884	11.98	Y	11.98	.00	Vendor Address
05/24/2023	656	Schmueser Gordon Meyer, Inc.	2013-471	774.00	Y	774.00	.00	Vendor Address
05/25/2023	1211	Oasis Nursery	1338	280.00	Y	280.00	.00	Vendor Address
05/25/2023	931	Roop Excavating LLC	1520	960.00	Y	960.00	.00	Vendor Address
05/25/2023	152	Southwestern Systems, Inc	203161	1,072.50	Y	1,072.50	.00	Vendor Address
05/26/2023	39	Delta County Independent (DCI	11022824-	35.00	N	.00	.00	Vendor Address
05/27/2023	1304	Grand Junction Winwater	068892-01	2,415.56	N	.00	.00	Vendor Address
05/28/2023	48	Don's Market	02-147126	62.66	N	.00	.00	Vendor Address
05/28/2023	152	Southwestern Systems, Inc	203163	651.85	N	.00	.00	Vendor Address
05/30/2023	56	Delta County Landfill	4302023	1,873.25	N	.00	.00	Vendor Address
05/30/2023	50	Duckworks Auto Parts Inc	8899-0430	1,111.30	N	.00	.00	Vendor Address
05/30/2023	122	Paonia Auto Parts	8198-0331	255.22	N	.00	.00	Vendor Address
05/31/2023	46	Dependable Lumber, Inc.	2305-2775	25.06	N	.00	.00	Vendor Address
05/31/2023	1277	Kelly PC	04302023	8,796.90	N	.00	.00	Vendor Address
05/31/2023	162	United Companies Inc	10243772	275.83	N	.00	.00	2
05/31/2023	162	United Companies Inc	10243773	283.57	N	.00	.00	2
05/31/2023	162	United Companies Inc	10243773	282.85	N	.00	.00	2
05/31/2023	162	United Companies Inc	10243774	282.85	N	.00	.00	2



COLORADO WATER RESOURCES & POWER DEVELOPMENT AUTHORITY

1580 N Logan Street, Suite 820, Denver, Colorado 80203  
303-830-1550 / Fax 303/832-8205 / info@cwprda.com

(Transmitted via email)

4-4-23  
BILL PAYMENT AUTHORIZED  
Board Rep. *RS PS*  
Town Manager \_\_\_\_\_  
Dept./Code \_\_\_\_\_

March 30, 2023

Corinne Ferguson  
Town of Paonia  
P.O. Box 460  
Paonia, CO 81428

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

Dear Corinne Ferguson:

*Paid by ACH by Town Clerk Samira Vetter  
This payment is not logged in Caselle. 5-4-23*

Below is a breakdown of your loan repayment due: **5/1/2023**

Loan Number	Principal	Interest	Total
D08F212	\$10,421.93	\$1,249.77	\$11,671.70

Wire and ACH Instructions

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

RBK: U.S. Bank N.A.  
ABA: 091000022  
BNF: USBANK Trust NA  
777 E. Wisconsin Avenue  
Milwaukee, WI 53202-5300  
ACCT NO: 104792954745  
Ref No: 14878100

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

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

If you have any further questions, or you are unable to comply with this procedure, please call me prior to the payment date at (303) 830-1550 extension 1021. Please notify me of any address or contact personnel changes by e-mail at [accounting@cwprda.com](mailto:accounting@cwprda.com) or by phone at the number listed above.

If you would like to make your payments by automatic debit, please contact the Authority's Trustee, Yia Vue at U.S. Bank, ([Yia.Vue@USBank.com](mailto:Yia.Vue@USBank.com) or (651)-466-6136). Loan servicing letters will continue to be sent but for reference purposes only.

Sincerely,

*Valerie Lovato*

Valerie Lovato  
Senior Accountant II

cc: [Jennifer.Petruno@usbank.com](mailto:Jennifer.Petruno@usbank.com), [Lucy.Vang@usbank.com](mailto:Lucy.Vang@usbank.com), [Yia.Vue@usbank.com](mailto:Yia.Vue@usbank.com)



**Amanda Mojarro**

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**From:** online@ubb-us.com  
**Sent:** Thursday, May 4, 2023 1:37 PM  
**To:** Amanda Mojarro  
**Subject:** ACH Batch Pending

*Dear Amanda Mojarro*

*Following is the detail:*

*Batch Name: D08F212*

*Batch Type: PPD*

*Payment Type: Send a Payment*

*Offset Account: ASSOCIATION CHECKING-0733 Effective Date: 5/5/2023*

*Total Credits (QTY)*

*\$11,671.70 (1)*

*Total Debits (QTY)*

*\$11,671.70(1)*

*Credit Holds (Qty)*

*\$0.00 (0)*

*Debit Holds (Qty)*

*\$0.00 (0)*

*Regards,*

*United Business Bank*

*Note: If you wish to Modify your alert subscription, go to*

*<https://nam02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.unitedbusinessbank.com%2F&data=05%7C01%7Camanda%40townofpaonia.com%7Cfd2f66c256c4884390708db4cd6fa1e%7Cc83e1d4a0da0407cb733c01e65de3917%7C0%7C0%7C638188258451522575%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=Qcjdg8oemkL%2F3LuF49GXG0kcL2sqITPZ5AYSeNphZno%3D&reserved=0.>*

Report Criteria:

Includes the following check types:

Manual, Payroll, Supplemental, Termination, Void

Includes unprinted checks

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Payee ID	Department	GL Account	Amount
04/28/2023	PC	05/05/2023	9123121	Byrge, Rodney A	1055	Public Works	80-52-03	-1,586.33
04/28/2023	PC	05/05/2023	9123121	Cecil, Raymond Cole	1053	Public Works	70-51-03	-1,366.08
04/28/2023	PC	05/05/2023	9123121	Erickson, Jason C	1051	Public Works	16-46-03	-1,857.99
04/28/2023	PC	05/05/2023	9123121	Garcia, Jeremiah	1071	Public Works	60-50-03	-1,623.80
04/28/2023	PC	05/05/2023	9123121	Gilliam, William J	1023	Police Department	10-0223	-1,637.88
04/28/2023	PC	05/05/2023	9123121	Heiniger Burum, Derek J	1072	Public Works	60-50-03	-1,308.76
04/28/2023	PC	05/05/2023	9123121	Heiniger, Cory	1050	Public Works	80-52-03	-2,036.33
04/28/2023	PC	05/05/2023	9123121	Henderson, Garrett W	1021	Police Department	10-0223	-1,632.38
04/28/2023	PC	05/05/2023	9123121	Hinyard, Patrick	1022	Police Department	14-42-03	-1,842.24
04/28/2023	PC	05/05/2023	9123121	Jones, Cynthia	1001	Administration	20-45-03	-2,485.34
04/28/2023	PC	05/05/2023	9123121	Katzer, JoAnn	1010	Police Department	10-0220	-1,160.05
04/28/2023	PC	05/05/2023	9123121	Kramer, Lance W	1024	Police Department	14-42-03	-1,879.21
04/28/2023	PC	05/05/2023	9123121	Laiminger, Matt	1020	Police Department	10-0220	-1,726.18
04/28/2023	PC	05/05/2023	9123121	Matthew Taylor	9221059	Public Works	10-0216	-1,001.10
04/28/2023	PC	05/05/2023	9123121	Mojarro-Lopez, Amanda	1003	Administration	14-42-03	-1,417.86
04/28/2023	PC	05/05/2023	9123121	Redden, Jordan	1070	Public Works	80-52-03	-2,010.88
04/28/2023	PC	05/05/2023	9123121	Reich, Dennis	1052	Public Works	70-51-03	-1,416.68
04/28/2023	PC	05/05/2023	9123121	Rose, Clinton A	1056	Public Works	70-51-03	-1,258.29
04/28/2023	PC	05/05/2023	9123121	Santiago, Ruben	1006	Administration	70-51-03	-1,403.63
04/28/2023	PC	05/05/2023	9123121	Seeley, Thomas J	1025	Police Department	10-0216	-983.87
04/28/2023	PC	05/05/2023	9123121	Vetter, Samira	1005	Administration	60-50-03	-1,637.96
04/28/2023	PC	05/05/2023	9123121	Walton, Matthew	1063	Public Works	10-0216	-743.91
Grand Totals:								-34,016.75
								22



# Town of Paonia

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Police Department



# Paonia Police Department

DEPARTMENT BRIEFING: SUMMARY OF PROGRESS

05/01/2023

- Officers received School Access key cards from the School District. Officers now have access to the school using key cards. This greatly enhances our response capabilities during an emergency.
- Officers took part in a Paonia K8 ALICE drill. These drills provide valuable training for students, staff, and officers. This drill involved a full evacuation of students and an opportunity for officer input and engagement.
- Took part in a public safety presentation at the NFSIS Facility. This presentation involved Fire, EMS and Law Enforcement personnel. We were able to meet and talk with students varying in age from pre-k to 6<sup>th</sup> grade.
- The department sponsored police cadet successfully graduated from the Technical College of the Rockies Law Enforcement Academy and passed the state required P.O.S.T. exam.
- An Officer attended FTO training with the Mesa County Sheriff's Department and brought back a modern adult learning-based training program. The department will be implementing this new program and using it to train and integrate our newest officer.

# Paonia Police Department

## Law Incident Table, by Date and Time

**Date Occurred:** 04/02/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
04:08:08	SUICIDE/ATTEMPT	4TH ST, Paonia, CO	PPD	PPD	
15:22:30	AGENCY ASSIST	OAK AVE, Paonia, CO	PPD	PPD	
19:36:01	911/hangup	ORCHARD AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 3</b>					

**Date Occurred:** 04/04/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
06:34:32	AGENCY ASSIST	BOX ELDER AVE, Paonia, CO	PPD	PPD	
21:26:22	WELFARE CHECK	ONARGA AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 2</b>					

**Date Occurred:** 04/05/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:00:03	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
19:49:59	Traffic Stop	NIAGARA AVE, Paonia, CO	PPD	PPD	CIT
<b>Total Incidents for this Date: 2</b>					

**Date Occurred:** 04/06/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:34:22	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
23:10:34	AGENCY ASSIST	SAMUEL WADE RD;, Paonia, CO	PPD	DIST3	
<b>Total Incidents for this Date: 3</b>					

**Date Occurred:** 04/07/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:33:32	Wanted Person	GRAND AVE, Paonia, CO	PPD	PPD	A
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 04/08/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
23:31:46	AGENCY ASSIST	HIGHWAY 133, Paonia, CO	PPD	DIST3	
<b>Total Incidents for this Date: 1</b>					

**Date Occurred:** 04/10/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
17:26:17	Information	MAIN AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 1**

**Date Occurred:** 04/11/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:47:16	ANIMAL CONTROL	ONARGA AVE, Paonia, CO 101	PPD	PPD	VW
21:22:09	Traffic Stop	1ST ST, Paonia, CO	PPD	PPD	CIT

**Total Incidents for this Date: 2**

**Date Occurred:** 04/13/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:36:37	AGENCY ASSIST	PEACEFUL LN, Paonia, CO	PPD	DIST3	
12:26:51	SUSPICIOUS	pan american, ,	PPD		
15:06:55	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
15:47:38	Traffic Stop	BOX ELDER AVE & 3RD ST, Paonia, CO	PPD	PPD	CIT
16:00:22	Parking Problem	2ND ST, Paonia, CO	PPD	PPD	WW
18:07:11	Traffic Stop	2ND ST & MAIN AVE, Paonia, CO	PPD	PPD	
19:01:05	SHOPLIFTING	2ND ST, Paonia, CO PPD		PPD	CIT

**Total Incidents for this Date: 7**

**Date Occurred:** 04/15/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
17:49:18	Attempt-Locate	3RD ST & GRAND AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 1**

**Date Occurred:** 04/17/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:19:39	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
17:37:00	SHOPLIFTING	2ND ST, Paonia, CO	PPD	PPD	CIT

**Total Incidents for this Date: 2**

**Date Occurred:** 04/18/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:12:48	VIN INSPECTION	OAK AVE, Paonia, CO	PPD	PPD	
22:47:09	SUSPICIOUS	POPLAR AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

**Date Occurred:** 04/21/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:51:28	CITIZEN ASSIST	ALDER DR, Paonia, CO	PPD	PPD	
19:47:29	WELFARE CHECK	PAN AMERICAN AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

**Date Occurred:** 04/22/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
21:03:13	Information	OAK AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 1**

**Date Occurred:** 04/23/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
16:58:07	Traffic Stop	3rd St., Paonia, CO	PPD	PPD	CIT

**Total Incidents for this Date: 1**

**Date Occurred:** 04/25/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
17:26:02	Traffic Stop	OAK AVE, Paonia, CO	PPD	PPD	CIT

**Total Incidents for this Date: 1**

**Date Occurred:** 04/26/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
00:06:53	DOMESTIC	ORCHARD AVE, Paonia, CO	PPD	PPD	A
10:27:00	SHOPLIFTING	2ND ST, Paonia, CO	PPD	PPD	CIT

**Total Incidents for this Date: 2**

**Date Occurred:** 04/27/23

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:34:16	RESTR/PROT ORDR	ORCHARD AVE, Paonia, CO	PPD	PPD	A
16:35:17	Information	4TH ST & GRAND AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

Total reported: 36

CIT - 8, A - 3, VW - 1, WW - 1

CITATION= CIT    VERBAL WARNING= VW  
ARREST=A        WRITTEN WARNING= 1

**Report Includes:**

All dates between `00:00:01 04/01/23` and `00:00:01 04/30/23`, All agencies matching `PPD`, All disposition's, All natures, All location codes, All cities



# Town of Paonia

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Public Works Director



## Town Board Staff Report

**Subject:** Project list for April 2023

**Author:** Director Cory Heiniger & Supervisor Jason Erickson

**Representing:** Public Works

**Date:** 5/9/2023

### Completed Projects

- Put in new meter put on Box Elder
- Made new grate for Town Park ditch.
- Cleaned all the ditch boxes out.
- Fixed the sewer on Clark Ave/put in new tap and pipe.
- Dug up and fixed town park ditch on 3<sup>rd</sup> and North Fork Ave
- Fixed water main on Delta Ave
- Fixed water service line on Delta
- Fixed up and did work on street sweepers and other shop equipment.
- Did cold patches on Delta Ave and North Fork Ave
- Filled potholes throughout the town.
- Put in surveillance system at shop.
- Got Town Park and Poulos Park water back on
- Fixed Town Park sinks and plumbing.
- Put in new back flow in Poulos Park
- Pulled tree out of Apple Valley Park creek/ cleaned Apple Valley culvert out.
- Fixed water main on Omega Rd
- Helped put in new yoke on O Rd
- Put in new yoke at the library because of freezing issues.
- Prepared the two-million-gallon plant for water survey.

### Planned Projects

- Continue to work with Roop Excavation on sewer collapse.
- Tracking potential flood problem areas
- Getting Park bathrooms open- Town Park should be open this week and Apple Valley Park is still a few weeks out.
- Fire mitigation for P-Hill
- Getting more data for Dorris Ave sewer

- Larger cold patch jobs
- Getting data for paving jobs on Grand Ave
- Spring and Summer maintenance on parks and playgrounds.
- Fix stairs on town park stage
- Flood preparation
- Retaining wall at Apple Valley Park
- Maintenance on springs

# Town of Paonia



16<sup>th</sup> Annual Pickin' at the Park



**Town Board Staff Report**

**Subject: Legacy Events**

**Author: Samira Vetter Town Clerk**

**Date: 5/9/2023**

**Legacy Events were on the Agenda on April 28, 2022 and May 12, 2022**

**April 28, 2022**

**YouTube Video of meeting:**  
[04/28/22 Regular Meeting 4/28/2022 @ 6:30 PM - YouTube](#)

The Legacy Event discussion begins at 2:10:15

The Minutes are also included.

**May 12, 2022**

**YouTube Video of meeting:**  
[05/12/22 Regular Meeting - 5/12/2022 - 6:00 PM - YouTube](#)

The Legacy Event discussion begins at 2:22:39

The Minutes are also included.

**Summary:**

The Board voted to declare Mountain Harvest Festival, BMW Rally, Cherry Days and Pickin’ at the Park Legacy Events for 2022 only.





**Regular Town Board Meeting, April 28, 2022**

**Mayor Bachran  
Trustee Knutson  
Trustee Markle  
Trustee Smith  
Trustee Stelter  
Trustee Valentine**

**April 28, 2022,**

**Regular Meeting Minutes**

**6:30 pm**

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

**ROLL CALL**

**Front Office Assistant Candy Wuollet** called the roll and those present were **Mayor Bachran, Trustee Johnson, Trustee Valentine, Trustee Knutson, Trustee Thompson, and Trustee Smith. Trustee Budinger was not present.**

**Approval of the Agenda**

Motion made by Trustee Knutson, seconded by Trustee Smith to accept the agenda with changes as follows, move #4 after #13. Motion carried unanimously.

Motion made by Trustee Smith, seconded by Trustee Johnson to move #7 for new board after #14. Motion carried unanimously.

Motion made by Trustee Knutson, seconded by Trustee Smith to approve the agenda with the changes. Motion carried unanimously.

**Announcements:**

Trustee Knutson encouraged disciplined commentary regarding female staff.

Mayor Bachran announced a Strategic Planning Session June 25, 2022 it will be a large community event time TBA possibly 10am-4pm, lunch will be provided.

**Visitors and Guest:**

Aaron Watson announced Dark Skies Week and star gazing tonight at the park.

Suzanne Watson wants to look at nuisance ordinance regarding green house lights.

Mary O'Reilly provided information regarding a tree that fell across the alley from her property.

Motion made by Trustee Knutson, seconded by Trustee Thompson to allow Mary O'Reilly to continue. Motion carried unanimously.

Mason Babcock with Alexa Gray Solutions tree service provide his information regarding the removal of the fallen tree.

Motion made by Trustee Thompson, seconded by Trustee Knutson to allow Mr. Babcock to continue. Motion carried unanimously.



Attorney Conklin recommended the staff should do a review and update the trustees.

**Consent Agenda**

Minutes:

- February 3, 2022-Special Meeting
- March 10, 2022 -Regular Meeting
- March 24, 2022 -Regular Meeting
- March 29, 2022 -Work Session
- April 14, 2022-Regular Meeting

Motion made by Trustee Knutson, seconded by Trustee Smith to approve the consent agenda with correction noted regarding attendance at the March 24, 2022, meeting. Motion carried unanimously.

**Disbursements**

Motion made by Trustee Knutson, seconded by Trustee Thompson to approve accounts payable as provided. Motion carried unanimously.

**Outgoing Board Business**

Board consideration of Draft Agreement with Lone Cabin/Turner Ditch Regarding Wildlife Mitigation at Wastewater Treatment Plant Property

Continued to next meeting.

**JDS Hydro Change Order Updates**

Motion made by Trustee Knutson, seconded by Trustee Smith to continue to the next meeting. Motion carried unanimously.

**Ordinance 04-2022 Zoning Modification to 1375 3<sup>rd</sup> Street**

Motion made by Trustee Knutson, seconded by Trustee Thompson to adopt Ordinance 04-2022 Zoning Modification to 1375 3<sup>rd</sup> Street. Motion carried unanimously.

Motion made by Trustee Smith, seconded by Trustee Knutson to take a 5-minute break. Motion carried unanimously.

**Mayor's Welcome**

**Recognition of Outgoing Trustees**

Thank you to Mick Johnson, Jeff Thompson, and Karen Budinger

**Affirmation of Office-Trustees**

Sworn in by Administrator/Clerk Corinne Ferguson, Trustee Stelter, Trustee Valentine, Trustee Smith, and Trustee Markle. Dates to remember:

- May 2, 2022 Public Tour @9:00 am, Sewer Plant open to the Public
- May 4, 2022 CIRSA Training TBA
- May 17, 2022 DOLA Training @6:00 pm
- June 25, 2022 Strategic Planning TBA
- Board Retreat July 8, 9, 2022, in Grand Junction
- July 26, 2022 DOLA Budget Training 5:00 @ Town Hall



**Incoming Board Business**

Resolution 06-2022 Trustee Vacancy

Motion made by Trustee Markle, seconded by Trustee Smith to approve Resolution 06-2022 with modification to appointment no later than 60 days strike 60 and replace it with 7. Amendment to the main motion to change 7 to 14 days. Motion carried unanimously.

Motion made by Trustee Markle, seconded by Trustee Stelter to accept Resolution 06-2022 with change from 60 to 14 days. Motion carried unanimously.

Resolution 06-2022 Appointment of Officers

Motion made by Trustee Markle, seconded by Trustee Smith to go into Executive Session. Motion fails with Three (3) Nays and Two (2) Aye.

Trustee	Aye	Nay
Knutson		X
Markle	X	
Smith		X
Stelter	X	
Valentine		X

Motion made by Trustee Smith, seconded by Trustee Markle to continue this action item to next meeting in May. Motion carried unanimously.

Motion made by Trustee Smith, seconded by Trustee Knudson to add agenda item at the next meeting to discuss the Treasurer position and add an Action item. Motion carried unanimously.

Motion made by Trustee Knutson, seconded by Trustee Stelter that we give Trustee Markle the authority consult with our Town Attorney on questions regarding appointment of officers. Motion carried unanimously.

Legacy Events within the Town-Sponsorships/Fees

Motion made by Trustee Markle, seconded by Trustee Stelter to give Rob Miller more time to speak. Motion carried unanimously.

Rob Miller-Pickin in the Park Annual Event and request for waived fees in lieu of sponsorship

Shane and Paige Smith sponsored the event for the 2022 year.

Motion made by Trustee Markle, seconded by Trustee Stelter that we do not waive the fee for Pickin in the Park for 2022.

Motion carries with Four (4) Aye and One (1) Nay

Trustee	Aye	Nay
Knutson	X	
Markle	X	
Smith	X	
Stelter	X	
Valentine		X

Motion made by Trustee Markle, seconded by Trustee Stelter to make all Town forms for the public as fillable PDF's and printed only on request. Withdrawn and restated.



Motion made by Trustee Markle, seconded by Trustee Stelter to direct staff to make all Town forms for the public available as fillable PDFs on the Town's website, printed only on request. Motion carried unanimously.

Motion made by Trustee Markle, seconded by Trustee Smith to make all agenda items at regular meetings for action only. Motion carried with Four (4) Ayes, One (1) Nay.

Trustee	Aye	Nay
Knutson	X	
Markle	X	
Smith	X	
Stelter	X	
Valentine		X

Resolution 04/2022- Board of Trustees facility inspection policy

Motion made by Trustee Smith, seconded by Trustee Knutson to accept Resolution 04-2022. Motion carried unanimously.

Motion made by Trustee Markle, seconded by Trustee Smith to extend the meeting ½ hr. Motion carries With Four (3) Aye and One (2) Nay.

Trustee	Aye	Nay
Knutson		X
Markle	X	
Smith	X	
Stelter	X	
Valentine		X


Motion made by Trustee Stelter, seconded by Trustee Markle to continue the meeting on Monday, May 2, 2022 at 6:30 to finish the business remaining on this agenda. Motion carried with Four (4) Aye and One (1) Nay.

Trustee	Aye	Nay
Knutson		X
Markle	X	
Smith	X	
Stelter	X	
Valentine	X	

**ADJOURNMENT**

The Regular Meeting was adjourned at 9:30 pm.

  
 \_\_\_\_\_  
 Corinne Ferguson, Administrator/Clerk

  
 \_\_\_\_\_  
 Mary Bachran, Mayor





**Regular Town Board Meeting, May 12, 2022**

**Mayor Bachran  
Trustee Knutson  
Trustee Markle  
Trustee Smith  
Trustee Stelter  
Trustee Valentine**

**May 12, 2022,**

**Regular Meeting Minutes**

**6:00 pm**

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

**Presentation to the Board**

Geothermal Analysis of the Paonia Area.

**ROLL CALL**

Front Office Assistant Candy Wuollet called the roll and those present were Mayor Bachran, Trustee Knutson, Trustee Valentine, Trustee Stelter, Trustee Smith, and Trustee Markle.

**Approval of the Agenda**

Motion made by Trustee Stelter, seconded by Trustee Smith to approve the agenda with Colorado Farm & Food Alliance Large Park Special Event taken off the consent agenda, and moving the Mayor's Report after Consent Agenda. Motion carried unanimously.

**Announcements:**

The Learning Council and Colorado Forest Service provided an annual clean up and collected 507.5 lbs. of trash over a two-day period, the 7<sup>th</sup> Graders at the Paonia K-8 collected a little over 100 lbs. of trash.

Dark Skies pending legislation would give access to grants to communities working toward becoming Dark Skies certified.

May 17, 2022, Board DOLA Training scheduled for 6:00 pm.

**Appointment of Trustee Vacancy**

Motion made by Trustee Smith seconded by Trustee Markle to vote via paper ballot. Motion carried unanimously.

David Weber received majority votes and the affirmation of office was given by Administrator Corinne Ferguson. Trustee Weber was seated.

Motion made by Trustee Weber, seconded by Trustee Smith to place on the agenda for the next regular meeting the following: Rebuilding committees for oversight and meeting efficiency. Motion carried unanimously.

Motion made by Trustee Weber, seconded by Trustee Markle place on the agenda for the next regular meeting the following: Procedures for expelling a citizen from a public town meeting and having a police officer at a public town meeting. Motion carried unanimously.

**Recognition of Visitors & Guests**

Several citizens voiced their opinion on concerns.





**Consent Agenda**

April 28,2022-Minutes  
 May 2,2022 Special Minutes

Motion made by Trustee Knutson, seconded by Trustee Stelter to approve the Consent Agenda with changes as noted. Motion carried unanimously; Trustee Weber abstained.

Motion made by Trustee Markle, seconded by Trustee Weber to approve Colorado Farm and Food Alliance Large Park Event pending the renewal of their insurance. Motion carried unanimously.

**Mayor’s Report**

Motion made by Trustee Weber seconded by Trustee Stelter to schedule strategic planning session without a catered meal. Motion carried with five (5) Aye and one (1) Nay.

Trustee	Aye	Nay
Knutson	X	
Markle	X	
Stelter	X	
Smith		X
Valentine	X	
Weber	X	

**Disbursements**

Motion made by Trustee Knutson, seconded by Trustee Smith to approve disbursements. Motion carried unanimously.

Motion made by Trustee Weber, seconded by Trustee Markle to have the financial officer provide the council with the following documents for each regular meeting: Current balance sheet showing bank and fund balances, income expense reports fiscal year to date, and 2022 budget fiscal year to date in spreadsheet format. Motion carried unanimously.

Motion made by Trustee Markle, seconded by Trustee Stelter to direct staff to have Double J Disposal reduce the service interval at the Clock tank to quarterly on the porta potty. Motion carried unanimously.

Motion made by Trustee Markle, seconded by Trustee Smith to produce, and maintain organizational chart and associated job descriptions. Motion carried unanimously.

**Unfinished Business**

**JDS Hydro Change Order Updates**

Motion made by Trustee Markle, seconded by Trustee Weber to accept public comment on this item. Motion carried unanimously.

**Turner & Lone Cabin Ditch Habitat Replacement Plan**

Motion made by Trustee Stelter, seconded by Knutson to approve the environmental agreement with Turner Ditch and the Pilot Rock Plan. Motion carried unanimously.

**Legacy Events within the Town-Waived Fee Criteria**

Moton made by Trustee Knutson, seconded by Trustee Markle to declare BMW Rally, Mountain Harvest Festival, Pickin in the Park, and Cherry Days as legacy events for this year. Motion carried unanimously.



Motion made by Trustee Markle, seconded by Trustee Smith to add a process review to the end of next meeting’s agenda. Motion carried unanimously.

**Resolution 07-2022 Appointment of Officers**

Motion made by Trustee Weber, seconded by Trustee Smith that the appointment of officers be tabled pending performance reviews. Motion fails with Three (3) Aye and Three (3) Nay Mayor Bachran tie breaker is a Nay.

Trustee	Aye	Nay
Knutson		X
Markle	X	
Stelter	X	
Smith		X
Valentine		X
Weber	X	
Mayor Bachran		X

Motion made by Trustee Smith, seconded by Trustee Weber to appoint Cindy Jones as Treasurer, and abandon the position titled Finance Officer and Finance Clerk and require new job descriptions for both to be reviewed and approved by the Trustee Finance Committee. Motion fails Two (2) Aye and Four (4) Nay.

Trustee	Aye	Nay
Knutson		X
Markle	X	
Stelter		X
Smith	X	
Valentine		X
Weber		X

Motion made by Trustee Stelter, seconded by Trustee Weber to take a 10- minute recess. Motion carried unanimously.

Motion made by Trustee Weber, seconded by Trustee Smith that the finance officer of the town be the treasurer as prescribed by CRS Title 31. Motion withdrawn.

Motion made by Trustee Markle, seconded by Trustee Knutson to table this motion until the next meeting to have the Finance Officer of the Town be the Treasurer as prescribed by CRS Title 31. Motion carried unanimously.

Motion made by Trustee Weber, seconded by Trustee Stelter to table Resolution 07-2022. Motion carried unanimously.

Motion made by Trustee Knutson, seconded by Trustee Weber to move to agenda item of 211 ½ Niagara Ave. Motion carried unanimously.

**211 ½ Niagara Ave-Alley Tree Removal Administrator Finding**

Motion made by Trustee Markle, seconded by Trustee Smith to extend the meeting ½ hour. Motion carried unanimously.

Motion made by Trustee Smith, to have Town of Paonia pay Mary Reilly ½ of her bill. Motion fails due to no second.



Motion made by Trustee Weber, seconded by Trustee Markle to provide Ms. Reilly three (3) more minutes. Motion carried unanimously.

Motion made by Trustee Knutson, seconded by Trustee Stelter to extend the meeting 15 minutes. Motion carried unanimously.

Motion made by Trustee Markle, seconded by Trustee Smith to have Town of Paonia pay all of Mary's bill. Motion then modified.


Motion made by Trustee Weber, seconded by Trustee Smith to amend the original motion to pay \$1,275.00. Motion carried with Five (5) Aye and One (1) Nay.


Trustee	Aye	Nay
Knutson		X
Markle	X	
Stelter	X	
Smith	X	
Valentine	X	
Weber	X	

**ADJOURNMENT**

Motion made by Trustee Weber, seconded by Trustee Valentine to adjourn the meeting. Motion carried unanimously.

The Regular Council Meeting was adjourned at 10:07 pm.

  
Corinne Ferguson, Administrator/Clerk

  
Mary Bachran, Mayor



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:

Formal Board agenda items should be matters of substance for the Board to consider. Examples include: Presentations to the Board seeking support or wishing to inform the Board of plans that affect the Town, Committees presenting their goals and accomplishments, Items that need Board approval to proceed.

**Submitting an agenda request does not guarantee placement on an agenda. The Mayor will determine if this is an appropriate item for consideration on the Board of Trustees' formal agenda.**

**Should this request be denied, the requester may present their item in writing to the Board under correspondence received or by making a verbal comment within the established time limit at the beginning of a regular meeting.**

Please complete the following information and return this form no later than Tuesday, two weeks prior to the Board meeting to the Town Hall at 214 Grand Avenue. If the regular meeting is on the Tuesday the 28<sup>th</sup>, the request must be received before 5pm on Tuesday the 14<sup>th</sup>.

If your issue is placed on the agenda, be aware that your presentation is limited to 5 minutes.

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.

**Subject: Up to 6 words (example: Town Park, Potholes, Open Meetings, etc.)**

**Name of Requester or Presenter:** Pickin Productions / Rob Miller

**Representing: (Group or Agency name, or Self)** Pickin in the Park

**Date of submittal:** 3/31/23

**Date of Requested Board Meeting: (Insert Board Meeting date)** 4/11/23

**Specific request:**

Requesting Board Approval of 2023 Pickin' in the Park  
August 3, 10, 17 & 24, 2023

Contact information:

Name: Rob Miller  
Physical Address: 211 ONAROGA AVE  
Mailing Address: PAONIA  
E-mail: Pickin Productions@gmail.com  
Daytime Phone: 970 260 6493

Office Use Only:  
Received: \_\_\_\_\_  
Approved for Agenda: \_\_\_\_\_  
Board Meeting Date: \_\_\_\_\_

[Print Form](#)

[Email Form](#)



**Other items submitted for consideration:** *(On an attached piece(s) of paper)*

- Communication Contacts
- Liability Insurance *will have for you*  
*(\$1,000,000 minimum AND the Town of Paonia needs to be listed as an additional insured)*
- Medical Plan (ie - How do you plan on addressing a person who is injured at the event?)
- Parking Plan (ie-Staff versus Visitor parking)
- Safety Plan (ie - How would you deal with a natural emergency or a tree limb falling?)
- Security Plan (ie - Vendor security, controlling alcohol, etc)

*Provided*

**Promotion:**

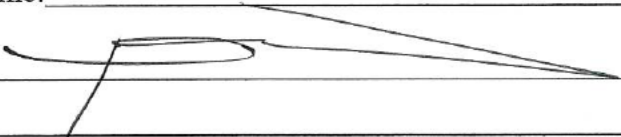
The Town is willing to promote your event by posting submitted material on the Town website, the Town of Paonia Facebook page, and/or a poster placed in the Town Hall entryway.

Any material to be promoted must be submitted no less than thirty (30) days before the first day of the event. Material shall only be promoted once for each avenue noted above.

***The undersigned agrees to restore the park to pre-event condition, safety standards will be observed at all times, no glass will be brought into the park and all fees submitted are non-refundable, even if the event is canceled.***

Signed and submitted this 31 day of March, 2023

Printed Name: Rob Miller

Signature: 

Unless waived by Town staff, no less than one week before the event, a meeting **must** be scheduled with the Public Works Director, Parks Maintenance, Town Clerk and the Police Chief, or designees to finalize all plans and coordinate last minute items.  
**Date of Pre-Event Meeting:** \_\_\_\_\_

Application is deemed complete and is accepted. Employee Initials \_\_\_\_\_

Application requires Board of Trustee Approval.  
**Hearing Date:** \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## Town of Paonia Park/Event Registration Application

*This form is intended for events 100+ people using public property. The Town of Paonia encourages the use of its parks for the pleasure of its citizens, and reminds applicants to consider impacts on neighbors living adjacent to these public areas so we may all continue to enjoy our parks!*

*Please contact the Town office should there be any questions in filling out this form. The Town office is open from 8:00a to 4:30p Monday through Friday.  
Thank you~*

Applicant Name: Rob Miller

Organization: Pickin Productions

Mailing Address: PO Box 1690 PAONIA CO 91428

Telephone Number: 970 260 6493

Event Manager (if different than Applicant): \_\_\_\_\_

Event Manager Telephone: \_\_\_\_\_

Event Manager E-Mail: PickinProductions@gmail.com

**Please describe the event:**

Pickin in the Park - 4 nights of free  
Community Concerts (16<sup>th</sup> Annual)

Event Date(s): <u>Aug 3</u>	Event Hours: <u>6-10 pm</u>
Event Date(s): <u>" 10</u>	Event Hours: <u>"</u>
Event Date(s): <u>" 17</u>	Event Hours: <u>"</u>
Event Date(s): <u>" 24</u>	Event Hours: <u>"</u>

**Which park do you want to use?**

- Town Park – 700 Fourth Street
- Green space including shelters and gazebo
- Football and/or Back Field area
- Apple Valley Park – 45 Pan American Avenue
- Poulos Park – 221 Grand Avenue *(no commercial activity allowed)*
- River Park – Grand Avenue *(no commercial activity allowed)*

**Will there be alcohol? (Alcohol Requires Board of Trustees Approval)**

- No
- Yes, but we are not selling it.
  - An On-Premise Liquor Application is required.
- Yes, and we would like to sell it.
  - We are a non-profit and submitted From DR-8439 Application for a Special Event Permit and any associated forms required.
  - On an attached piece of paper is the Alcohol Mitigation Plan.

**Will there be vendors?**

- No
- Yes
  - A list of vendors is being provided to the Town for tax compliance.
  - We have contacted the Department of Revenue to work out how taxes will be submitted for the event; either electronically or manually.
  - Vendors will be notified that tax compliance will be monitored.
  - Chalk or tape are permitted to define vendor boundaries on the grass.

**Are you having a parade? Do you need a street closed?**

- No
- Yes. Attached is the street closure request form noting the day, hours and route information.

**Do you have any special requests? (i.e. - gate openings at certain times?)**

- No
- Yes GATE OPENED by 10AM.  
(12) CONES dropped off AT GATE + 2 barricades

**Pricing:**

**Half Day (6 Hours or less)** \$ 100.00/day  
Includes: 3 dumpsters and up to 5 vendors  
Date Submitted \_\_\_\_\_ Amount \_\_\_\_\_

**Full Day (6+ Hours until 10:00p)** \$ 175.00/day  
Includes: 3 dumpsters and up to 10 vendors  
Date Submitted \_\_\_\_\_ Amount \_\_\_\_\_

**Multi-Day Rate (3+ consecutive days)** \$ 150.00/day  
Includes: 3 dumpsters and up to 10 vendors  
Date Submitted \_\_\_\_\_ Amount \_\_\_\_\_

**Additional Vendors (More than 10)** \$ 5.00/ea  
Date Submitted \_\_\_\_\_ Amount \_\_\_\_\_

**Trash:** The Town will provide 3 dumpsters. If the event requires more, it is the responsibility of the applicant to contract with a local agency for additional services. Compostable ware is strongly encouraged from all vendors and event managers. Styrofoam not permitted.  
Date Submitted \_\_\_\_\_ Amount \_\_\_\_\_

**Any additional fees submitted (street closure, liquor licensing, etc):**  
Type: \_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_  
Date Submitted \_\_\_\_\_ Amount \_\_\_\_\_

**Recycling:** Should the event provide recycling, a \$50 credit shall be applied. \$ \_\_\_\_\_

**TOTAL FEES SUBMITTED** \$ \_\_\_\_\_

**All fees must be submitted no less than thirty (30) days before the first date of the event.**

"LEGACY EVENT" - Fees Waived

Thank you.



# Special Event Park Permit Checklist

Minimum  
Days Due

ITEM:

PRIOR TO EVENT

Request to be on Agenda	✓	60 DAYS
Large Group Park Application		45 DAYS
Special Event Permit Application (DOR) (serving alcohol)		45 DAYS
On Premise Liquor Permit Requested		45 DAYS
Park/Location Map		45 DAYS
(Outline all areas to be licensed, serving area, and storage area)		
Off Site Map (Map area of off site liquor storage)		45 DAYS
Safety Plan		45 DAYS
Banner Permit Application		45 DAYS
Street Closure Application		45 DAYS
Non-Profit Certificate of Good Standing		45 DAYS
Certificate of Insurance		15 DAYS
Vendor List (PRELIMINARY)		15 DAYS
DOR Fee - liquor (\$25 per day)		with application
Town Fee - liquor (\$50 per day)		with application
Town Fees - park - per application requirements		with application
<b>** SEP Notification Posted PRIOR TO HEARING</b>		15 DAYS
(Email photo of posting proof to: Corinne@townofpaonia.com)		15 DAYS

Packet Complete: \_\_\_\_\_ Date: \_\_\_\_\_

Additional Notes:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rob Miller  
Pickin' Productions  
PO Box 1690  
Paonia, CO 81428

970.260.6493  
pickinproductions@gmail.com  
www.pickinproductions.com

**Pickin' in the Park**  
**August 3, 10, 17, 24 - 2023**

**Main Contact:** Rob Miller (See above information)

**Liability Insurance:** We will submit with the town cited in at least 60 days prior

**Medical Plan:** We will have North Fork ambulance on premises for all four showsx this year. Backup plan is to call 911 for medical emergencies. We have a first aid kit on hand for smaller situations.

**Parking Plan:** We borrow traffic cones from the town and reserve parking space for the band's vehicles, as well as our staff.

**Safety Plan:** Call 911 for emergencies, and we have the number for our local police as well on hand.

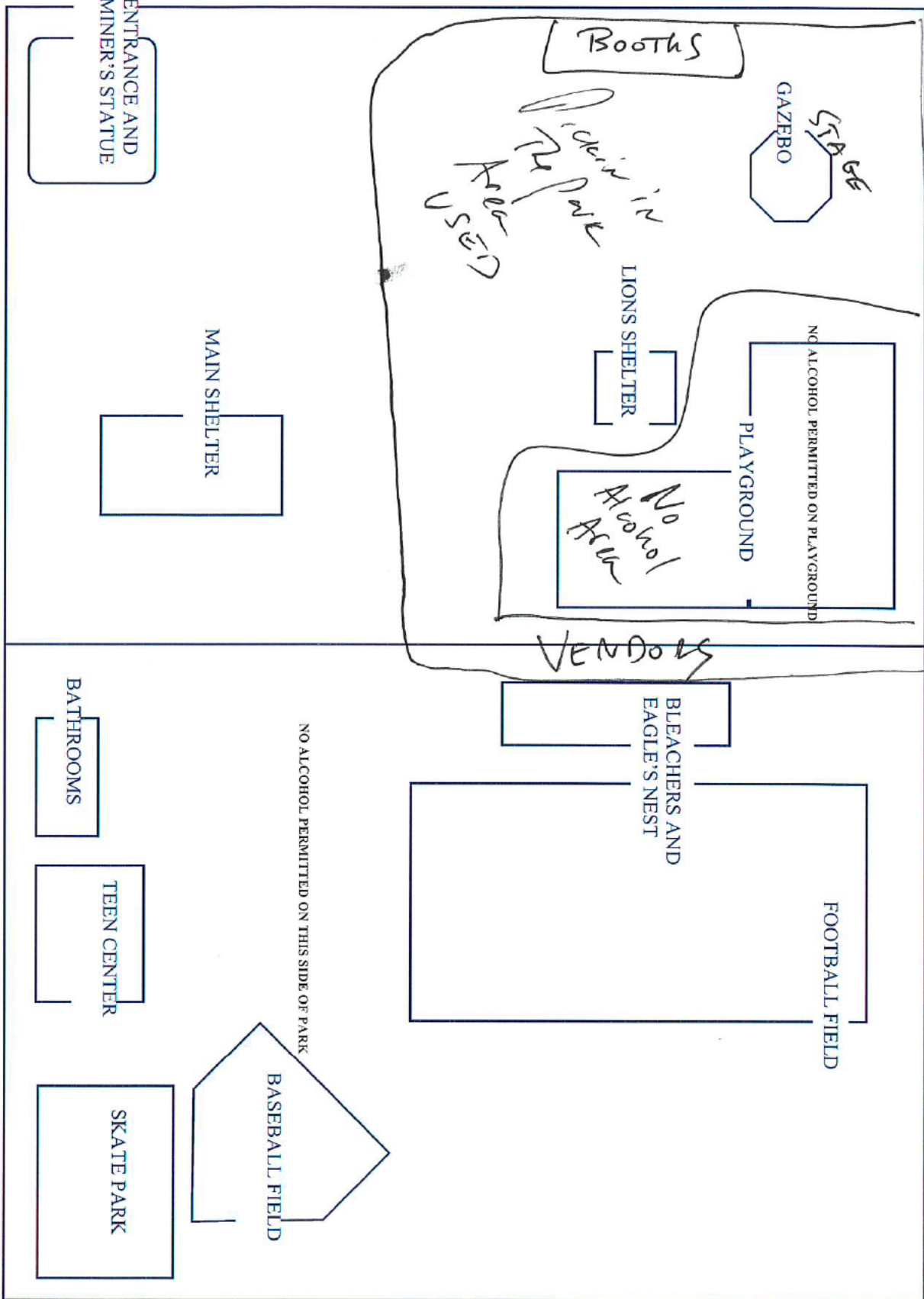
**Security Plan:** A local non-profit yet to be named will hold the liquor license. They will ID everyone who looks under 50 years old, and places wristbands on people purchasing alcohol. They have at least two "alcohol watchdogs" walking around the park. We also have a small staff who is looking out for glass in the park and anyone bringing in outside alcohol. Both teams are on the lookout for public intoxication.

# TOWN PARK MAP

NORTH FORK AVENUE

FIFTH STREET

FOURTH STREET





# Town of Paonia



Appointment to Vacant Seat on Board of  
Trustees

**TOWN OF PAONIA, COLORADO  
RESOLUTION NO. 2023-04**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, DECLARING A VACANCY ON THE BOARD OF TRUSTEES**

**WHEREAS**, the Town of Paonia (the "Town") is a statutory town in Delta County, Colorado;

**WHEREAS**, with respect to a vacancy on the Board of Trustees, C.R.S. § 31-4-303 provides in part:

The board of trustees has the power, by appointment, to fill all vacancies in the board or any other office, and the person so appointed shall hold his office until the next regular election and until his successor is elected and has complied with section 31-4-401. The board also has the power to fill a vacancy in the board or in any other elective office of the town by ordering an election to fill the vacancy until the next regular election and until a successor has been elected and has complied with section 31-4-401. If a vacancy in the board or in such other elective office is not filled by appointment or an election is not ordered within sixty days after the vacancy occurs, the board shall order an election, subject to the municipal election code, to be held as soon as practicable to fill the vacancy until the next regular election and until a successor has been elected and has complied with section 31-4-401....

(emphasis added);

**WHEREAS**, Section 2-2-10(e) of the Town of Paonia Municipal Code (the "Code") provides, in part, that "The Board of Trustees shall have power, by appointment, to fill all vacancies in the Board of Trustees or in any other elected office, and the person so appointed shall hold office until the next regular election and until his or her successor is elected and qualified";

**WHEREAS**, at the Board of Trustees regular meeting on April 11th, 2023, Trustee David Weber verbally resigned from the Board, which he confirmed in writing that same night.

**WHEREAS**, accordingly, the Board of Trustees wishes to declare a vacancy on the Board of Trustees, as set forth herein.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO:**

1. Recitals. The foregoing recitals are incorporated herein as findings of the Board of Trustees.

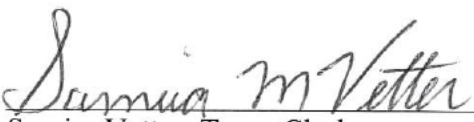
- 2. Board of Trustees Vacancy. As a result of Trustee Weber resigning his appointed Trustee position, the Board of Trustees hereby declares a vacancy on the Board of Trustees effective as of the date of approval of this Resolution.
- 3. Filling of Vacancy. It is the Board’s intention that such vacancy be filled by appointment not later than 14 days from the approval of this Resolution – that is, not later than May 9<sup>th</sup>, 2023; however, the Board shall have until the statutory deadline to make such appointment, at the Board’s discretion. The Board will order a special election to fill the vacancy within the statutory timeframe of 60 days from the effective date of this Resolution if the Board does not fill the vacancy by appointment prior to that time.
- 4. Term. The term of the vacant Trustee position is to and through April of 2024.
- 5. Information. Information on when and how qualified residents may seek appointment to the Board will be posted on the Town’s website, on the Town’s Facebook page, in the High Country Shopper, in the Town Clerk’s office, and on the bulletin board at Town Hall.

**APPROVED AND ADOPTED** this 25<sup>th</sup> day of April, 2023, by the Board of Trustees, Town of Paonia.

**TOWN OF PAONIA, COLORADO**

By:   
 Mary Bachran, Mayor

**ATTEST:**

By:   
 Samira Vetter, Town Clerk



### TOWN OF PAONIA NOTIFICATION OF INTEREST IN SERVING ON VARIOUS COMMITTEES & BOARDS

EVERY FEW YEARS THE BOARD OF TRUSTEES FOR THE TOWN OF PAONIA ADVERTISE TO RECRUIT EXISTING BOARD MEMBERS WHO HAVE TERMS DUE TO EXPIRE AND INTERESTED VOLUNTEERS WILLING TO FILL VACANCIES ON VARIOUS BOARDS.

PLEASE LIST THE COMMITTEE THAT YOU ARE INTERESTED IN SERVING ON AND INDICATE IF YOU ARE A CURRENT MEMBER OR INTERESTED IN FILLING A VACANCY ON THIS BOARD OR COMMITTEE. THIS FORM IS TO MAKE IT EASIER FOR ALL PERSONS INTERESTED IN SERVING ON BOARDS.

DATE: 4/20/23

NAME OF COMMITTEE/BOARD:

**ARE YOU A CURRENT COMMITTEE/BOARD MEMBER? LIST YOUR NAME AND WHICH BOARD YOU ARE CURRENTLY ON AND IF YOU ARE INTERESTED IN CONTINUING SERVICE FOR NEW TERM:**

\_\_\_\_\_  
NAME (PLEASE PRINT)

- PLANNING & ZONING COMMISSION  TREE BOARD  VOLUNTEER
- ZONING BOARD OF ADJUSTMENTS/APPEALS  ADVISORY WATER COMMITTEE

**ARE YOU INTERESTED IN SERVING ON BOARD/COMMITTEE: NAME OF PERSON INTERESTED IN BEING CONSIDERED FOR APPOINTMENT ON BOARD:** Board of Trustees

NAME (PLEASE PRINT) Morgan MacInnis

ADDRESS: 206 Main St, Paonia, CO CONTACT PHONE: [REDACTED]

E-MAIL: Morganjmacinnis@gmail.com

**NOTES: (INCLUDE LETTER OF INTEREST LISTING YOUR INTERESTS, KNOWLEDGE & SKILLS YOU FEEL WILL BENEFIT THE TOWN)**

[Signature]  
SIGNATURE  
Received 4-21-23

Print Form


Email Form

For consideration by the sitting Board of Trustees of the Town of Paonia.

My name is Morgan, MacInnis, owner and operator of Espresso Paeonia. I am writing to express my interest in filling the vacant seat on the Board of Trustees for the remainder of the 2023-2024 term.

As a business owner, former educator, and renter within the town of Paonia, I represent a number of voices that are not represented by the current Board of Trustees. The perspective I bring would be extremely valuable to the Board of Trustees and the town of Paonia as a whole.

I thank you for your time  
Please reach out if you have any questions.

Morgan  




### TOWN OF PAONIA

#### NOTIFICATION OF INTEREST IN SERVING ON VARIOUS COMMITTEES & BOARDS

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DATE: April 28, 2023

NAME OF COMMITTEE/BOARD: Paonia Board of Trustees

**ARE YOU A CURRENT COMMITTEE/BOARD MEMBER? LIST YOUR NAME AND WHICH BOARD YOU ARE CURRENTLY ON AND IF YOU ARE INTERESTED IN CONTINUING SERVICE FOR NEW TERM:**

Tamie Meck  
NAME (PLEASE PRINT)

PLANNING & ZONING COMMISSION  TREE BOARD  VOLUNTEER   
ZONING BOARD OF ADJUSTMENTS/APPEALS  ADVISORY WATER COMMITTEE

**ARE YOU INTERESTED IN SERVING ON BOARD/COMMITTEE: NAME OF PERSON INTERESTED IN BEING CONSIDERED FOR APPOINTMENT ON BOARD:**

NAME (PLEASE PRINT) Tamie Meck

ADDRESS: PO Box 41

CONTACT PHONE: [REDACTED]

E-MAIL:

**NOTES: (INCLUDE LETTER OF INTEREST LISTING YOUR INTERESTS, KNOWLEDGE & SKILLS YOU FEEL WILL BENEFIT THE TOWN)**

*Received 4-28-23  
9:44 am*

Tamie Meck  
SIGNATURE

Print Form

Email Form



Received  
4-28-23  
9:44 am  
[Signature]

April 28, 2023

Dear Mayor Bachran and Paonia Board of Trustees:

I am requesting consideration for the upcoming appointment by the board for the recently-vacated trustee seat. As you know, I am very familiar with the Town of Paonia, having both reported on the board for the DCI and served as a trustee. I have been following the board agendas and reading packets, so I would need very little time and effort in order to get current on local issues.

Thank you for your consideration.

*Tamie Meck*

Tamie Meck

[Redacted]

Paonia 81428

[Redacted]



**Ruben Santiago**

---

**From:** Tamie Meck <tmeck1977@gmail.com>  
**Sent:** Monday, May 1, 2023 6:35 AM  
**To:** Paonia  
**Subject:** Fwd: Open board seat  
**Attachments:** committee\_volunteer\_interest\_in\_serving\_form\_2021 (1).pdf

TOP: I was looking at the website and realized I emailed this to the wrong address. Ack! :)

Tamie

----- Forwarded message -----

**From:** Tamie Meck <tmeck1977@gmail.com>  
**Date:** Fri, Apr 28, 2023 at 10:02 AM  
**Subject:** Open board seat  
**To:** <samirav@townofpaonia.com>, <maryb@townofpaonia.com>

**(Please note that original, signed copies of the letter below and attached document were delivered in person to Town Hall.)**

April 28, 2023

Dear Mayor Bachran and Paonia Board of Trustees:

I am requesting consideration for the upcoming appointment by the board for the recently-vacated trustee seat. As you know, I am very familiar with the Town of Paonia, having both reported on the board for the DCI and served as a trustee. I have been following the board agendas and reading packets, so I would need very little time and effort in order to get current on local issues.

Thank you for your consideration.

Tamie Meck  
[Redacted]  
Paonia 81428  
[Redacted]



TOWN OF PAONIA

NOTIFICATION OF INTEREST IN SERVING ON VARIOUS COMMITTEES & BOARDS

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DATE: 5/4/23

NAME OF COMMITTEE/BOARD:

ARE YOU A CURRENT COMMITTEE/BOARD MEMBER? LIST YOUR NAME AND WHICH BOARD YOU ARE CURRENTLY ON AND IF YOU ARE INTERESTED IN CONTINUING SERVICE FOR NEW TERM:

Jane Poulos
NAME (PLEASE PRINT)

PLANNING & ZONING COMMISSION [X] TREE BOARD [ ] VOLUNTEER [X]
ZONING BOARD OF ADJUSTMENTS/APPEALS [ ] ADVISORY WATER COMMITTEE [ ]
volunteering where I could be useful. No special skills

ARE YOU INTERESTED IN SERVING ON BOARD/COMMITTEE: NAME OF PERSON INTERESTED IN BEING CONSIDERED FOR APPOINTMENT ON BOARD: Jane Poulos - Region 16
Fill Board Vacancy Fill in

Jane Poulos
NAME (PLEASE PRINT)

Paonia, Co or P.O. Box 164

ADDRESS: CONTACT PHONE:
mjpoulos57@gmail.com

E-MAIL:

NOTES: (INCLUDE LETTER OF INTEREST LISTING YOUR INTERESTS, KNOWLEDGE & SKILLS YOU FEEL WILL BENEFIT THE TOWN)

[Signature]
SIGNATURE

Received 5-1-23  
M

P.O. Box 164  
Paonia, Co 81428

73

Dear Paonia Council:

I am interested in filling the empty seat on the town council. My name is Mary Jane Poulos. I have lived in Paonia since my birth in 1957. I am a Registered Voter, and believe I represent a group of people that have gotten lost in the new wave of putting Paonia together again. The "Old timers" are my peer group now. I am retired and trying to live on social security disability. I worked several years as the ombudsman for the nursing homes in this region. I worked at finding and hearing resident problems then meeting with families and administration to resolve these problems. I am a social worker, but I have worked

everal jobs in the community; bank  
medical clinic, owning & managing my  
own gift + shop etc. These careers  
have given me a perspective of  
what people in Paonia want and  
care about. I would like a  
chance to work with your  
group in making Paonia  
the best community on the  
Western slope.

Thank you

M.G. Puellos

P.O. Box 164





# Town of Paonia

75



Police Department Air Conditioner



**Town Board Staff Memo**

**Subject:** Air Conditioning Unit in Police Department

**Author:** Chief Matt Laiminger

**Representing:** Police Department

**Date:** 5/9/2023

**Specific request:** Approval of repairs to the Police Department air conditioning Unit for \$6,850.53

**Summary Recommendation:** Accept Cooley’s Heating and Cooling bid for repair and schedule accordingly

**Executive Summary**

**The Problem:** The secondary AC unit for the rear half of Town Hall is no longer working. The condenser unit needs to be replaced per inspection by Aaron Cooley from Cooley’s Heating and Cooling.

**Point of Note:**

- 1.) The upstairs averages 10\*-15\* degrees hotter than the downstairs. The evidence storage room is located upstairs. Maintaining a reasonable room temperature would help with preservation of evidence and environmental factors associated with evidence rooms (such as odors).

**The Solution:** Replace condenser within AC unit, and service the AC unit.

**Process:** In accordance with the Purchasing Policy, three vendors were contacted to provide quotes for the repair work. The following three vendors were contacted: Cooley’s Heating and Cooling, Suppes Heating and Cooling, and High Desert Mechanical. Of these three vendors, Cooley’s was the only vendor to provide an onsite inspection and follow up repair quote. Suppes did not return our phone calls or emails and High Desert Mechanical scheduled a time for onsite inspection (April 25th at 3pm) but failed to show up on that date, and has not offered to reschedule. Please see attached quote from Cooley’s.

**Attachments**

Quote from Cooley’s Heating and Cooling



## COOLEYS Heating & Cooling Inc

Town of Paonia - Police Department  
Town of Paonia  
214 Grand Ave  
Paonia, CO 81428

(970) 527-4822  
joannk@townofpaonia.com

ESTIMATE	#007
ESTIMATE DATE	Apr 12, 2023
SERVICE DATE	Apr 12, 2023
<b>TOTAL</b>	<b>\$6,850.53</b>

### CONTACT US

PO Box 175  
Hotchkiss, CO 81419

(970) 778-8326  
office@cooleys.tech

Service completed by: Aaron Cooley, Jake Lange

## ESTIMATE

Services subtotal: \$1,024.53

Materials	qty	unit price	amount
5 Ton condenser	1.0	\$5,320.55	\$5,320.55

Materials subtotal: \$5,320.55

Subtotal \$6,345.08

Tax (Paonia 81428 9.5%) \$505.45

**Total \$6,850.53**

Thank you for your business!

Called Suppes Heating and Cooling on April 24th, a message was left for them to give us a call so a time could be set up for them to look at our HVAC unit. As of April 27th, there has not been a returned phone call.

Called High Desert Mechanical on April 24th, and was able to set up an appointment for April 25th, at 3:00 p.m. The technician did not show for the appointment, and we have not heard back from him.

# Town of Paonia



Consideration and adoption of Ordinance 2023-04 -  
Clarifying the Water Moratorium in response to Referendum  
Petition on Ordinance 2023-02.





### **Town Board Staff Memo**

**Subject: Ordinance 2023-04 Clarifying the Moratorium on the sale of water taps by the Town**

**Author: Samira Vetter, Town Clerk**

**Date: 5/9/2023**

### **Attachments**

Proposed Ordinance 2023-04 –Ordinance Clarifying the Moratorium on the sale of water taps by the Town.

Ordinance 2020-01 Water Tap Moratorium

Ordinance 2023-02 Clarifying the moratorium on the sale of water taps by the Town

Referendum Petition Section 1 – for comparison

April 25, 2023 YouTube Video link: Referendum Petition discussion starting at 1:46:50

[4/25/23 Regular Board Meeting - YouTube](#)

Minutes of the same meeting included in the consent agenda

**ORDINANCE NO. 2023-04**

**AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN**

**WHEREAS**, the Town of Paonia (the “Town”) is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, the passage of citizen-initiated Ordinance No. 2020-01 (the “Ordinance”) resulted in the addition of a new Section 13-1-131 to the Chapter 13, Article 1 of the Paonia Municipal Code (“Town Code”), titled “Moratorium,” which declared “A moratorium is hereby imposed on the sale of water taps by the Town of Paonia” (the “Moratorium”); and

**WHEREAS**, the Ordinance defined “tap” to mean “a physical service connection to the municipal domestic water supply distribution system or right to water supplied by the Town of Paonia. For the purposes of this Section, tap shall also include the extension of water delivery pipes”; and

**WHEREAS**, the phrase, “the extension of water delivery pipes,” has been a source of great confusion for the Town staff in administering the Town Code and for those seeking to make improvements to real property within the Town; and

**WHEREAS**, also giving rise to confusion is the Moratorium definition of “tap” conflicts with the definition of “tap” contained in the general definitions of Chapter 13, Article 1 of the Town Code; and

**WHEREAS**, despite the inconsistencies in the language of the Moratorium, the Town Board of Trustees (the “Board”) has consistently interpreted the Moratorium in accordance with the Board’s understanding of the citizens’ intent; and

**WHEREAS**, since the imposition of the Moratorium, the Town has undergone, and continues to undergo, efforts to ensure the Town has in operation sufficient infrastructure and associated water rights to serve all existing and potential obligations for water into the foreseeable future before lifting the Moratorium; and

**WHEREAS**, the Board desires by this ordinance to amend Section 13-1-131 of the Town Code to remedy inconsistencies in, and otherwise clarify, the language of the Moratorium, while preserving the Town’s commitment to fulfill the conditions imposed by the citizens required for the lifting of the Moratorium by its terms.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:**

**Section 1.** Section 13-1-131 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

**Sec. 13-1-131. - Moratorium.**

(a) Definitions. As used in this Section, unless the context clearly indicates otherwise, the following terms shall have the following meanings:

Commercial unit has the meaning ascribed to it in Section 13-1-10 of this Code.

Household unit has the meaning ascribed to it in Section 13-1-10 of this Code.

Lawfully served structure means a structure for which the right to connect to the Town's water distribution system was purchased prior to the effective date of Ordinance No. 2020-01.

*Moratorium* means:

(1) The suspension of the sale of domestic water taps; and

(2) The prohibition of the establishment of any new commercial unit or household unit that the Town of Paonia is not legally obligated to serve with municipal water on the effective date of this ordinance; and

(3) The prohibition on the Town's extension of services lines from a Town-owned water main to any private property, excepting the extension of a service line for purposes of furnishing water to a lawfully served structure.

Service line means the line, pipe, or lateral connecting perpendicularly to the Town's water main, and extending to the meter pit serving a private property for the purposes of connecting a structure within such property to the Town's water distribution system.

Municipal water has the meaning ascribed to it in Section 13-1-10 of this Code.

*Tap* means:

(1) A a physical service connection to the municipal domestic water supply distribution system; and ~~or~~

(2) A right to municipal water supplied by the Town of Paonia subsequent to the payment of the required fee. For the purposes of this Section, tap shall also include the extension of water delivery pipes.

(b) ~~Moratorium on the Sale of Water Taps. A moratorium, as defined above, is hereby imposed on the Town of Paonia’s municipal water system. sale of water taps by the Town of Paonia.~~

(c) Requirements for termination of the moratorium and limits on future sales.

(1) This moratorium shall be in effect until the following conditions are met:

(i) A report, bearing the seal of a licensed engineer experienced in domestic water supply systems, finds that the Town of Paonia has in operation sufficient infrastructure and associated water rights to serve all existing obligations for water into the foreseeable future, and;

(ii) A report, bearing the seal of a licensed engineer experienced in domestic water supply systems, quantifies additional obligations, enumerated in the form of water taps, that the Town of Paonia can reasonably supply without the likelihood of adversely affecting the service to existing water tap holders.

(d) The Town of Paonia shall not incur obligations for more water taps than the number quantified in the report required by subsection (c)(1)(ii) above, unless another report meeting the conditions of subsection (c)(1)(ii) establishes a new limit.

(e) This moratorium shall not apply to water delivered at a stand pipe or public tap operated by the Town of Paonia.

(f) This moratorium does not prohibit the connection of lawfully served structures to the Town’s municipal water supply system. It is presumed that each tap sold by the Town prior to the effective date of Ordinance No. 2020-01 was purchased for the connection of one (1) household unit or one (1) commercial unit to the Town’s municipal water supply system. The applicant for connection of any household or commercial unit to the Town’s municipal water distribution system shall have the burden of overcoming such presumption by submission of written testimony and documents to the Town Administrator. Decisions of the Town Administrator shall be made in writing and furnished to the applicant and may be appealed by the applicant to the Board of Trustees by submission of a written appeal to the Town Clerk within ten (10) business days of the Town Administrator’s written decision. Any applicant that fails to submit a written appeal to the Town Clerk within ten (10) business days of the Town Administrator’s decision shall be deemed to have forfeited any right to appeal the Town Administrator’s decision.

All duly made appeals shall be heard by the Board of Trustees in a duly-noticed hearing, during which hearing the property owner and Town staff will each be given the opportunity to present pertinent evidence and testimony.

(g) This moratorium does not prohibit the installation of bathrooms or kitchens within lawfully served structures, provided that such installations do not give rise to the requirement of a larger service line pursuant to this Article.

**Section 2.** Ordinance No. 2023-02 is hereby rescinded and repealed in its entirety. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**Section 3.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 4.** This Ordinance shall take effect thirty (30) days after adoption and publication.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 9<sup>th</sup> day of May, 2023.

**TOWN OF PAONIA, COLORADO,  
a Colorado municipal corporation**

By: \_\_\_\_\_  
Mary Bachran, Mayor

ATTEST:

\_\_\_\_\_  
Samira Vetter, Town Clerk



**State of Colorado  
Town of Paonia  
Ordinance  
2020-01**

**AN ORDINANCE OF THE PEOPLE OF THE TOWN OF PAONIA AMENDING CHAPTER 13, ARTICLE 1, OF THE TOWN OF PAONIA MUNICIPAL CODE BY THE ADDITION OF A NEW SECTION 13-1-131, IMPOSING A MORATORIUM ON THE SALE OF WATER TAPS AND PLACING LIMITS ON FUTURE WATER SALES.**

**WHEREAS**, pursuant to C.R.S. § 31-11-101 et. seq., Colorado law recognizes the initiative and referendum powers granted to municipal electors; and

**WHEREAS**, on or about August 25, 2019, Mr. Bill Brunner, a citizen of the Town of Paonia, submitted an Affidavit of Circulator to the Paonia Municipal Clerk to receive approval of the Town of Paonia to the form of a proposed citizen’s initiative petition; and

**WHEREAS**, on September 4, 2019, Mr. Bill Brunner and Ms. Kathy Martinez (hereinafter the “Petitioners”), as citizens of the Town of Paonia, filed a citizen’s initiative petition seeking the adoption of an ordinance of the Town of Paonia, amending Chapter 13, Article 1, of the Paonia Municipal Code by the addition of a new Section 13-1-131, imposing a moratorium on the sale of future water sales (hereinafter the “Citizen’s Initiative Petition”).

**WHEREAS**, on October 3, 2019, the Town Clerk for the Town of Paonia deemed the Citizen’s Initiative Petition complete and provided written notice to the Petitioners of the same; and

**WHEREAS**, on October 8, 2019, the Board of Trustees undertook a review and consideration of the Citizen’s Initiative Petition and, thereafter, the Board approved submitting the Citizen’s Initiative Petition to the registered electors of the Town of Paonia; and

**WHEREAS**, on January 7, 2020 the Town of Paonia held a special election regarding the Citizen’s Initiative Petition; and

**WHEREAS**, the people of the Town of Paonia voted in favor of the Citizen’s Initiative Petition 286 to 203; and

**NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:**

**Section 1. Amendment of Town Code.**

Chapter 13, Article 1, of the Town Code is amended by the addition of the following:

**Sec. 13-1-131 Moratorium.**

(a) Definitions. As used in this Section, unless the context clearly indicates otherwise, the following terms shall have the following meanings.

*Moratorium* means suspension of the sale of domestic water taps that the Town of Paonia is

not legally obligated to serve on the effective date of this ordinance.

*Tap* means a physical service connection to the municipal domestic water supply distribution system or right to water supplied by the Town of Paonia. For the purposes of this Section, tap shall also include the extension of water delivery pipes.

(b) Moratorium on the Sale of Water Taps.

A moratorium is hereby imposed on the sale of water taps by the Town of Paonia.

(c) Requirements for termination of the moratorium and limits on future sales.

(1) This moratorium shall be in effect until the following conditions are met:

(i) A report, bearing the seal of a licensed engineer experienced in domestic water supply systems, finds that the Town of Paonia has in operation sufficient infrastructure and associated water rights to serve all existing obligations for water into the foreseeable future, and;

(ii) A report, bearing the seal of a licensed engineer experienced in domestic water supply systems, quantifies additional obligations, enumerated in the form of water taps, that the Town of Paonia can reasonably supply without the likelihood of adversely affecting the service to existing water tap holders.

(d) The Town of Paonia shall not incur obligations for more water taps than the number quantified in the report required by subsection (c)(I)(ii) above, unless another report meeting the conditions of subsection (c)(1)(ii) establishes a new limit.

(e) This moratorium shall not apply to water delivered at a stand pipe or public tap operated by the Town of Paonia.

**Section 3. Severability.**

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

**Section 4. Effective Date.**

This ordinance shall become effective upon publication, January 29, 2020.

**THIS SPACE INTENTIONALLY LEFT BLANK**

**ORDINANCE NO. 2023-02**

**AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN**

**WHEREAS**, the Town of Paonia (the "Town") is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

**WHEREAS**, the passage of citizen-initiated Ordinance No. 2020-01 (the "Ordinance") resulted in the addition of a new Section 13-1-131 to the Chapter 13, Article 1 of the Paonia Municipal Code ("Town Code"), titled "Moratorium," which declared "A moratorium is hereby imposed on the sale of water taps by the Town of Paonia" (the "Moratorium"); and

**WHEREAS**, the Ordinance defined "tap" to mean "a physical service connection to the municipal domestic water supply distribution system or right to water supplied by the Town of Paonia. For the purposes of this Section, tap shall also include the extension of water delivery pipes"; and

**WHEREAS**, the phrase, "the extension of water delivery pipes," has been a source of great confusion for the Town staff in administering the Town Code and for those seeking to make improvements to real property within the Town; and

**WHEREAS**, also giving rise to confusion is the Moratorium definition of "tap" conflicts with the definition of "tap" contained in the general definitions of Chapter 13, Article 1 of the Town Code; and

**WHEREAS**, despite the inconsistencies in the language of the Moratorium, the Town Board of Trustees (the "Board") has consistently interpreted the Moratorium in accordance with the Board's understanding of the citizens' intent; and

**WHEREAS**, since the imposition of the Moratorium, the Town has undergone, and continues to undergo, efforts to ensure the Town has in operation sufficient infrastructure and associated water rights to serve all existing and potential obligations for water into the foreseeable future before lifting the Moratorium; and

**WHEREAS**, the Board desires by this ordinance to amend Section 13-1-131 of the Town Code to remedy inconsistencies in, and otherwise clarify, the language of the Moratorium, while preserving the Town's commitment to the fulfill the conditions imposed by the citizens required for the lifting of the Moratorium by its terms.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:**

**Section 1.** Section 13-1-131 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken-through~~):

**Sec. 13-1-131. - Moratorium.**

(a) **Definitions.** As used in this Section, unless the context clearly indicates otherwise, the following terms shall have the following meanings:

**Section 2.** All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**Section 3.** If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 4.** This Ordinance shall take effect thirty (30) days after adoption and publication.

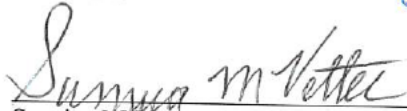
HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 14<sup>th</sup> day of February, 2023.



**TOWN OF PAONIA, COLORADO,  
a Colorado municipal corporation**

By:   
Mary Bachran, Mayor

ATTEST:

  
Samira M Vetter, Town Clerk



**WARNING:**

**IT IS AGAINST THE LAW:**

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

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE.**

**TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

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

**Summary of Proposed Referendum**

A referendum under the powers reserved to the municipal electors in the state constitution seeking the repeal of Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN thereby restoring the definitions and provisions of Section 13-1-131 MORATORIUM in the Town Code, and if Section 1 is not repealed submitting the measure to a vote of of the registered electors using the included ballot language.

**THE MEASURE AFFECTED BY THIS REFERENDUM AS PRESENTED TO THE BOARD OF TRUSTEES IS REPRODUCED HERE IN ITS ENTIRETY:**

**Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN.**

**Section 1.** Section 13-1-131 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 13-1-131. - Moratorium. (a) Definitions. As used in this Section, unless the context clearly indicates otherwise, the following terms shall have the following meanings:

Commercial unit has the meaning ascribed to it in Section 13-1-10 of this Code.

Household unit has the meaning ascribed to it in Section 13-1-10 of this Code.

Meter has the meaning ascribed to it in Section 13-1-10 of this Code.

Moratorium means suspension of the sale of domestic water taps that the Town of Paonia is not legally obligated to serve on the effective date of this ordinance.

Municipal water has the meaning ascribed to it in Section 13-1-10 of this Code.

Tap has the meaning ascribed to it in Section 13-1-10 of this Code. ~~means a physical-service connection to the municipal domestic water supply distribution system or right-to water supplied by the Town of Paonia. For the purposes of this Section, tap shall also include the extension of water delivery pipes.~~

*Handwritten mark*



(b) Moratorium, on the Sale of Water Taps. A moratorium is hereby imposed on the Town's sale of water taps, and upon the Town's furnishing of municipal water service to newly constructed household units, commercial units, or any other new construction requiring the installation of a water meter pursuant to this Article, by the Town of Paonia.

(c) Requirements for termination of the moratorium and limits on future sales.  
(1) This moratorium shall be in effect until the following conditions are met: (i) A report, bearing the seal of a licensed engineer experienced in domestic water supply systems, finds that the Town of Paonia has in operation sufficient infrastructure and associated water rights to serve all existing obligations for water into the foreseeable future, and;

(ii) A report, bearing the seal of a licensed engineer experienced in domestic water supply systems, quantifies additional obligations, enumerated in the form of water taps, that the Town of Paonia can reasonably supply without the likelihood of adversely affecting the service to existing water tap holders.

(d) The Town of Paonia shall not incur obligations for more water taps than the number quantified in the report required by subsection (c)(1)(ii) above, unless another report meeting the conditions of subsection (c)(1)(ii) establishes a new limit.

(e) This moratorium shall not apply to water delivered at a stand pipe or public tap operated by the Town of Paonia.

(f) This moratorium does not prohibit the extension of water pipes or lines within properties lawfully connected to the Town's water distribution system prior to the effective date of Ordinance No. 2020-01, provided such extension does not (i) require a separate connection to the Town's water distribution system, or (ii) give rise to the requirement of a separate water meter or a larger service line pursuant this Article.

Section 2. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 3. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. This Ordinance shall take effect thirty (30) days after adoption and publication.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 14th day of February, 2023.

TOWN OF PAONIA, COLORADO,  
a Colorado municipal corporation

By: \_\_\_\_\_ Mary Bachran, Mayor

ATTEST:

**The two persons who represent the proponents of this referendum petition in all matters affecting the petition and to whom all notices or information concerning the petition shall be mailed are: Bill Brunner, P.O. Box 172, Paonia, CO 81428 and Shirin Patterson, 218 Rio Gande Ave., Paonia, CO 81428**

**Text Of Proposed Referendum**

**A Protest by the municipal electors of the Town of Paonia seeking the repeal of Section 1 of Ordinance 2023-02 An Ordinance Clarifying The Moratorium Of The Sale Of Water Taps By The Town.**

1. The Board of Trustees and Mayor of the Town of Paonia are hereby asked to repeal Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM OF THE SALE OF WATER TAPS BY THE TOWN.
2. If Section 1 of Ordinance 2023-02 is not promptly repealed this referendum shall be submitted to the registered electors as set forth by Colorado Revised Statutes Title 31 Article 11 section 105, with the following question:

“Shall Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM OF THE SALE OF WATER TAPS BY THE TOWN which in part changes the definition of Tap and scope of the moratorium defined in Section 13-1-131 MORATORIUM of the Town Municipal Code and there by allowing the possibly of certain new units to be attached to the water system of the Town of Paonia become part of the Town Ordinances?”

**WARNING:**

**IT IS AGAINST THE LAW:**

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

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE.**

**TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

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

**Summary of the Affected Measure**

Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN changes Section 13-1-131 MORATORIUM of the Paonia Municipal Code by Section 1 adding various definitions, changing the definition of tap, changing the the scope of the moratorium, prohibiting the connection of newly constructed units requiring the installation of a water meter, allowing certain extensions of water lines on properties already connected; Section 2 repealing conflicting ordinances, Section 3 holding only portions found invalid shall be void and Section 4 setting the date it goes into effect.

**Summary of Proposed Referendum**

A referendum under the powers reserved to the municipal electors in the state constitution seeking the repeal of Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN and if Section 1 is not repealed submitting the measure to a vote of of the registered electors using the included ballot language.

	Signature of Elector	Printed Name	Residence Address	Street	City	Zip Code	County	Date Signed
✓ 1	<i>William H Bruner</i>	William H Bruner	608 2nd		Paonia	81428	Delta	3/25/23
✓ 2	<i>Steve C Allyn</i>	Steve C Allyn	130 Orchard		Paonia	81428	Delta	3/25/23
✓ 3	<i>Connie R Allyn</i>	Connie R. Allyn	130 Orchard	Ave	Paonia	81428	Delta	3/25/23
5/11/23 ✓ 4	<del><i>Mary Pat Adams</i></del>	<del>Mary Pat Adams</del>	<del>120 Or</del>					
✓ 5	<i>Mary Pat Adams</i>	Mary Pat Adams	120 Orchard		Paonia	81428	Delta	3/25/23
5/11/23 ✓ 6	<del><i>Arlene Kimbrough</i></del>	<del>Arlene Kimbrough</del>	<del>112 North Fork</del>		<del>Paonia</del>	<del>81428</del>	<del>Delta</del>	<del>3/25/23</del>
✓ 7	<i>Joan F Hunt</i>	Joan F. Hunt	220 North Fork		Paonia	81428	Delta	3/25/23
✓ 8	<i>Martha S. Kime</i>	Martha S. Kime	227 N. Fork	Ave	Paonia	81428	Delta	3/25/23

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**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE.**

**TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

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

**Summary of the Affected Measure**

Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN changes Section 13-1-131 MORATORIUM of the Paonia Municipal Code by Section 1 adding various definitions, changing the definition of tap, changing the the scope of the moratorium, prohibiting the connection of newly constructed units requiring the installation of a water meter, allowing certain extensions of water lines on properties already connected; Section 2 repealing conflicting ordinances, Section 3 holding only portions found invalid shall be void and Section 4 setting the date it goes into effect.

**Summary of Proposed Referendum**

A referendum under the powers reserved to the municipal electors in the state constitution seeking the repeal of Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN and if Section 1 is not repealed submitting the measure to a vote of of the registered electors using the included ballot language.

	Signature of Elector	Printed Name	Residence Address	Street	City	Zip Code	County	Date Signed
9	<i>JM Brunner</i>	Jeannette M. Brunner	608 2nd St.		Paonia	81428	DLT	3-25-23
10	<i>Steve Chartier</i>	STEVE CHARTIER	745	AMERICAN	PAONIA	81428	DLT	3-25-23
11	<i>Martha Chartier</i>	Martha Chartier	44	AMERICAN AVE	Paonia	81428	DLT	3/25/23
12	<i>Matthew Holmanson</i>	MATTHEW HOLMANSON	108 N Fork		PAONIA	81428	DLT	3/27/23
13	<i>Carl Johnson</i>	Carl Johnson	101 N Fork		Paonia	81428	DLT	3/27/23
14	<i>Kelly Johnson</i>	Kelly Johnson	101 N. Fork		Paonia	81428	DLT	3/27/23
15	<i>Sean Platten</i>	Sean Platten	114	ORCHARD	PAONIA	81428	DLT	3/27/23
16	<i>James Lawrence</i>	James Lawrence	331 N. Fork Ave		Paonia	81428	DLT	3/28/23



**WARNING:**

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**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE.**

**TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

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

**Summary of the Affected Measure**

Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN changes Section 13-1-131 MORATORIUM of the Paonia Municipal Code by Section 1 adding various definitions, changing the definition of tap, changing the the scope of the moratorium, prohibiting the connection of newly constructed units requiring the installation of a water meter, allowing certain extensions of water lines on properties already connected; Section 2 repealing conflicting ordinances, Section 3 holding only portions found invalid shall be void and Section 4 setting the date it goes into effect.

**Summary of Proposed Referendum**

A referendum under the powers reserved to the municipal electors in the state constitution seeking the repeal of Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN and if Section 1 is not repealed submitting the measure to a vote of of the registered electors using the included ballot language.

	Signature of Elector	Printed Name	Residence Address	Street	City	Zip Code	County	Date Signed
17	<i>[Signature]</i>	Charlotte Bahadur	318 N. Fork		Paonia	81428	Delta	3/28/23
18	<i>[Signature]</i>	Paul Rakertraw	502 3rd		Paonia	81428	Delta	3/28/23
19	<i>[Signature]</i>	Joseph J. Schetz	128	Delta Ave	Paonia	81428	Delta	3-31-23
20	<i>[Signature]</i>	Suzanne Watson	903 2nd St.		Paonia	81428	Delta	3/31/23
21	<i>[Signature]</i>	Melody Dagnan	128	Delta Ave	Paonia	81428	Delta	3/31/23
22	<i>[Signature]</i>	Chad Dagnan	128	Delta Ave	Paonia	81428	Delta	3-31-23
23								
24								



**WARNING:**

**IT IS AGAINST THE LAW:**

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

**DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE.**

**TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND REGISTERED TO VOTE.**

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

**Summary of the Affected Measure**

Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN changes Section 13-1-131 MORATORIUM of the Paonia Municipal Code by Section 1 adding various definitions, changing the definition of tap, changing the the scope of the moratorium, prohibiting the connection of newly constructed units requiring the installation of a water meter, allowing certain extensions of water lines on properties already connected; Section 2 repealing conflicting ordinances, Section 3 holding only portions found invalid shall be void and Section 4 setting the date it goes into effect.

**Summary of Proposed Referendum**

A referendum under the powers reserved to the municipal electors in the state constitution seeking the repeal of Section 1 of Ordinance 2023-02 AN ORDINANCE CLARIFYING THE MORATORIUM ON THE SALE OF WATER TAPS BY THE TOWN and if Section 1 is not repealed submitting the measure to a vote of of the registered electors using the included ballot language.

	Signature of Elector	Printed Name	Residence Address	Street	City	Zip Code	County	Date Signed
25								
26								
27								
28								
29								
30								
31								
32								

AFFIDAVIT OF CIRCULATOR

I, the undersigned, state and affirm:

- 1. That I have read and understand the laws governing the circulation of petitions;
- 2. That I was eighteen years of age or older at the time the section of the petition was circulated and signed by the listed electors;
- 3. That I circulated the foregoing petition section;
- 4. That each signature on the foregoing petition section was affixed in my presence;
- 5. That each signature affixed to the foregoing petition section is the signature of the person whose name it purports to be;
- 6. That, to the best of my knowledge and belief, each of the persons signing the foregoing petition section was, at the time of signing, a registered elector of the Town of Paonia; and
- 7. That I have not paid or will not in the future pay and that I believe no other person has paid or will pay, directly or indirectly, any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix his or her signature to the petition.

Date this 31 day of March, 2023.

Signature of Petition Circulator: W N Brunner

Printed Name: William N Brunner

Residence Address: 603 2nd St Paonia 81428

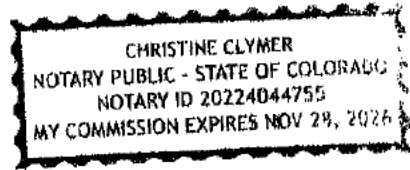
Municipality: Paonia

County: Delta

State: Colorado

Acknowledged before me this 31 day of March, 2023.

Witness my hand and official seal



Clymer  
Notary Public

My commission expires Nov 28, 2026

# Town of Paonia

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CDOT Grant



# Revitalizing Main Streets

## FY 2022 Projects

### Opportunity 1: Larger Safety Infrastructure Grant

## Application Form

### OVERVIEW

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The Revitalizing Main Streets: Safety Infrastructure Grant was released on December 6, 2021. Review the application and submit questions for the Pre-Application Workshop on January 6, 2021. **Applications are due Friday, February 4, 2022.** Please submit your application to [cdotmainstreets@state.co.us](mailto:cdotmainstreets@state.co.us).

- The application must be affirmed by either the applicant’s City or County Manager or Chief Elected Official (Mayor or County Commission Chair) for local governments, or agency director or equivalent for other applicants.
- Further details on project eligibility, evaluation criteria, and selection process are defined on the [Revitalizing Main Streets Program website](#).
- Each jurisdiction is only able to submit one project for consideration. The committee values collaboration and will consider the proximity of overlapping jurisdictions. Jurisdictions awarded in the first round of funding *are eligible* to submit an application for this round of funding; Please refer to updated guidance for Round 1 Awardees found on pages 2-3 of the [Eligibility Rules and Selection document](#).
- Projects requiring CDOT and/or local concurrence must provide their official response with this application submission. Please reach out to them as soon as possible.
- With technical questions, please reach out to Nathan Lindquist, CDOT Land Use Planner and Analyst at [nathan.lindquist@state.co.us](mailto:nathan.lindquist@state.co.us).
- For data portions of the application, especially *Part 3*, provide as much information as possible using local and state data; provide traffic counts as necessary. If data is not available, please provide a clear narrative describing the problem and how it would be improved with your project.

### APPLICATION OUTLINE

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#### Part 1 | Project Information

Applicants will enter basic information for their *project/plan* (hereafter referred to as *project*) in Part 1, including a Problem Statement, project description, and concurrence documentation from CDOT and/or a local agency, if applicable. Part 1 will not be scored.

#### Part 2 | Evaluation Criteria, Questions, and Scoring

This part includes sections for the applicant to provide qualitative and quantitative responses to use for scoring projects. To learn more about how projects will be scored, please see the eligibility rules and selection process document.

#### Part 3 | Project Data - Calculations and Estimates

Based on the project elements, applicants will complete the appropriate sections to estimate benefit values. Part 3 will be combined with CDOT Safety analysis, and the quantitative responses should be used to back-up the applicant’s qualitative narrative.

Part 1		Project Information	
1. Project Title		<h1>Safe Pathways for Paonia</h1>	
2. Project Type		Bicycle and pedestrian facilities, including sidewalks, crossings and pedestrian safety enhancements.	
3. Project Start/End points or Geographic Area <i>Provide a map with submittal that includes the project location.</i>		In Paonia, CO, the intersection of Fifth Avenue and Grand Avenue commencing at 4th Street and continuing down Grand Ave. beyond 5th Street for approximately 200 feet, and down 5th Street for approximately 120 feet. Entire project is 810 feet. (See Attachment A for maps.)	
4. Project Applicant		<h2>Town of Paonia</h2>	
5. Project Contact Person, Title, Phone Number, and Email		Corinne Ferguson, Town Administrator, 970-527-4101, corinne@townofpaonia.com	
6. Does this project touch CDOT Right-of-Way or involve a CDOT roadway?		<input type="radio"/> Yes <input type="radio"/> No <i>If yes, provide applicable concurrence documentation with submittal (please use prepared form located in the Additional Resources section of the RMS Webpage)</i>	
7. What planning document(s) identifies the need for this plan or project?		<i>Provide link to document/s and referenced page number</i> Town of Paonia Highway 133 Corridor Master Plan, pages 11, 12, 15, 22 <a href="https://townofpaonia.colorado.gov/sites/townofpaonia/files/2021-01/final-highway-133-corridor-plan-12-16-10.pdf">https://townofpaonia.colorado.gov/sites/townofpaonia/files/2021-01/final-highway-133-corridor-plan-12-16-10.pdf</a> Attachment B: Town of Paonia Major Arterial Rehabilitation and Reconstruction Project; Paonia Police	
<b>8. Project Overview (concise abstract limited to 5,000 characters)</b> <small>Paonia is a small mountain town on the Western Slope and a physically active community. The area is beautiful with accessible public lands, trails and parks. Parents and children enjoy biking, hiking and other outdoor activities both inside and outside the town limits. While people state they want safe thoroughfares for all modes of transportation, less than half of the streets in town have adequate sidewalks, there are no designated bike lanes even though many people do their shopping by bike and kids ride bikes to school. Many of the older sidewalks do not have curb ramps. (See Top Community Survey #2 pages 7-9 in Attachment C.) While ameliorating this situation throughout the Town is far outside the scope of this grant, one small, essential piece can be completed. The intersection of 5th Street and Grand Avenue has historically been one of the main accesses to the elementary schools and to Paonia's Business District. It is also part of Paonia's Certified Creative District. The intersection was originally constructed without adequate engineering and now poses pedestrian and traffic safety issues. The pavement is cracked and worn. There are</small> <ul style="list-style-type: none"> <li>• no crosswalks or indications of safe crossing areas</li> <li>• no curbs, sidewalks and</li> <li>• no lighting or traffic signals</li> <li>• no bike lanes</li> <li>• no speed calming indicators.</li> </ul> <small>In surveys, parents have expressed concerns about this intersection and it has been identified as dangerous for over seven years with several attempts made to obtain funding to reconfigure it. (See Attachment C surveys.) Paonia's K-8 is located approximately 0.5 miles north of the intersection. The North Fork School of Integrated Studies (NFSIS), serving preschool through 6th grades, is 0.3 miles from the intersection. The Technical School of the Rockies Energy Tech is located at the intersection. Traffic through this intersection by pedestrians, bikes, busses and cars that get kids to and from school is focused on a young demographic (pre-school to 8th grade). Over 90% of all students pass through the intersection to get to school. This makes it even more imperative to revamp this intersection into a safe path for students and the population at large. The intersection itself is a slanted "Y" shape with no clear indication of where to safely cross in any direction. This intersection also feeds into the nearby entrance to the Paonia River Park, which students walk to multiple times a year for school outings and projects. No sidewalks connect the schools to the River Park and there are no sidewalks on 5th St between NFSIS and Grand Ave. Further, Grand Ave. is one of the two main feeder routes into the Town from Highway 133 and sustains steady traffic. In recent years two restaurants have located at the intersection, adding to increased traffic and parking.</small>			
<b>9. Project Description. Describe your project and what it is going to do. Do not include background information or justification language. Please only include details specific to the work that will occur as part of this project. (limited to 15,000 characters)</b> <small>The project will connect Paonia's schools and parks, creating safe routes for children and adults. The project also will create a welcoming and safe gateway to the Towns Business District. To accomplish this, the Town of Paonia will reconstruct the intersection at 5th St and Grand Ave. from 4th Street to approximately 200 feet north of the 5th St. intersection on Grand Ave. to create a T-intersection. Sidewalks, curbs, gutters, and ADA curb ramps will be installed on 5th St and Grand where they are missing. Sidewalks will be extended to join the existing sidewalk on the west side of the street and a sidewalk will be installed to the entrance to the River Park on the east side of the street. Bicycle lanes and crosswalks will be painted and signage will indicate safe pathways. Rectangular rapid action beacon (RRAB) pedestrian signals will be installed on the crosswalks on Grand Ave. The pavement will be grooved on either side of the intersection to alert traffic to the reduced speed limits and school crossings. Attachment D includes the engineering diagrams and cost estimates. It also contains information on the cost of RRAB signs)</small>			



10. Define the scope and specific elements of the project. Each task should start with a title and follow with a description.

Task 1: Task 1: Excavation and reconfiguring: Remove existing sidewalk, curb, gutter, concrete pavement and asphalt mat throughout intersection area. Reconfigure interse

Task 2: Task 2: Install curbs, gutters and sidewalks: Pour curbs and gutters in the new configuration adhering to ADA guidelines throughout. Pour sidewalks in conjunction wi

Task 3: Task 3: Pave: Install new concrete drain pan in the 4th Street and Grand Ave. inter section. Pave Grand Ave. from the 4th St. intersection to approximately pavement

Task 4: Task 4: Painting: Paint crosswalks at intersection and paint bike lanes that are in compliance with Federal and State guidelines.

Task 5: Task 5: Signal and signage: Install a pedestrian activated RRAB signal on the crosswalk crossing Grand Ave. and other school crossing signs, and reduced speed li

11. Is the project scalable, and/or do project components have independent utility? Accordingly, would a smaller amount than requested be acceptable, while maintaining the original intent of the project?

Yes  No

*If yes, define smaller meaningful limits, size, or scopes, along with the cost for each, if the project is scalable.*

## A. Project Financial Information and Funding Request

A detailed engineer's cost estimate and schedule should accompany the application to support the funding request detailed below.

1. Total Project Cost		\$
2. <b>Total amount of funding request (State Funds)</b> <i>Projects with a match of 20% or higher will be scored higher. See more scoring criteria details in the eligibility rules and selection document.</i>	677,971.81 \$	85.5 % of total project cost
3. <b>Outside Funding Partners</b> List each funding partner/source and contribution amount.	\$\$ Contribution Amount	% of contribution to overall total project cost
Delta County, CO	\$89,489.65 in-kind	11.3
Town of Paonia, CO	\$25,500	3.2
	\$25,500	
	\$25,500	
	\$25,500	
	\$25,500	
<b>Total amount of funding provided by other funding partners</b> <i>(private, local, state, regional or federal)</i>	\$114,989.65	14.5

	FY 2022	FY 2023	FY 2024	Total
Federal Funds	\$0	\$0	\$0	\$0
State Funds*	\$0	\$677,971.81	\$0	\$677,971.81
Local Funds	\$0	\$114,989.64	\$0	\$114,989.64
<b>Total Funding</b>	<b>\$0</b>	<b>\$792,961.46</b>	<b>\$0</b>	<b>\$792,961.46</b>

\*This grant program is providing State Funds through SB 110.

4. By checking this box, the applicant's Chief Elected Official (Mayor or County Commission Chair) or City/County Manager for local governments or Agency Director or equivalent for others, has certified it allows this project request to be submitted for funding and will follow all DRCOG policies and state and federal regulations when completing this project, if funded.	<input checked="" type="checkbox"/>
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## Part 2 Evaluation Criteria, Questions, and Scoring

### A. Safety, Active Transportation, and Construction Readiness

Provide qualitative and quantitative (derived from Part 3 of the application) responses to the following questions on the significance of the proposed project.

#### 1. Why is this project important?

This intersection is the main thoroughfare for students of Paonia K-8 walking and biking to school. Approximately 150 bike trips (75 each way) and 90 pedestrians (45 each way) cross the intersection every day. It is also one of the main corridors for people entering the town with over 124,000 cars moving through the intersection every year. This intersection has no traffic controls, no indicated parking, no bike lanes, no sidewalks, and no crosswalks. Students walking to school often have to walk in the street to skirt parked cars. With the 90+ % of our students traveling through this dangerous intersection, reconfiguration is essential to providing safety for them and all who travel through this intersection to school and into and out of town. It will also provide a safe incentive to walk or bike to school.

The day school began in August 2021, several children walking to school were nearly hit by cars backing across this intersection from a coffee shop adjacent to the street. One child had to jump off his bike in order to avoid being hit by a car. Several parents and grandparents were so alarmed they began acting as volunteer crossing guards. They usher the students across the intersection and stop cars to permit this to happen. Vehicles do not always comply. The volunteers have continued to do this morning and evening every school day. These volunteers are in their 70's and 80's and are out of town for significant periods of time during the school year. While the Paonia Police Department and the Delta County Sheriff's Department have attempted to provide support, the staffing levels of both departments are not sufficient to continue to perform their other duties and act as crossing guards on a daily basis.

Forty-one percent of Paonia's population is over 60 years old. Many of these people are very active citizens who walk, run and cycle regularly. The 5th street intersection is used to access parks, restaurants, pubs, businesses, classes and the library. The current configuration of the intersection described in this application poses dangers from traffic entering and leaving the Town and backing out of parking areas. While it is fortunate that there have not been fatalities other serious accidents, the existing situation compromises the mobility of the Senior population and is a deterrent to alternative non-vehicular modalities.

#### 2. How specifically does the project improve safety for vehicles, pedestrians, bikes, access, or multimodal transportation? Provide specific [FHWA](#) and/or [STEP countermeasures](#) that are being included in this project.

The new configuration will include crosswalk visibility enhancements including high visibility crosswalk markings, advance yield signs and stop line painted on pavement and overhead lighting, a crosswalk warning sign, and pedestrian activated rectangular rapid action beacon (RRAB) signs on Grand Ave. The crosswalk markings will be the same on 5th Street. A brightly painted bike lane on both Grand Ave. and 5th St. will be included. These enhancements will make it clear where to safely cross the streets and control traffic on Grand Ave. to allow safe crossings. Speed limits have been decreased with increased signage, and longitudinal rumble strips will be scored into the pavement on Grand Ave. approaching the crossing areas.

#### 3. Describe the crash history at the project location.

While there have been no crashes in the intersection due in part to the efforts of the Town to minimize accidents in the potentially dangerous intersection, there was an accident where a bicycle hit a vehicle while the vehicle was opening its door into traffic at the far southern end of the project location. Since the relocation of Paonia K-8 and increases in traffic and parking issues, this intersection is "...an accident waiting to happen," according to the Chief of Police. Several close calls have happened since the beginning of the school year. This project is a pre-emptive safety countermeasure to keep our children safe as they travel to and from school.

#### 4. Provide a description/illustration of existing safety concerns.

In its current configuration, there are no designated crosswalks and no obvious places to safely cross both 5th St. and Grand Ave. This is a main corridor for elementary and school children going to and from school. Traffic generally begins to speed up on Grand Ave. as it enters the intersection and moves out of town limits which further compounds the problem. Sidewalks are patchy or non-existent, and there are no bike lanes or paved shoulders on which to ride. Parking is not controlled and occurs both on and off street in a haphazard fashion which often means pedestrians have to walk on the pavement to get around them. See Attachment E for illustration of safety concerns.

#### 5. Provide a description/illustration of the proposed improvement and the extent to which it addresses the crash problem.

While there have been no serious accidents at this intersection to date, there have been several close calls with students narrowly avoiding being hit by cars. The new configuration will provide sidewalks for pedestrian and make it clear where to cross the street because of brightly painted crosswalks, stop lines painted in the pavement, and with the installation of active crossing controls (RRABs). These measures will allow for safe passage along this much traveled street. Grooved pavement approaching the intersection from both directions and advance yield signs will further alert drivers to the crosswalks and slow down traffic. The installation of a bike lane will provide a safe way for children and adults to traverse this intersection as well. See Attachment F for final configuration.

6. Identify any aspects of the project that would involve new technologies or innovative methods for improving safety and user experience.

Brightly colored crosswalks will make all those who cross the street more visible and slow traffic down. Pedestrian triggered RRAB flashing signs will stop traffic at this otherwise uncontrolled intersection.

7. Describe whether and how the project serves as part of a designated Main Street district. This project is not part of a designated Main Street District.

8. Describe how the project will expand access to active transportation options for residents of all ages, incomes and abilities, especially highlight improvements to new and/or safer access to biking, walking and/or transit.

A safe and clear way to traverse this intersection will benefit everyone who walks, bikes, or wheels on both Grand Ave and 5th Street. At the present there is nothing to indicate a safe way to travel through this intersection except by car. Installing crosswalks, crosswalk signals, ADA curb ramps and bike lanes will make this place safe for residents and visitors of all ages and

9. Provide a project schedule including all important milestones. When is the anticipated completion date for this project? **Please consider the timing of the Design Phase, Field Inspection Review, Final Office Review, anticipated Advertisement Date, anticipated project construction duration, and anticipated completion date. Also note if there are railroad impacts or if ROW acquisition is required.**

- Phase 1: Excavation 5 weeks
- Phase 2: Install curb and gutter 2 weeks
- Phase 3: Install pavement 3 weeks
- Phase 4: Paint crosswalks and bike lane 1 week
- Phase 5: Install signage and pedestrian activated crossing signal 3 days
- Completed project: 12 weeks from start depending, of course, on weather and contractor and materials availability.

10. Describe any environmental clearance work that has been completed to date.

None

11. Do you anticipate the construction to be led by CDOT or your agency? Note that CDOT reserves the right to lead any awarded project located on a state highway.

The Town of Paonia in conjunction with Delta County will be responsible for this project

12. Describe any proposed changes to maintenance or ownership of any assets or facilities after construction, if applicable.

After the project, Delta County will cede the intersection to the Town and a boundary realignment between the Town and the School District will move control of the 5th St. part of the intersection to the Town. The Town has been maintaining this intersection to date and will continue to do so. See Attachment G for letter of intent from Delta County

## B. Funding Need, Diversity of Funding, and Economic Revitalization Benefits

Provide qualitative and quantitative (derived from Part 3 of the application) responses to the following questions on the level of support, readiness, and matching funds for the project.

1. Is this already included in the City/County Capital budget? If yes, please provide an explanation for why this grant is needed to fund a budgeted project.

No

2. Has the applicant received/been awarded grant funds from CDOT in the past year (excluding CARES Act funding and other Federal pass-through dollars)? If yes, please list funds and amounts below.  
Yes, 2020 Revitalizing Main Streets grant, \$46,342. Received final reimbursement in 2021.

3. What is your jurisdiction's local Average Median Income (AMI) using [the most recent Census data](#)?  
\$41,683

4. How will the project benefit vulnerable users or populations?  
The project will benefit the students who walk and bike to school from around the Town. It will also benefit all the people in the community who bike, wheel or walk through this intersection and make the intersection safe for persons with limited mobility meeting all ADA requirements. This project is not in a designated Environmental Justice area.



### c. Public Support and Local Match

Provide **qualitative and quantitative** (derived from Part 3 of the application) responses to the following questions on the level of support, readiness, and matching funds for the project.

1. Does the proposed project cross and/or benefit multiple municipalities? If yes, which ones and how? This project is located with the boundaries of Paonia, the County of Delta and the Delta County School District, 50J. Paonia Town borders include the north side of 5th Ave. and the southern half of the 4th and Grand Ave intersection. Delta County land includes Grand Ave. to the north half of 4th St and Grand Ave. intersection, and the school district owns 5th Street at the intersection to approximately 250 feet east. Attached are letters of support from the school district, Delta County, private citizens, Paonia K-8 and the North Fork School of Integrated Studies. Also included are surveys completed by parents at Paonia Elementary School, the North Fork School of Integrated Studies, and Paonia Junior High School. See Attachment H for

2. What is/are the source(s) and status of local matching funds? Will the project include the devolution of any State highways?

Local funding will come from in-kind donations from Delta County Road and Bridge and Paonia Public Works departments. The Town of Paonia has a very limited tax base and its budget has been negatively impacted by the loss of 91% of previous severance and mineral lease taxes as two of the three local coals mines have closed in the last seven years. Because of our small downtown (1.5 blocks) we do not generate a great deal of sales taxes and constantly struggle to find the funds to even do basic maintenance on our streets. Covid also closed many restaurants and store fronts in our community. While we are attempting to rebuild, our budget is not at the point we can commit a 20% match.

No state highways are involved in this project.

3. Please provide displays of public and stakeholder support including public survey results and/or letters indicating support.

Letters of support in Attachment H

<b>Part 3</b>	<b>Project Data - Calculations + Estimates</b> <i>(Complete all subsections that are applicable to the project)</i>		
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A. General Data:			
	Within 1/4 mile of project	Within 1/2 mile of project	Within 1 mile of project
Approximate Population	<b>1400</b>	<b>1700</b>	<b>1816</b>
Approximate Employment	275 people / 82 businesses	326 people / 86 businesses	331 people / 87 business

B. Transit Use (if applicable)		
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Transit Use Calculations <small>(How will the proposed project change current usage?)</small>	Most Recent Year	After Completion
1. Estimated daily transit boardings <i>Provide any supporting documentation as part of application submittal</i>	n/a	n/a
2. If values would be distinctly greater for weekends, describe the magnitude of difference:		

C. Bicycle Use (if applicable)		
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Bicycle Use Calculations <small>(How will the proposed project change current usage?)</small>	Most Recent Year	After Completion
1. Estimated weekday one-way bicycle trips on the facility <i>Provide any supporting documentation as part of application submittal</i>	<b>75</b>	<b>110</b>
2. If values would be distinctly greater for weekends, describe the magnitude of difference:		

D. Pedestrian Use (if applicable)		
Pedestrian Use Calculations (How will the proposed project change current usage?)	Most Recent Year	After Completion
1. Estimated weekday pedestrian one-way trips on the facility <i>Provide any supporting documentation as part of application submittal</i>	45	55
2. If values would be distinctly greater for weekends, describe the magnitude of difference:		

E. Single Occupancy Vehicle Use (if applicable)		
Single Occupancy Vehicle Use Calculations (How will the proposed project change current usage?)	Most Recent Year	After Completion
1. Estimated weekday pedestrian one-way trips on the facility	45	55
2. Estimated number of one-way Single Occupancy Vehicle trips	17,231	17,000
3. If values would be distinctly greater for weekends, describe the magnitude of difference:		

F. Provide Traffic Counts from each Direction			
	Direction	Traffic Count	
	North	51/day	
	South	51/day	
	East	20/day	
	West	20/day	

## G. Vulnerable Populations

Use Most Current Census Data	Vulnerable Populations	Population within 1 mile of project	Percent of total population within 1 mile of project
		Persons over age 65	599
	Minority persons	44	2.45%
	Low-Income households	196	10.8%
	Linguistically-challenged persons	51	2.83%
	Individuals with disabilities	341	18.8%
	Households without a motor vehicle	No data	
	Children ages 6-17	349	14.2%
	Health service facilities served by project	0	0
	Health service facilities served by project		

## H. Traffic Crash Reduction

<p>1. Provide the current number of crashes involving motor vehicles, including vehicle collisions with pedestrians and/or bicycles as well. Do not include bicycle/bicycle or bicycle/pedestrian collisions. (Use most recent 5-year period of data.)</p>		<p>Please consider the estimated reduction in each of these crashes, but leave Part F.2 blank. A CDOT evaluator will calculate the reductions.</p>
Fatal crashes	0	
Serious Injury crashes	0	
Other Injury crashes	0	
Property Damage Only crashes	0	
<p>2. Estimated reduction in crashes applicable to the project scope: (These calculations will be completed by CDOT.)</p>		
Fatal crashes reduced	(CDOT will complete)	
Serious Injury crashes reduced	(CDOT will complete)	
Other Injury crashes reduced	(CDOT will complete)	
Property Damage Only crashes reduced	(CDOT will complete)	

## I. Facility Condition

Applicants must use a current industry-accepted pavement condition method or system and calculate the average condition across all sections of pavement being replaced or modified. Applicants will rate as: Excellent, Good, Fair, or Poor

### *Bicycle/Pedestrian/Other Facility*

1. Current bicycle/pedestrian/other facility condition Poor

2. Describe current condition issues and how the project will address them:

Grand Avenue has not been paved or resurfaced for at least 17 years (Paser ranking 3, poor). Fifth Street was surfaced about 15 years ago (Paser ranking 4, fair). This project will repave both streets through the intersection.

3. Average Daily User Volume **48**



# Town of Paonia

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## Town Administrator Recruitment Update

## Memorandum

To: Mayor Mary Bachran and Trustees

Date: May 5, 2023

From: Personnel Committee Members Trustee Smith and Trustee Valentine

Subject: Outlets Used for Advertising the Town of Paonia, Town Administrator Position

1. Colorado Municipal League, posted by Leslie 3/23 no charge [https://members.cml.org/members/job\\_bank/View\\_Posting.aspx?ID=36643&SEQN=1](https://members.cml.org/members/job_bank/View_Posting.aspx?ID=36643&SEQN=1)
2. CO City/County Managers Association, posted by Leslie 3/29/23 no charge <https://coloradocma.org/job/town-of-paonia-town-of-paonia-colorado-5-town-administrator/>
3. International City/County Managers Association, posted by Leslie 3/29/23 no charge <https://coloradocma.org/job/town-of-paonia-town-of-paonia-colorado-5-town-administrator/>
4. UT League of Cities and Towns – posted 4/17/23 - 30 days no charge <https://www.ulct.org/Home/Components/JobPosts/Job/10329/>
5. NE League of Municipalities – posted 4/11/23 (\$31.35 for 30 days) Invoice received 4/21/23 <https://www.lonm.org/classifieds/careers.html>
6. MT League of Cities and Towns – posted 4/20/2023 paid (\$125 for 60 days) by Personal Visa (receipt provided) <https://mtleague.org/town-administrator-paonia-co/>
7. AZ League of Cities and Towns – posted 4/20/23 (\$50 for 30 days) by Personal Visa (receipt provided) [Municipal Employment Opportunities • League of Arizona Cities and Towns, AZ • CivicEngage \(azleague.org\)](https://www.azleague.org/)
8. KS League of KS Municipalities - posted 4/19/23 (\$130 for 60 days) Invoice received 4/24/23 [https://www.lkm.org/networking/apply\\_now.aspx?view=2&id=777858](https://www.lkm.org/networking/apply_now.aspx?view=2&id=777858)

New Mexico, Wyoming, and Nevada Municipal Leagues do not post out-of-state openings.

# Town of Paonia

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Gunnison Energy

May xx, 2023

DRAFT FOR TRUSTEE ADOPTION

Colorado Oil and Gas Conservation Commission  
1120 Lincoln Street, Suite 801  
Denver, Colorado, 80203

RE: Gunnison Energy Oil and Gas Development Application, Form 2A Comments—  
Docket # 221000275

Dear Commissioners and Director Murphy,

The Town of Paonia Board of Trustees respectfully submit the following comments regarding Gunnison Energy's proposed Oil and Gas Development Application for the Iron Point 1291 #13-24 location, docket number 221000275 (IPU OGDP). The Town has expressed its concerns over the cumulative impacts of the federal North Fork Mancos Development Plan (NFMMDP) for some time. The IPU OGDP is part of the NFMMDP. Upon reviewing the OGDP Application and Form 2A application and accompanying plans and maps, the Town is concerned about the proposed IPU OGDP's ability to be protective of public health, safety, welfare, the environment and wildlife pursuant to COGCC rules and the impact this would have on the Town. Specifically, the Town has these concerns:

1. **Geologic Hazard Plan.** Highway 133 between Paonia and McClure Pass is the 2<sup>nd</sup> most geologically unstable highway corridor in the State, after Glenwood Canyon. The proposed IPU OGDP is surrounded by historical landslide risk. Just last week, a thirty-foot sink-hole formed due to a failed culvert caused by the rapid runoff from an usually heavy year of snowfall, which closed highway 133. We appreciate that Gunnison Energy commissioned a site-specific satellite-data study of landslide movement. However, we were surprised to see that the study did not analyze landslide movement to the west of the project area, and that the Geologic Hazard Plan did not consider the cumulative impacts of the project and nearby coal mines on the potential for triggering landslides. We recognize that the Geologic Hazard Plan focuses only on the impacts to the well pad. We also recognize that landslide damage to wellbores, pipelines, and wellpad equipment could have catastrophic consequences for the surrounding environment, which need to be considered.
2. **Water contamination risk**  
The Town of Paonia has been challenged with its water infrastructure and understands all too well the fragility of the water supply. We are therefore concerned about the impacts of water contamination. Spill Prevention Control and Countermeasures was referenced but not provided with the application. The presumption from the Emergency Spill Response Program and its Best Management Practices is that there will be no spills on the Lower IPU location because all permanent fluids will be stored on the Upper IPU location. No

mitigation measures were identified regarding the potential for pipeline and flowline spills.

3. Cumulative Impacts

In the Cumulative Impacts Plan Gunnison Energy states that “Acute air impacts are negligible due to the remoteness of the chosen location. Long-term air impacts should also be minimal.” The remoteness of the location is not the issue. The issue is the greenhouse gas emissions generated by the project that impacts public health and contributes to climate change. The impacts to Air Resources in the Cumulative Impacts Plan appears to be an omission of critically important information that determines the project’s ability to be protective of public health, safety and the environment.

4. Truck Traffic and Dark Sky Impacts

Form 2B: Cumulative Impacts Data Identification states that 6,884 truck trips will take place. This is three times more than what was estimated in the now vacated NFMMDP Environmental Assessment for the entire NFMMDP that the Town took issue with. In addition, the Development Plan does not adequately address the impacts on birdlife and wildlife during operations. We request that Gunnison Energy submit mitigation plans for impacts on Dark Skies in the area.

The Town lacks confidence that this plan is being proposed in a manner that is protective of public health, safety, welfare, the environment and wildlife. In addition, the NFMMDP was vacated by a Federal District Court in *Citizens for a Healthy Community, et al, v. United States Department of Interior, et. al*, in May 2022. It is our understanding that the revised Environmental Assessment required upon remand has yet to be completed and a new Decision Record has not been issued. Review of the IPU OGDG prior to completion of the federal environmental assessment is yet another cause for concern.

For the above stated reasons, we respectfully request that the OGDG application, at a minimum be deferred, and that denial of the application be considered for failure to demonstrate that the IPU OGDG is protective of public health, safety, welfare, the environment and wildlife. The burden is on the applicant to demonstrate that it is being protective; and the above stated reasons certainly shed doubt on the assertions made.

Thank you for your consideration of our concerns and we stand willing to work with the Commission and Gunnison Energy to mitigate these impacts.

Respectfully,

Mary Bachran  
Mayor for the Paonia Board of Trustees

Dave Knutson  
Local Government Designee  
Town of Paonia



# Town of Paonia

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Jumbo Mountain

Caroline Kilbane  
BLM Travel Management Plan  
Montrose, CO 81401

May 10, 2023

DRAFT DRAFT DRAFT!

Dear Ms. Kilbane,

Our Town has been consumed by issues with infrastructure and the process of hiring a Town Administrator. Unfortunately, Trustees have not had the bandwidth to respond with a position on the Jumbo Mountain Travel Management Plan in a timely manner. As you move forward with your planning effort, Paonia Trustees hope that this letter can serve as the foundation of a cooperative endeavor between the Town and BLM in improving user experience and local enjoyment of the Jumbo Mountain Area.

Alternative D is the preferred alternative for the Town. We support the wildlife closures and the improved maintenance of trails with the planning area. There is a shared concern about the density of trails in the Special Recreation Management Area (SRMA) and the impact on wildlife. Clear prohibitions on dogs off leash is an important factor in preserving wildlife.

Another long-term issue will be the ongoing need for trail maintenance along with a plan to ensure compliance with trail closures and guidelines. Our local community has historically been willing to volunteer and work to improve these trails. Engaging with volunteers could provide needed peer pressure for cooperation.

We agree with the Delta County Board of County Commissioners that the closures for wildlife should be on consistent dates for all wildlife and not dependent on an individual species issue. Area Citizens have historically used this area for deer hunting and we recommend that allowances be made to accommodate this use as governed by Colorado Parks and Wildlife. Limited ATV use should be considered to allow hunters to remove game.

The Trustees support use of Apple Valley Park as parking for bike and pedestrian use in the SRMA. The Town is willing to properly sign the top of Pan American Drive to direct trail parking to Apple Valley Park.

Equestrian use of the Jumbo Trails presents a number of management challenges, especially user conflicts. One possible solution might be designation of a specific trail for equestrian use only during certain days of the week. In addition, signage is needed to allow trailer parking for hunters and horseback enthusiasts at the top of Pan American Drive. To be specific, horse trailers and ATV trailers would be allowed to park at the Pan American Drive entrance during hunting seasons and designated equestrian trail days while all other users would park at Apple Valley.

Following input from citizens during the initial phases of our update to the General Plan, those in attendance made a strong case for recreation being focused on the local community. The implication in any plan that Jumbo could be a gateway for bringing users from outside the area to Paonia is not strongly supported among our constituents.

And finally, our Trustees encourage consultation with the Ute Tribe in any plan prior to adoption of a preferred alternative. We also plan to engage with the three HOAs who will be impacted by any changes in parking or access. We recognize the need to bring best practices to an area that has been defined by loosely organized social efforts and thank the BLM for pursuing public engagement throughout the process.

Respectfully Submitted,  
Mayor Bachran for Town of Paonia Trustees

# Town of Paonia

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## Mayor and Trustee Reports

### Phoenix Rising Resources:

The first Master Plan community engagement session on April 27 was a full house, attracting between 75-100 participants, with just over half of the 60 participants who registered at the check in table indicating they lived within Town limits. Attendees who arrived early were treated to pizza and a screening of the ["What Matters Most"](#) video from the Heart & Soul project. The program formally opened with [this presentation](#) by Marissa Mommaerts to provide context, and the rest of the evening was filled with participatory activities to gather input on Vision, Values, Goals, Policies & Actions for the Master Plan facilitated by the Master Plan consultant team and 9 additional community members who volunteered to support the process. The Master Plan team is currently analyzing and synthesizing the detailed input from the first community engagement session, but you can access a high-level summary of key points from the final "harvest" round [here](#). Not surprisingly, some of the key issues and themes that emerged from this first session were protecting the rural, agricultural & small town character of Paonia; addressing our water system and other key infrastructure and services; addressing the housing emergency; finding a balanced role for tourism as an economic driver; climate resiliency & ecosystem health; and transparency and improved communication between the Town government and community. The second community engagement session will take place on June 10th, timing TBC but likely to begin at 10am. The focus of that session will be refining a vision statement and digging deeper into key questions and tensions that emerged from the first session.

We have updated our timeline for revisions and final report publication to enable the Board of Trustees to approve the first round of revisions conducted by the Planning Commission on the Draft Master Plan at the Sept 12 Board meeting. This means the bulk of public comment on the Draft Master Plan will take place in October, the final Master Plan will be submitted to the Town by Jan 31, and the final Planning Commission public hearing on the Master Plan will take place in February. We are in touch with Urban Rural Continuum and have a meeting scheduled for May 12 to discuss coordinating our efforts.





# PAONIA HOUSING NEEDS ASSESSMENT AND HOUSING ACTION PLAN

## Town Board Update

Update #1  
May 5, 2023

### Project Overview

Your consulting team, Urban Rural Continuum (URC) and Ayres Associates, is tasked with using data to identify the housing needs in the community (Needs Assessment) and developing a plan to help meet that need (Action Plan). Please see the attached Scope of Work for more detail. While this project will not solve all issues related to housing affordability, it will create a path for the community to follow aimed at addressing Paonia’s housing issues. Although the Town Board plays a key role, keep in mind that this is a community-wide project and the public, private, and non-profit sectors have a role to play in the solutions.

- **Town Board Roles:**
  - **Communicate:** 2 Board members (Trustees Knutson and Smith) will be on the Housing Task Force and serve as the main contacts with the consultants. Please speak with them individually (to not violate open meeting laws) about project concerns, questions, ideas, etc.
  - **Participate:** Attend the Open House, talk to your neighbors and friends about this project, read these monthly updates, and encourage others to participate.
  - **Review & Approve:** The housing conversation starts now. Action Plan review and approval is the closing of this conversation and when you shift from talking to doing. Engage throughout the project, not just at the end.
- **Project principles from “Negotiation Committee” meeting with Mayor Bachran and Trustee Dave Knutson:**
  - No surprises: regular Board updates and community participation
  - Strong coordination with Master Plan efforts
  - Avoid going to the well too many times (employer questionnaire and one public open house planned)
  - Don’t reinvent the wheel (use past plans and studies when applicable)
  - Be realistic (see Paonia as it is and plan within its capacity)
  - Keep it simple

**What has been completed:**

- Finalized the project contract and discussed project management.
- Had a Kick Off Meeting to discuss existing documents that could serve as background for this project. Discussed forming the Housing Task Force and planned the first meeting.

**What is coming up:**

- Finalize Housing Task Force members, have the first meeting on May 24.
- Consultants will complete background research, begin data collection, create a list of existing housing resources, publish the employer questionnaire, and begin to conduct interviews/focus groups.
- Plan Open House, likely during the week of July 10.

## SCOPE OF WORK

### COMMUNITY ENGAGEMENT

Community engagement is vital to the success of this project. We will gather a lot of data, but listening to and learning from the lived experience of Paonia's residents and employers is crucial to completing the HNA. It is also how we will educate and involve the community in action planning - identifying ways that the Town of Paonia and other stakeholders can begin to reduce barriers to housing production, capitalize on opportunities, and generally invest in the hard, collaborative work involved in creating community housing that benefits the community, economy, and residents.

The community engagement strategy below is for Phase 1: Housing Needs Assessment and Phase 2: Housing Action Plan. It is inclusive and robust, with many opportunities for the community to be heard and informed. We envision leaning heavily on in-person meetings since we live in the North Fork Valley, but can also use virtual meeting platforms when that makes sense, such as for individual or small group meetings.

All outreach materials will be provided in Spanish. We will attempt to reach out directly to the Spanish speaking community through a targeted outreach meeting.

#### 1. KICK-OFF CALL WITH TOWN STAFF

The first step for this project will be a discussion with key Town staff to ensure joint understanding of the project scope and goals, to immediately initiate formation of the Housing Committee, learn about existing resources (lists of contacts, background documents, existing data, etc.), and set important dates.

#### 2. FORM THE HOUSING COMMITTEE

We propose to stand up a Housing Committee within the first two weeks following selection. We propose that it be a relatively small (12-15 members max), informal committee associated with this project, rather than a formal committee of the Town government. We see the Committee's role as advisory in which they review project materials before being distributed to the community, review preliminary findings, and generally provide guidance throughout the project. The Committee could be formalized in the future, but this approach will benefit this project and not impact the tight schedule.

#### Consultant Roles

Shay Coburn will lead all community engagement efforts with ample assistance from Andrew Coburn, especially for the employer questionnaire and Realtor/Property Manager Focus Groups. Shay and Andrew plan to be available in person for all engagement activities. Ayres will assist in preparing materials like fliers, posters, and meeting summaries in addition to attending Town Board meetings virtually if needed.



This Committee would ideally include people representing a cross section of the community from the public, private, and non-profit sectors. Potential participants could include someone from the Town Board of Trustees, Delta County Joint School District 50J, Delta Health, Paonia Chamber of Commerce, North Fork Senior Connections, the newly formed Community Land Trust, and a local realtor and property manager.

### 3. HOUSING COMMITTEE MEETING 1

This first meeting of the Committee would kick off the project and focus on roles, goals, and desired outcomes.

### 4. EMPLOYER QUESTIONNAIRE

This brief questionnaire would be developed to inform the HNA and will be targeted to all employers doing business in the Town of Paonia, large and small. In our experience, the information gleaned from such confidential questionnaires is imperative to identifying current and future housing demand. Once created, our team will work to distribute the questionnaire through existing formal networks like the Paonia Chamber of Commerce and in-person. Visiting businesses in person will allow us to share the questionnaire and information about the project and gather employer feedback. Visiting in person typically increases the response rate and the quality of the responses, which will be confidential and only reported on in aggregate to ensure sensitive business information is not published and cannot be associated with any business in Paonia.

### 5. REALTOR/PROPERTY MANAGER FOCUS GROUP OR INTERVIEWS

If possible, we will set up an in-person meeting with local Realtors and property managers to gather information about the local for sale and rental market. If the organization of such a meeting is impacting the schedule, individual interviews will be conducted to the extent practicable.



### 6. HOUSING COMMITTEE MEETING 2

During this second gathering of the Committee, we intend to share feedback received thus far and prepare for the Community-wide Open House, likely discussing potential strategies.

### 7. COMMUNITY-WIDE OPEN HOUSE

Our team will prepare an open house type meeting and invite the entire community. The open house format will include a quick introduction about the project and then shift to an interactive session where the community will have the opportunity to provide input about the housing market and their thoughts about priorities to address affordable housing in Paonia. This open house will be published widely with the goal of getting a large cross-section of the community to attend. We would create fliers in English and Spanish that could be stacked at cash registers throughout town, passed out in front of the post office, and available at other locations in the community (posting boards). Our team may even reach out to the North Fork Valley Creative Coalition to incorporate some sort of art into the Open House like a visual note taker, live painter, or a poet who could write during the event.

If desired, we could substitute this Open House for a resident survey. While resident surveys can be very helpful in collecting data, the data gathered is often duplicative with existing data and misses the opportunity to engage residents directly and provide space for meaningful conversation around the complexities of housing issues.

## 8. TARGETED OUTREACH MEETINGS

Our team will conduct targeted outreach, including to marginalized and vulnerable populations. We will attempt to attend regularly established meetings or meet them at their place of business or desired location to talk about their experience, challenges, and needs. This step will likely start before the Open House to stay on schedule. We propose meeting with some of the many churches in town, the Senior Center, the Spanish speaking community, among others. We will also seek to connect with owner/representatives and residents of the North Fork Trailer & RV Park even though it is not technically within the municipal boundary. We'd hope to also talk with anyone experiencing homelessness or displacement, though this can be a difficult population to reach. We anticipate around eight meetings.



## 9. HOUSING COMMITTEE MEETING 3

During this meeting, we will debrief the Open House, share findings from the Targeted Outreach Meetings, and discuss all input and data findings thus far in the project. We will also present and discuss the draft HNA, and briefly discuss strategies and the Action Plan.

## 10. TOWN BOARD MEETING

The draft HNA will be submitted to the Town in time for it to be part of the packet for the June 13th Town Board meeting. URC can attend this meeting in person if desired to present the report, gather input on the draft, and answer questions.

## 11. HOUSING COMMITTEE MEETING 4

During this meeting we will review and discuss the draft Housing Action Plan.

## 12. TOWN BOARD MEETING

The draft Housing Action Plan will be submitted to the Town in time for it to be part of the packet for the July 11th Town Board meeting. URC can attend this meeting if desired to present the report, gather input on the draft, and answer questions.

## 13. TOWN BOARD MEETING

URC can attend this meeting in person on July 25th if desired to present the final reports and answer any questions that may arise.

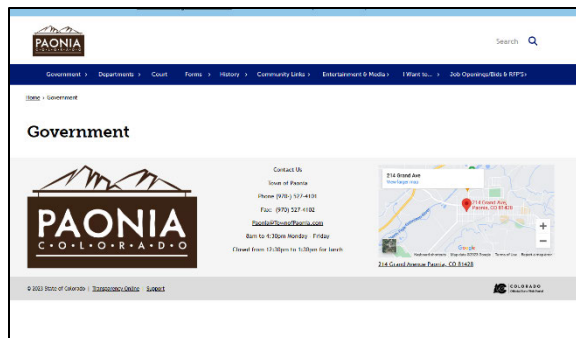


## Additional Engagement Tools

### Webpage

Our team proposes to add a “Housing” page to the existing Town’s website. This webpage will be the one-stop-shop location for all information about this project. The page will include a short project overview, upcoming important dates like community meetings, and all documents created along the way including meeting summaries. Our team will prepare the

content, but the Town would need to add it to the website. We believe this will help drive traffic to the Town’s website and after completion of this project, the page can evolve to include all housing resources like the HNA, Action Plan, and the existing Rent/Mortgage Assistance link.



### Getting the Word Out

We will use established resources to share surveys, meeting dates, and other important elements of this project like the Town of Paonia and Paonia Message Board Facebook Pages, The North Fork Merchant Herald, Delta County Independent, High Country Shopper, KVNF radio, and/or posted throughout town (i.e., at Don’s Market and the board in front of the Paonia Laundromat).

### Coordination with Related Town Projects

To ensure alignment with other Town efforts, our team will coordinate with existing projects like the recently awarded Master Plan and any water studies/plans to address the water tap moratorium, to the extent practicable given the very tight timeline. Our team is available to work directly with other consultants if desired by the Town.

### Meeting Summaries

Our team will create summaries from all Housing Committee meetings and the Open House. These will be simple summaries that can be an appendix to the Final Housing Action Plan if desired. Depending on the sensitivity of the feedback received during the Targeted Outreach Meetings, we will work to create a very high-level summary.

## COMMUNITY ENGAGEMENT DELIVERABLES

1. Employer Questionnaire
2. Meeting materials - fliers, advertisements, handouts, boards, presentations
3. Webpage content
4. Meeting Summaries

## PHASE 1: HOUSING NEEDS ASSESSMENT

We propose to analyze Paonia’s housing market and prepare and deliver a comprehensive, clear, concise, stand-alone Housing Needs Assessment (HNA) that is well documented. The HNA will analyze, consider, and report on demand and supply drivers, including the items outlined on page 4 of the RFP unless otherwise specified below.

The HNA will be prepared in the following manner, with many tasks occurring simultaneously.

### Consultant Roles

Andrew Coburn will lead the Housing Needs Assessment. Mike Scholl will help significantly with the development analysis. Ayres will also help with document creation.

1. Gather, Compile, and Analyze Public and Private Data
2. Develop and Distribute Employer Questionnaire
3. Meet with and Interview Key Stakeholders
4. Prepare a Draft Housing Needs Assessment
5. Revise Draft and Deliver the Final Housing Needs Assessment

As requested in the RFP, the Needs Assessment will include the following:

#### Demographic Data

All topics listed in the RFP will be assessed, except it should be noted that the RFP’s reference to household employment will be part of identifying the number of housing units needed in “Need and Gap Analysis” by looking at the number of households with a worker. Moreover, household income by tenure and AMI (30% to 180%, although this can be adjusted during the project if desired by the Town) will be covered under “Need and Gap Analysis.” Special needs populations, such as seniors, seasonal workers and the small homeless population in town will be discussed under “Special Populations.”

Primary data sources: U.S. Census Bureau, Colorado Demography Office, and ESRI.

#### Economic Conditions

All topics listed in the RFP will be assessed, but it should be noted that a lot of publicly available economic data is published at the county level. County data will therefore be used in conjunction with data for Paonia to assess the local economy, including trends and projections. Although job growth by sector can be included, we believe the sector change is less important than the overall projected change in the number of jobs and projected household income, both of which we will consider as part of the “Need and Gap Analysis” below. Two topics not requested in the RFP that are important to consider, and we propose including, are commuting and those working from home.

Primary data sources: U.S. Bureau of Labor Statistics, U.S. Census Bureau, Colorado Department of Labor and Employment, and ESRI. Additional sources may include the U.S. Bureau of Economic Analysis, University of Washington Center for Women’s Welfare Self Sufficiency Standard, and Data Axle.

### Housing Stock and Trends

Topics listed in the RFP that will be included are the age of the housing stock, the share of housing units by type (e.g., single family, multi-family, mobile/manufactured), and building permits (certificate of occupancy data will also be reviewed/used if available). Housing tenure will be included under “Demographic Data” above. The number of homes not occupied, often referred to as vacant, will be identified along with the share of these used as seasonal/vacation homes. We will also look at the housing stock by number of bedrooms relative to the size of households to identify whether and where the housing stock may be misaligned.

A deep dive and written or visual analysis of individual home conditions would likely mean certain property owners or areas of town would be identified/highlighted and, we believe, could have a deleterious effect on this project and the ultimate goal of seeking solutions. Therefore, the condition of homes will be considered generally by reviewing the age of the housing stock and conducting visual surveys to inform solutions to help with Paonia’s aging housing and stock of mobile homes in the Action Plan.

The density of the existing housing stock (number of units per acre) is not typically included in HNA’s and we are not proposing to do so. Rather, Paonia’s current residential density will be considered during action planning when reviewing the land use code, and in identifying barriers to new community housing.

We will review available information about homes used as short-term rentals, including any information the Town has. We also hope to learn the extent to which long term rentals are being converted to short term rentals, impacting the supply of rental units available to locals. We are well aware of the issues and tradeoffs associated with the rise of short-term rentals and will address them in the HNA and in action planning.

We will catalog existing affordable housing in the Town of Paonia, including deed or income restricted properties, along with their expiration dates if known. This inventory may be limited to the Creek Vista Senior Living apartments, but will be added to if additional properties are identified. The number of housing vouchers being used in Paonia (and any available but not in use) will also be identified if possible from interviewing the Delta County Housing Authority.

Primary data sources: U.S. Census Bureau, Colorado Demography Office, ESRI, building permit/Certificate of Occupancy data from the Town of Paonia, AirDNA, and the National Housing Preservation Database.

### Homeownership Market

We propose to obtain Multiple Listing Service (MLS) data and use ArcGIS to ensure the data is clipped to the Town of Paonia municipal boundary. We are very flexible, however, and are able to analyze data for a different geographic boundary, if desired. We will analyze the data and report on the number of home sales, the price of home sales (average, median, by price range, and by square foot if possible), and sales by the number of bedrooms, along with the months of inventory. If the data is available, we will also report on the financing type used, particularly the share of cash purchases. Ideally, we would get MLS data from 2018 through the end of 2022, and any 2023 sales, to be able to highlight five-year market changes, including Covid-era changes.

The rate of homeownership will be accounted for under tenure above. Although the vacancy rate can be provided, we believe that the more important metric is the months of inventory because the goal is to ensure a balanced homeownership market, which will be one component of how we intend to determine the number of new housing units needed by 2028.

Primary data sources: Multiple Listing Service. U.S. Census Bureau, Colorado Demography Office, and ESRI data may also be used.

#### Rental Market

We propose to monitor rental listings from March 20 (assumed project start) through April 30th at minimum. We will track available rentals by price (to include median rental price), number of bedrooms, security deposit amount, whether utilities are included in the rental amount, and other important factors like whether pets are allowed. We will do so by scouring online platforms like Facebook and Craigslist, along with print publications like The North Fork Merchant Herald, Delta County Independent, and High Country Shopper. In addition, we will monitor hard copy listings on public posting boards around town, such as at Don's Super Market and Paonia Laundromat. The share of households who rent will be captured under tenure above. The vacancy rate will be manually calculated, although we will also consider vacancy information from the American Community Survey. This rate will be another key component of how we intend to determine the number of new housing units needed by 2028.

We will attempt to get aggregated utility data from local providers and summarize as much information as possible subject to data limitations. Even without data from private utility providers, we will obtain local utility cost information from interviews and other community engagement.

#### Special Populations

We propose to learn about and report on housing issues faced by the following populations identified in the RFP to inform the action planning process.

- Seniors - information about senior housing demand and gaps in the market will be based at minimum on U.S. Census Bureau and ESRI data, interviews with North Fork Senior Connections, Paonia Senior Center, Creek Vista Senior Living, Paonia Care & Rehabilitation, and information gathered as part of broader public and stakeholder engagement.

- Seasonal Workers - information about seasonal workers will primarily come from key questions included in the employer questionnaire.

- Homeless - we will gather and report on the local homeless population to the extent we can. We propose to identify and interview key stakeholders, to include the Delta County Housing Authority, service providers, and those experiencing homelessness if possible. We will also interview the City of Delta Homeless Coordinator. Point-in-Time count data for the region will be reviewed and if possible discussed with one of the Western Slope regional coordinators.

#### Need and Gap Analysis

*Need:* We propose to provide you with the number of housing units needed by 2028 and will include the steps by which we arrive at the number. Our work will primarily focus on housing needed for the workforce, but will also consider housing for senior residents as well. Our need figures will be broken down into the catch up need (needed today) and the keep up need (demand forecast). The keep up

need will identify the number of new homes needed to accommodate new workers to fill new jobs and backfill current workers anticipated to retire in the next 5 years. Housing currently under construction or formally in the pipeline with a reasonable likelihood of being constructed by 2028, and targeted at prices that the local workforce can afford, will be accounted for. Homes being constructed and priced/marked for second homeownership would not be counted as reducing the number of housing units needed to house the local workforce.

*Gap:* We will provide the distribution of household income by tenure, Area Median Income (AMI), and maximum sale price and gross rent. This will then be compared to prices and availability of rental and for sale housing to identify where there are gaps in the market (by income/AMI). Given a desire to consider the Town's older population, including seniors, we intend to look at household income by tenure and AMI for two age cohorts, those age 15 to 54 and 55+, which will allow us to highlight any relevant information to better address the housing needs of those in or near the prime age workforce and those nearing retirement or already retired.

We will specify the recommended number of housing units needed by tenure and AMI/price. In addition, we will identify undersupplied housing types. Based on our knowledge of the current housing stock, a more diversified housing inventory is needed.

#### Barriers Analysis

We propose to assess and report on items 3 and 4 under "Barriers Analysis" in the RFP as part of the HNA. Items 1 and 2 will be addressed in the Action Plan. This will include identifying the current cost of construction (land, soft and hard costs, infrastructure and fees). This analysis will be used to identify the capital gap - the difference between the cost to construct and what local households can afford. Typically we show this for a single family home, but can look at other housing types too. We intend to estimate the total amount of funding needed to close the capital gap through 2028 based on the catch-up and keep-up need. We anticipate providing the dollar amount as an estimated range to account for the many variables involved. Paonia could then use this alongside a forthcoming report being prepared for Region 10 by a consultant team that includes Urban Rural Continuum to gain additional insights regarding the economic impacts of housing construction.

Other market forces impeding the housing supply will be discussed, which could include topics such as the supply of skilled labor in the North Fork Valley.

Primary data sources not already listed: Colorado Housing and Finance Authority (CHFA) Income Limits, Ribbon Demographics, LLC, Zillow or similar online platform, and interviews with one or more local builders.

## PHASE 1 DELIVERABLES

1. Draft Housing Needs Assessment
2. Final Housing Needs Assessment, formatted as the Town desires, potentially in line with the Paonia in Motion Parks, Recreation and & Trails Master Plan



## PHASE 2: HOUSING ACTION PLAN

Our team will work with the Town, stakeholders, and community to facilitate the co-creation of a Housing Action Plan that incorporates the voice of the community in prioritizing and pursuing the types of housing that are needed and desired. Due to the schedule outlined for this project in the RFP, the Housing Action Plan will be completed mostly in parallel with the HNA. With a small consultant team, we can ensure the two phases will be coordinated and inform each other. The Action Plan will identify and prioritize recommendations for the Town and partners to take toward creating and encouraging affordable and workforce housing.

### Consultant Roles

Shay Coburn will lead the Action Plan with significant support from Andrew Coburn. Ayres will also support action planning through the development and detailing of strategies as well as assist in document and graphic creation, GIS mapping, and other specific needs as they arise.

### 1. DOCUMENT REVIEW AND BACKGROUND RESEARCH

Our team would dive right in to learn all about the Town through reviewing existing reports and resources including Town Board and Planning Commission meeting packets and minutes, Paonia In Motion, 1996 Comprehensive Plan, and others identified by Town staff. We will also review the Town's municipal code and other regulatory documents to uncover any barriers that may need to be addressed in the Action Plan like density allowances, housing sizes, parking regulations, processes, and much more.

### 2. HOUSING RESOURCES

Research all existing resources for housing applicable to the Town of Paonia, like any rehabilitation funds or vouchers through organizations like the Delta Housing Authority and/or the Area Agency on Aging through Region 10. Use this information to create a Housing Resources in Paonia brochure or flier that can be shared widely and is in a format that can be updated by the Town at any time. Some of the community engagement efforts may inform this step.

### 3. INITIAL LIST OF STRATEGIES

Compile a list of potential strategies to address housing in the Town of Paonia, including review of all DOLA Qualifying Strategies listed in HB21-1271. This list will likely be organized into the following categories: Incentives, Regulations, Partnerships, and Initiatives. This list will give us a place to start discussions with the community and will be refined throughout the project.

### 4. REFINE LIST OF STRATEGIES

The initial list of strategies will be refined through robust community engagement detailed elsewhere in this proposal. Strategies that are not applicable or unlikely to be effective at this time may be removed, new ideas may be added, and some of the strategies may be refined to fit the local context. We will also begin to identify priorities through a balanced approach that addresses the long term needs and desires of the community. For example, it is always good to identify some quick win projects that will keep the momentum going toward the larger goals.

## 5. DRAFT HOUSING ACTION PLAN

The Draft Action Plan will be developed based on all project research and community engagement combined with the specialized knowledge of our consulting team. It will be in a simple format so that changes can easily be made as needed. This draft plan will be reviewed by the Housing Committee and the Town Board. Based on feedback, the draft will be edited into the Final Action Plan.



## 6. FINAL HOUSING ACTION PLAN

The Final Action Plan will be detailed and thoughtful but also simple and clean. The Action Plan will be in an easy to read format that can be a living document used to track progress. The Action Plan will include detailed steps to specifically address the Town of Paonia's housing needs and desires. These actions will be prioritized with timeframes, strategies to implement or adopt suggested action steps, potential partners, and funding sources. As requested in the RFP, the following will be included in the Action Plan, along with additional strategies identified throughout the process:



- a. Recommendations on municipal code revisions to remove barriers and incentivize affordable housing. These recommendations will aim to include at least four of DOLA's Qualifying Strategies including addressing expedited review, ADUs, smaller residential units, and short-term rentals as prioritized by the Town Board at their regular September 22, 2022, meeting.



Optional Add On: First draft of proposed/revised code language for up to four of DOLA's qualifying strategies, assumed to be ADUs, Short Term Rentals, smaller unit size, and expedited review.

- b. A list of potential development sites, primarily public or institutional land, along with potential funding sources for acquisition and construction. Site identification was requested in the RFP to be included in the HNA, but we believe it is a better fit as part of the Action Plan.



Optional Add On: A detailed strategy for the development of an affordable housing project including site identification, potential partners, rough project design, range of units and programming mix, and potential financing.

- c. Steps to form a housing authority, if determined to be a priority strategy.
- d. GIS data and maps as appropriate to support the HNA and Action Plan.

## PHASE 2 DELIVERABLES

1. Housing Resources in Paonia flier
2. Draft Housing Action Plan
3. Final Housing Action Plan, formatted as the Town desires, potentially in line with the Paonia in Motion Parks, Recreation and & Trails Master Plan

### Town assistance desired to complete this project:

- Attend regular check in meetings with the consultants, perhaps every other week.
- Staff expertise to share local knowledge, known barriers, trends, opportunity sites, and other background information.
- Assistance forming the Housing Committee and contact information for key stakeholders.
- Scheduling, coordinating and all arrangements for Town Board meetings; assistance in setting dates and securing space for the Housing Committee meetings and Open House.
- Connection with local Realtor to assist obtaining MLS data.
- Provide historical data on number of building permits/Certificates of Occupancy per year, and residential development projects in the planning pipeline.
- Share existing GIS data relevant to this project.
- Provide data on known deed restricted properties or housing units in town.
- Add key information to the Town's website and post on the Town's Facebook using information provided by the consultant team.
- Review and consolidate feedback on draft documents.







## COST PROPOSAL

### HOURLY RATES

#### URBAN RURAL CONTINUUM

Andrew Coburn \$140

Shay Coburn \$140

#### AYRES ASSOCIATES

Josh Olhava \$155

Mike Scholl \$180

Additional staff \$120

### BUDGET

The share of the project to be completed by URC is estimated to be 75%, with Ayres completing 25%.

#### Budget Table Notes

- Costs include all personnel time, equipment, data purchase, supplies, overhead expenses, and profit.
- URC travel to and from Paonia is free.

Community Engagement	\$22,230
Phase 1: Housing Needs Assessment	\$25,660
Phase 2: Housing Action Plan	\$22,260
<b>PROJECT TOTAL</b>	<b>\$70,150</b>
OPTIONAL Add-On: First draft of proposed code language	\$6,580
OPTIONAL Add-On: Detailed strategy for development of one affordable housing project	\$2,180
Project Total (with Optional Add-Ons)	\$78,910