



**TOWN OF PAONIA**  
**214 GRAND AVENUE**  
**WEDNESDAY, OCTOBER 04, 2023**  
**PLANNING COMMISSION MEETING AGENDA 5:00 PM**  
[HTTPS://US02WEB.ZOOM.US/J/82660835793](https://us02web.zoom.us/j/82660835793)  
**MEETING ID: 826 6083 5793**

**Roll Call**

**Approval of Agenda**

**Approval of Minutes**

[September](#) 21st, 2023 Planning Commission Meeting Minutes

**Actions & Presentations**

1. Delta County Public Schools has approved a R/W transfer to the Town of Paonia for the 5th and Grand Ave. Road Alignment Project, Entitled, "Safe Pathways for Paonia."

**Adjournment**

I. RULES OF PROCEDURE

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

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

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

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

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

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

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

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

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

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

**Section 9. Unacceptable Behavior.** Disruptive behavior shall result in expulsion from the meeting.

**Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings.** These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

## **II. CONSENT AGENDA**

**Section 1. Use of Consent Agenda.** The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

**Section 2. General Guidelines.** Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

**Section 3. Removal of Item from Consent Agenda.** One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

## **III. EXECUTIVE SESSION**

**Section 1.** An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed “in as much detail as possible without compromising the purpose for which the executive session is authorized.” In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

**Section 2.** During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

**Section 3.** Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

## **IV. SUBJECT TO AMENDMENT**

**Section 1. Deviations.** The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

**Section 2. Amendment.** The Board may amend these Rules of Procedures Policy from time to time.

**Minutes**  
**Planning Commission Meeting**  
**Town of Paonia, Colorado**  
**September 21, 2023**

**RECORD OF PROCEEDINGS**

**Roll Call**

PRESENT

Commissioner Mary Bachran

Chair Dave Knutson

Commissioner Lyn Howe

Commissioner Steve Clisset arrives at 4:13PM

**Approval of Agenda**

Commissioner Knutson makes a motion, seconded by Commissioner Bachran, to approve the agenda as posted with the addition of Appointment of Officers.

Motion carries unanimously.

**Approval of Minutes**

No Minutes for Approval.

**Actions & Presentations**

**Appointment of Officers to Planning Commission**

Commissioner Bachran nominates Commissioner Knutson as Chairperson, seconded by Commissioner Howe.

Voting Aye: Commissioner Bachran, Commissioner Howe

Abstain: Commissioner Knutson

Chairperson Knutson nominates Commissioner Bachran as Vice-Chair and Commissioner Howe as Secretary, seconded by Commissioner Howe.

Motion carries unanimously.

Town Attorney Cotton-Baez states town has a full slate of officers appointed for 2023. Officers are to be reappointed in January 2024.

### **Public Hearing**

Public Hearing for Blue Sage Center for the Arts requesting a Special Variance on Alley Setbacks and Parking Requirements.

Chairperson Knutson opens the Public hearing at 4:11 pm

Vice-Chairperson Bachran expresses a disclosure that she served on the Board of the Blue Sage for some time. She has no financial benefit received from the Blue Sage, but she does donate to them. After discussion with the Town Attorney, she will not recuse herself at this time because she believes she can be unbiased towards evidence presented. The Town Attorney concurs with Vice-Chairperson's decision.

Commissioner Clisset arrives at 4:13PM

Town Administrator Wynn arrives at 4:15PM

Town Administrator Wynn provides a staff report that includes background & general information on Blue Sage, and details steps taken by venue for installation of covered back porch. He also explains that issues regarding parking requirements, as outlined by the code, would be met with existing parking areas.

Town Attorney Nick Cotton-Baez provides an overview on Chapter 16 and the requirements that need to be met to grant a variance.

Town Attorney Cotton-Baez and Administrator Wynn present the options available, and the conclusions reached in their research of the Code.

Staff recommends approval based on information received and applicant information provided.

Debra Muzikar, Executive Director of the Blue Sage Center for the Arts, presents the history of the outside structure and the benefits to the business, community, and artists.

Public Comment:

B. Hoss – Board member of Blue Sage explains that they received a grant for the structure and can lose the project if no progress is made.

M. Triserivic (sp) – expresses support for venue changes and discusses drawbacks to having events indoors.

D. Shepard – local musician in support of venue.

M. Barns – Blue Sage board member, speaking as private citizen. Supports venue changes to enhance the alley lot currently there.

K. Hopkins –Blue Sage board member, in support of venue offering other organizations space to use outdoors.

E. Brening – supports staff recommendations for approval. Avid supporter of Blue Sage, regarding parking, they feel there is plenty of parking and are unsure where new spots would come from. They also request that the Town reviews the parking ordinances.

K. Powell – Speaking as a patron, in support of venue changes, due to the benefits of being involved with other community members and social interactions, while being outside provides a better experience in the later evening events.

L. Hunter – reiterates all support and explains that occupancy will not increase.

End of public comments.

Chairperson Knutson asks if there is any further evidence from the applicant.

B. Hoss shows a drawing of the proposed structure. (Picture taken by Deputy Clerk, see attachment).



Commissioner Clisset, Town Administrator Wynn, and Town Attorney Nick Cotton-Baez discuss side set-backs and Code requirements and determine that code obligations are met.

Vice-Chairperson Bachran and Town Attorney Nick Cotton-Baez discuss the hardship provisions and how it affects the zoning code or applicant.

Vice-Chairperson Bachran and Town Administrator Wynn discuss if the parking solutions are acceptable. Town Administrator Wynn points out that parking outside town hall and using the parking lot off main street should be sufficient.

Chairperson Knutson asks if there are any objections; no objections are noted.

Commissioner Clisset and Secretary Howe say that occupancy questions are moot since they won't change, and parking shouldn't be a problem since spaces are used at different times throughout the day. They feel it is a great benefit and a historic aspect of the Town. The changes will meet other existing setbacks and is unsure how parking plays into approval.

Chairperson Knutson and Town Attorney Nick Cotton-Baez suggest closing the public hearing and moving into deliberations.

Chairperson Knutson asks about building permits, emergency exits, and drainage. Town Administrator Wynn answers questions and explains that all these things will be addressed by a building permit.

Public hearing is closed at 5:05 pm.

Vice-Chairperson Bachran explains how this is a good example of good use of a variance and feels it will be a great public benefit. She points out that the hardship was not created by Blue Sage and feels that an approval is in order.

Chairperson Knutson makes a motion, seconded by Commissioner Clisset, to recommend the approval of Variance 2023-02 because it meets the goals and objectives of the Comprehensive Plan.

Motion carries unanimously.

### **Adjournment**

Commissioner Clisset makes a motion, seconded by Secretary Howe, to adjourn the meeting.

Motion carries unanimously.

Meeting adjourns at 5:06 pm

---

Ruben Santiago, Deputy Clerk

---

Mary Bachran, Mayor

DRAFT