



TOWN OF PAONIA
214 GRAND AVENUE
REGULAR TOWN BOARD MEETING AGENDA
TUESDAY, JANUARY 10, 2023, 6:30 PM
[HTTPS://US02WEB.ZOOM.US/J/87507997377](https://us02web.zoom.us/j/87507997377)
MEETING ID: 875 0799 7377
ONE TAP MOBILE
7193594580

Roll Call

Approval of Agenda

Announcements

Christmas Lights Contest Winner

Recognition of Community & Guests

[North Fork High School Advanced Multimedia Class Presentation of SIPA film \(10 minutes\)](#)

Consent Agenda

[Minutes](#)

[November 29, 2022- Special Meeting](#)

[December 2nd, 2022- Special Meeting](#)

[December 13, 2022- Special Meeting](#)

[Disbursements](#)

[Louie's- Liquor License Renewal](#)

[JK Cider- Application for a Liquor Sales Room](#)

[Paonia United Brewing- Change of Ownership](#)

[Blue Sage- Change Premises; add loft area](#)

Staff Reports

[Interim Administrator](#)

[Finance](#)

[Police](#)

[Public Works](#)

Public Hearing

[Ordinance 2022-09: Amendment to Chapter 18 of the Municipal Code and adopting 2018 I-Code](#)

Executive Session

An Executive Session, pursuant to C.R.S. Sec. 24-6-402(4)(f), to discuss a personnel matter involving the potential transition of a current town employee, who has not requested that the matter be discussed in open session, to the role of Town Clerk

New Business

[Resolution 01-2023: Public Posting](#)

[Resolution 02-2023: Designated Holidays](#)

[Western Slope Conservation Center - Letter of Support](#)

[Interim Town Administrator Contract Amendment and Extension](#)

[Discussion and Approval of Town Administrator Job Description](#)

Discussion of Hiring Plan for Town Administrator

Discussion of Staff Plan for Addressing Water and Sewer Repair, Improvement and Funding Issues

[Receipt of JDS-Hydro Report: Water System Planning Funded by DOLA](#)

[Approval of SGM Master Contract](#)

Dissolution of Advisory Water Committee

Facebook Comment Policy

Discussion & Board Direction of Water Moratorium Language Provision

Committee Reports

[Finance: Weber & Smith](#)

[Parks: Knutson & Stelter](#)

[Streets: Valentine & Markle](#)

[Water/Sewer/Trash/AWC: Weber & Markle](#)

[Personnel: Smith & Valentine](#)

[Public Safety: Knutson & Stelter](#)

[Paonia Tree Board: Trustee Valentine](#)

How Did We Do?**Adjournment**

I. RULES OF PROCEDURE

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

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

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

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

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

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

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

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

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

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

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

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

II. CONSENT AGENDA

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

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

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

III. EXECUTIVE SESSION

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

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

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

IV. SUBJECT TO AMENDMENT

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

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

AGENDA SUMMARY FORM

	Roll Call
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Summary:

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Knutson	Trustee Valentine
Trustee Stelter	Trustee Smith	Trustee Markle	Trustee Weber

Samira V

From: Leslie
Sent: Thursday, January 5, 2023 3:21 PM
To: Samira V
Subject: FW: Housing needs in Paonia

Please put this in the packet under correspondence received.

Leslie Klusmire
 Interim Town Administrator
 Town of Paonia, Colorado

"Every time you are tempted to react in the same old way, ask if you want to be a prisoner of the past or a pioneer of the future." — Deepak Chopra

Please consider the environment before printing this e-mail.

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

From: Michelle Pattison <mpattison@gmail.com>
Sent: Thursday, January 5, 2023 2:33 PM
To: Mary B <maryb@townofpaonia.com>; Thomas M <ThomasM@townofpaonia.com>; Dave K <DaveK@townofpaonia.com>; D Weber <dweber@townofpaonia.com>; Paige S <paiges@townofpaonia.com>; Rick S <RickS@townofpaonia.com>; John V <JohnV@townofpaonia.com>
Cc: nick@kellypc.com; Leslie <leslie@townofpaonia.com>
Subject: Housing needs in Paonia

Dear Board of Trustees,

I hope you all enjoyed a holiday break and are coming back to town business refreshed and recommitted to serving the community.

As you move forward with a housing survey and consider solutions for affordable housing, I'd like to bring your attention to an overlooked aspect of this conversation: illegal short-term rentals and their impact on the community.

Paonia town code does not allow rentals shorter than one month in residential zones.

See the definition of "dwelling unit" in 16-1-100: Dwelling unit means one (1) room, or rooms connected together constituting a separate, independent housekeeping establishment **for owner occupancy, rental or lease on a monthly or longer basis**. The dwelling unit shall be physically separated from any other rooms or dwelling units that may be in the same structure and served by no more than one (1) gas meter, one (1) electric meter and one (1) water meter and sewer tap.

Short term rentals do not meet the requirements of a dwelling unit as defined in our code.

By continuing to ignore this law and allow illegal short-term rentals, you as a board are:

- Reducing enterprise income by allowing commercial activity to be billed at residential utility rates
- Reducing property tax income by allowing commercial activity to be billed at residential property tax rates
- Contributing to the housing shortage by allowing residential properties to be treated as commercial properties

- Driving up home prices by creating a false scarcity of residential units
- Jeopardizing public safety by making concessions to allow police officers to live outside of town limits due to their inability to find housing
- Jeopardizing public safety by not requiring all short-term rentals to meet commercial requirements for fire safety and other hazards
- Essentially subsidizing illegal short-term rentals by allowing them to operate without regulation, commercial fees, or commercial taxes
- Penalizing legally operating lodging businesses by forcing them to compete with illegal rentals
- Disrupting neighborhoods by allowing businesses to operate without any oversight and outside of the law (as opposed to home-based occupations, which require a permit and notification of neighbors as described in 16-11-20)

I have read that housing has been considered as a possible use for the Votech building. This would turn a commercial property into homes, while you continue to allow actual homes to be turned into commercial properties. How backwards is that?

I would urge the board to prioritize this issue, follow the laws we have in place, and return single-family homes in residential zones to their intended use as dwelling units.

While I believe there can be a path forward to allow some short term rentals, and I see benefits for our property owners and visitors, I don't think this community can afford to wait for the board to get around to that conversation. Enforce the laws you have now, and find a path forward from there.

Thank you,
Michelle Pattison

Minutes
Special Town Board Meeting
Town of Paonia, Colorado
December 02, 2022

RECORD OF PROCEEDINGS

Roll Call

Mayor Bachran calls the meeting to order at 2:30 pm

PRESENT

- Mayor Mary Bachran
- Trustee Dave Knutson
- Trustee Paige Smith
- Trustee Dave Weber
- Trustee John Valentine
- Trustee Rick Stelter

ABSENT

- Trustee Thomas Markle

Approval of Agenda

Motion made by Trustee Valentine, Seconded by Trustee Stelter, to approve the agenda.
Voting Yea: Trustee Knutson, Trustee Smith, Trustee Weber, Trustee Valentine, Trustee Stelter

Executive Session

Motion made by Trustee Smith, Seconded by Trustee Stelter to enter Executive Session, pursuant to C.R.S. Section 24-6-402(4)(e), for determining positions, developing strategy and instructing negotiators relative to matters that may be subject to negotiation; interview process and question preparation for the selection of a finalist candidate for the Town Administrator position.

Motion passes unanimously

Executive Session Entered at 2:31 pm
Executive Session Ended at 4:16 pm

Adjournment

Meeting adjourned at 4:17 pm

Amanda Mojarro, Deputy Town Clerk

Mary Bachran, Mayor

DRAFT

Minutes
Special Town Board Meeting
Town of Paonia, Colorado
December 13, 2022

RECORD OF PROCEEDINGS

Roll Call

Mayor Bachran calls the meeting to order at 9:29 am

PRESENT

- Mayor Mary Bachran
- Trustee Dave Knutson
- Trustee Paige Smith
- Trustee John Valentine
- Trustee Rick Stelter

ABSENT

- Trustee Dave Weber
- Trustee Thomas Markle

Approval of Agenda

Executive Session

Motion made by Trustee Stelter, Seconded by Trustee Knutson, to go into executive session, pursuant to CRS Section 24-6-402(4)(f)(1), for the discussion of a personnel matter, not involving an employee that has requested the matter to be discussed in open session, and specifically pertaining to interviews of finalists applicants for the Town Administrator position.

Motion passes unanimously

Executive Session entered at 9:30 am

Executive Session ended at 1:37 pm

Board then read public comments sheets from the Meet & Greet on 12/12 and the Citizen Interview report.

Trustee Stelter makes a motion, seconded by Trustee Knutson to reopen recruitment process with a recruitment firm.

Discussion followed about RFP’s for recruitment firms, utilizing CML, increasing the salary range, advertising on ICMA, pro’s and con’s of each, multiple types of recruitment at once, first review application process, better benefits, wording for ads and recruitment planning.

Trustee Stelter amends his motion to take out “with a recruitment firm”

Motion passes unanimously

The Board of Trustees thanked Trustee Smith and Trustee Valentine for all their hard work during this process.

Trustee Stelter makes a motion, seconded by Trustee Smith to change salary range to \$85,000 – \$120,000

Motion passes unanimously

Adjournment

Amanda Mojarro, Interim Town Clerk

Mary Bachran, Mayor

Minutes
Special Town Board Meeting
Town of Paonia, Colorado
November 29, 2022

RECORD OF PROCEEDINGS

Roll Call

Mayor Bachran called the meeting to order at 5pm

PRESENT

- Mayor Mary Bachran
- Trustee Dave Knutson
- Trustee Paige Smith
- Trustee Dave Weber
- Trustee John Valentine (arrived 5:01pm)
- Trustee Thomas Markle (entered Zoom at 5:02pm)
- Trustee Rick Stelter

Approval of Agenda

Motion made by Trustee Stelter, Seconded by Trustee Knutson to approve the agenda.

Motion passes unanimously

Announcements

Town awarded Innovative Housing Grant from DOLA in the amount of \$79,000

Delta County having a pesticide drop-off Thursday December 1st 10am – 2pm at the Eckert landfill. Charge is \$7.00/lb

Trustee Knutson provided a summary of the Sand Creek Massacre which happened on this day in history

New Business

1. RCAC Presentation - Sewer Cost of Service Analysis

Kate Sawyer with RCAC, covers process used in study, importance and uses of reserves, capital replacement plan, rate tiers and their changes in a five year period and discusses possible Waste Water Treatment Facility (WWTF) upgrade requirements in 2028. Other topics include preparing to replace aging infrastructure, SGM inventory study, growth factor, inflation effects and funding.

2. Resolution 2022-14 Garbage Rates

Motion made by Trustee Knutson, Seconded by Trustee Stelter to adopt Resolution 2022-14 A Resolution of the Town of Paonia establishing Garbage Rates and Charges.

Board discussion: ideas to incentivize less household trash, ways to stagger the rate increases and long term plans for trash consumption

Voting Yea: Trustee Knutson, Trustee Smith, Trustee Weber, Trustee Valentine, Trustee Stelter

Voting Nay: Trustee Markle

Motion carries

3. Resolution 2022-15 Water Rates and Charges

Motion made by Trustee Weber, Seconded by Trustee Knutson to pass Resolution 2022-15, A Resolution of the Town of Paonia Establishing Water Rates and Charges

Voting Yea: Trustee Knutson, Trustee Smith, Trustee Weber, Trustee Valentine, Trustee Stelter

Voting Nay: Trustee Markle

Motion Carries

4. Ordinance 2022-08 Sewer Rates

Motion made by Trustee Weber, Seconded by Trustee Stelter, to approve Ordinance 2022-08, An Ordinance of the Town of Paonia Establishing Wastewater/ Sewer Rates and Charges.

Trustee Markle voices his concerns about how rates will affect the way the community looks and functions

Voting Yea: Trustee Knutson, Trustee Smith, Trustee Weber, Trustee Valentine, Trustee Stelter

Voting Nay: Trustee Markle

Motion Carries

5. Discussion on next steps for Town Administrator interview

Board decides to contact the finalists for the Town Manager position to see if they are available for the final interview process on December 12 and 13, 2022

Board sets Special Meeting and Executive Session for planning the interview process and people for Friday December, 2 at 2:30pm

Adjournment

Amanda Mojarro, Interim Town Clerk

Mary Bachran, Mayor

FOR: 01/10/2023

UBB OPS DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		347,488.64
ACCOUNTS PAYABLE	11/19/2022-12/12/2022	(98,328.01)
LOAN PAYMENT		
BOND PAYMENT		
NORRIS RETIREMENT PAYMENT	12/25/2022	(1,120.00)
CHASE CREDIT CARD	10/24/22 - 11/23/22	(2,985.33)
PHILLIPS 66	10/24/22 - 11/23/22	(955.70)
TRANSFER TO SUMMIT		
TRANSFER TO PAYROLL	12/16/2022	(22,795.15)
TRANSFER TO PAYROLL	12/31/2022	(23,371.25)
PAYROLL TAXES	12/16/2022	(9,908.67)
PAYROLL TAXES	12/31/2022	(10,088.11)
BALANCE AFTER PAYMENT		177,936.42

UBB SUMMIT/PAYROLL DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		2,397,077.20
TRANSFER FROM OPS		-
TRANSFER FROM INT. GRANTS		-
TRANSFER TO OPS		
CURRENT FSBC PAYROLL BALANCE		991.90
TRANSFER FROM OPS	12/16/2022	22,795.15
TRANSFER FROM OPS	12/31/2022	23,371.25
PAYROLL (DIRECT DEPOSIT)	12/16/2022	(22,795.15)
PAYROLL (DIRECT DEPOSIT)	12/31/2022	(23,371.25)
BALANCE AFTER PAYMENT		2,398,069.10

UBB INTERNAL GRANT DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT INTERNAL GRANT BALANCE	SALE OF ASSETS-AUCTION	40,912.00
BALANCE AFTER PAYMENT		40,912.00

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

BANK BALANCES				
	FSBC	COLOTRUST	TOTAL	DESCRIPTION
1/10/2023				
GENERAL		541,719.40		COMBINED FUNDS
SEWER RESTRICTED		539,775.17		PROPERTY SALE-RESTRICTED
DEBT RESERVE		108,762.59		AMKO BOND REQUIRED RESERVE
BRIDGE RESERVE		599,017.07		BRIDGE RESERVE
CONS.TRUST	10,419.54			RESTRICTED TO PARK USE ONLY
GRANT PASS THRU	25,025.00			PLACE HOLDER-COMBINED FUNDS
INT GRANT	40,912.00			PLACE HOLDER-COMBINED FUNDS
OPS	461,587.30			COMBINED FUNDS
PARK CONTRIBUTIONS	12,750.00			SPECIFIC PARK PROJECTS
PAYROLL	991.90			PLACE HOLDER-COMBINED FUNDS
SPACE-TO-CREATE	CLOSED			SPACE TO CREATE ONLY
SUMMIT	2,397,077.20			COMBINED FUNDS
WWTP	58,594.73			OLD SEWER REHAB ONLY
CD#2-402	203,950.52			COMBINED FUNDS-LOC COLLATERAL
CD#3-2578	216,378.93			COMBINED FUNDS
	3,427,687.12	1,789,274.23	5,216,961.35	

CASH POSITION

CASH POSITION

	COMBINED	RESTRICTED	TOTAL	DESCRIPTION
1/10/2023				
GENERAL	541,719.40			
SEWER RESTRICTED		539,775.17		RESTRICED TO SEWER CAPITAL PROJECT
DEBT RESERVE		108,762.59		RESTRICTED LOAN REQUIRMENT
BRIDGE RESERVE		599,017.07		RESTRICTED TO BRIDGE REPAIRS
CONS.TRUST		10,419.54		RESTRICTED TO PARK CAPTIAL PROJECT
GRANT PASS THRU	25,025.00			
INT GRANT		40,912.00		RESTRICED LOAN REQUIREMENT
OPS	461,587.30			
PARK CONTRIBUTIONS		12,750.00		SPECIFIC PARK PROJECTS AS DONATED
PAYROLL	991.90			
SPACE-TO-CREATE		CLOSED		SPACE TO CREATE ONLY
SUMMIT	2,397,077.20			
WWTP		58,594.73		OLD SEWER REHAB ONLY
CD#2-402	203,950.52			
CD#3-2578	216,378.93			
	3,846,730.25	1,370,231.10	5,216,961.35	

Due date(s): All-All

Jan 10, 2023 12:19PM

Check Issue Date: 1/10/2023

Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
01/10/2023	1232	ALL AUTO REPAI	3999	212.50	.00	.00	212.50			
01/10/2023	1268	All Copy Products I	5023058707	324.69	.00	.00	324.69			
01/10/2023	1245	Archuleta, Benny	ARCH1-1-20	1,500.00	.00	.00	1,500.00			
01/10/2023	1045	Bachran, Mary	CITY MARKE	94.81	.00	.00	94.81			
01/10/2023	987	Black Hills Energy	12-2022	2,714.41	.00	.00	2,714.41			
01/10/2023	901	Blue Sage Center	12222022	900.00	.00	.00	900.00			
01/10/2023	14	Bolinger & Queen I	K14096-1	885.80	.00	.00	885.80			
01/10/2023	1126	Browns Hill Engine	872	1,710.00	.00	.00	1,710.00			
01/10/2023	1126	Browns Hill Engine	899	1,710.00	.00	.00	1,710.00			
01/10/2023	21	Caselle, Inc	121310	1,261.00	.00	.00	1,261.00			
01/10/2023	21	Caselle, Inc	122012	1,261.00	.00	.00	1,261.00			
01/10/2023	1284	Cedar Creek Suppl	INV-0056	1,108.75	.00	.00	1,108.75			
01/10/2023	23	CIRSA	221056	175.00	.00	.00	175.00			
01/10/2023	23	CIRSA	230093+230	86,102.41	.00	.00	86,102.41			
01/10/2023	23	CIRSA	W23033	30,672.00	.00	.00	30,672.00			
01/10/2023	673	City Of Grand Junc	2022-000732	125.00	.00	.00	125.00			
01/10/2023	30	Colorado Municipa	2023	1,047.00	.00	.00	1,047.00			
01/10/2023	209	Colorado Rural Wa	22539	300.00	.00	.00	300.00			
01/10/2023	1016	Commercial Cleani	775	687.50	.00	.00	687.50			
01/10/2023	56	Delta County Land	390928-3920	2,426.50	.00	.00	2,426.50			
01/10/2023	43	Delta Montrose Ele	1-2023-P	1,489.75	.00	.00	1,489.75			
01/10/2023	43	Delta Montrose Ele	1-2023-W	2,043.84	.00	.00	2,043.84			
01/10/2023	43	Delta Montrose Ele	12-2022-P	1,383.59	.00	.00	1,383.59			
01/10/2023	43	Delta Montrose Ele	20886100-12	3,620.05	.00	.00	3,620.05			
01/10/2023	46	Dependable Lumb	2212-260727	99.80	.00	.00	99.80			
01/10/2023	771	Dolphin House	2022	500.00	.00	.00	500.00			
01/10/2023	48	Don's Market	01-1674413	18.39	.00	.00	18.39			
01/10/2023	48	Don's Market	01-1690721	6.99	.00	.00	6.99			
01/10/2023	48	Don's Market	01-1695812	29.98	.00	.00	29.98			
01/10/2023	48	Don's Market	02-1370924	56.33	.00	.00	56.33			
01/10/2023	48	Don's Market	04-1009871	4.69	.00	.00	4.69			
01/10/2023	1238	Dooley Enterprises	64581	531.58	.00	.00	531.58			
01/10/2023	368	Double J Disposal	52582	99.75	.00	.00	99.75			
01/10/2023	368	Double J Disposal	52583	252.00	.00	.00	252.00			
01/10/2022	986	Elevate Fiber	66210-27171	758.19	.00	.00	758.19			
01/10/2023	1190	Empower Trust Co	362205	250.00	.00	.00	250.00			
01/10/2023	1221	ENVIRO-CHEM A	14170536	61.00	.00	.00	61.00			
01/10/2023	888	Filter Tech System	9317	2,406.10	.00	.00	2,406.10			
01/10/2023	1252	Garcia, Jeremiah	2022 BOOT	100.00	.00	.00	100.00			
01/10/2023	526	Goble Sampson	BINV001010	217.48	.00	.00	217.48			
01/10/2023	1246	Green Analytical L	GAL2212-08	325.00	.00	.00	325.00			
01/10/2023	1286	Gutierrez, Gonzalo	032122 BOU	250.00	.00	.00	250.00			
01/10/2023	74	Hach Company Inc	320388534	313.22	.00	.00	313.22			
01/10/2023	1124	JDS-Hydro Consul	INV-1122-128	3,087.50	.00	.00	3,087.50			
01/10/2023	1066	JP Cooke Co.	756558	104.95	.00	.00	104.95			
01/10/2023	1277	Kelly PC	12312022	8,796.90	.00	.00	8,796.90			
01/10/2023	1251	Laiminger, Matt	FEMA AWR1	145.00	.00	.00	145.00			
01/10/2023	1251	Laiminger, Matt	POST TRAIN	86.25	.00	.00	86.25			
01/10/2023	1251	Laiminger, Matt	TECH COLL	41.25	.00	.00	41.25			
01/10/2023	482	Larry D Gillenwate	693104	28.88	.00	.00	28.88			
01/10/2023	98	Lasting Impression	27566	20.00	.00	.00	20.00			
01/10/2023	98	Lasting Impression	27583	54.00	.00	.00	54.00			
01/10/2023	98	Lasting Impression	27586	30.00	.00	.00	30.00			
01/10/2023	98	Lasting Impression	27785	64.00	.00	.00	64.00			
01/10/2023	98	Lasting Impression	27796	209.97	.00	.00	209.97			
01/10/2023	98	Lasting Impression	27821	176.00	.00	.00	176.00			

Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
01/10/2023	470	Leon, Susan	010123-0131	775.00	.00	.00	775.00			
01/10/2023	645	Mail Services, LLC	1865139	510.28	.00	.00	510.28			
01/10/2023	141	North Fork Service	629659-6296	411.07	.00	.00	411.07			
01/10/2023	122	Paonia Auto Parts	395631-3963	632.60	.00	.00	632.60			
01/10/2023	125	Paonia Farm & Ho	142375-1436	200.36	.00	.00	200.36			
01/10/2023	499	Phonz +	14354	1,880.24	.00	.00	1,880.24			
01/10/2023	1167	Redden, Jordan	2022-BOOT	100.00	.00	.00	100.00			
01/10/2023	1224	Rhinehart Oil Co.,L	22348CT	508.16	.00	.00	508.16			
01/10/2023	1224	Rhinehart Oil Co.,L	IN-235271-2	12.21	.00	.00	12.21			
01/10/2023	931	Roop Excavating L	1460	3,470.00	.00	.00	3,470.00			
01/10/2023	931	Roop Excavating L	1465	4,600.00	.00	.00	4,600.00			
01/10/2023	931	Roop Excavating L	1469	2,200.00	.00	.00	2,200.00			
01/23/2023	931	Roop Excavating L	1462	360.00	.00	.00	360.00			
01/10/2023	1285	Salt Lake Wholesa	86605	477.00	.00	.00	477.00			
01/10/2023	656	Schmueser Gordo	2013-471.01	553.00	.00	.00	553.00			
01/10/2023	1170	Shums Coda Asso	16336	2,280.00	.00	.00	2,280.00			
01/10/2023	1170	Shums Coda Asso	16337	2,050.00	.00	.00	2,050.00			
01/10/2023	1170	Shums Coda Asso	16338	2,310.00	.00	.00	2,310.00			
01/10/2023	1264	Snap-On Industrial	ARV/557357	10,904.85	.00	.00	10,904.85			
01/10/2023	1283	Sustainable Future	12-2022	11,161.38	.00	.00	11,161.38			
01/10/2023	156	TDS Telecom	12-2022	232.49	.00	.00	232.49			
01/10/2023	407	The Center for Me	2022	200.00	.00	.00	200.00			
01/10/2023	861	The Paper-Clip LL	2045997-0	245.90	.00	.00	245.90			
01/10/2023	1256	The UPS Store #5	POS57348B-	50.18	.00	.00	50.18			
01/10/2023	1256	The UPS Store #5	POS5734B-1	132.59	.00	.00	132.59			
01/10/2023	1125	Turtle Tracks	2150	320.00	.00	.00	320.00			
01/10/2023	833	U.S. Geological Su	91032714	1,348.00	.00	.00	1,348.00			
01/10/2023	161	UNCC	222120995	7.80	.00	.00	7.80			
01/10/2023	162	United Companies	1501189	1,129.65	.00	.00	1,129.65			
01/10/2023	162	United Companies	1501194	187.36	.00	.00	187.36			
01/10/2023	441	USA Blue Book	195655	388.83	.00	.00	388.83			
01/10/2023	402	USDA Forest Servi	010123-1231	2,433.77	.00	.00	2,433.77			
01/10/2023	491	Winwater Corp	122522FC	4.15	.00	.00	4.15			
Grand Totals:			89	214,957.67	.00	.00	214,957.67			

Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount
01/10/2022	758.19	.00	.00	758.19	758.19
01/10/2023	213,839.48	.00	.00	213,839.48	214,597.67
01/23/2023	360.00	.00	.00	360.00	214,957.67
Grand Totals:		214,957.67	.00	.00	214,957.67



Manage your account online at : www.chase.com/cardhelp

Customer Service: 1-800-945-2028

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January 2023						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11

New Balance
\$4,426.11
 Minimum Payment Due
\$44.00
 Payment Due Date
01/17/23

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

Minimum Payment Warning: Enroll in Auto-Pay and avoid missing a payment. To enroll, go to www.chase.com

ACCOUNT SUMMARY

Account Number: 4246 3152 6990 8901

Previous Balance	\$2,985.33
Payment, Credits	-2,985.33
Purchases	+\$4,426.11
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
New Balance	\$4,426.11

Opening/Closing Date	11/24/22 - 12/23/22
Credit Limit	\$45,000
Available Credit	\$40,573
Cash Access Line	\$2,250
Available for Cash	\$2,250

Past Due Amount	\$0.00
Balance over the Credit Limit	\$0.00

YOUR ACCOUNT MESSAGES

Your next AutoPay payment for \$4,426.11 will be deducted from your Pay From account and credited on your due date. If your due date falls on a Saturday, we'll credit your payment the Friday before.



YOUR ACCOUNT MESSAGES (CONTINUED)

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

ACCOUNT ACTIVITY

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
12/16	AUTOMATIC PAYMENT - THANK YOU	-2,985.33
12/08	MESA COUNTY HEALTH WWW.MESACOUNT.CO	60.00
12/20	SPRINT *WIRELESS 800-639-6111 KS CINDY JONES TRANSACTIONS THIS CYCLE (CARD 8901) \$2520.94- INCLUDING PAYMENTS RECEIVED	404.39
12/22	USPS PO 0769660541 PAONIA CO CORINNE FERGUSON TRANSACTIONS THIS CYCLE (CARD 3742) \$1.44	1.44
11/30	USPS.COM POSTAL STORE 800-782-6724 MO	734.00
12/15	USPS PO 0769660541 PAONIA CO TOWNOF PAONIA TRANSACTIONS THIS CYCLE (CARD 8181) \$741.85	7.85
12/01	WORDCAB.COM WORDCAB.COM NY TOWNOF PAONIA TRANSACTIONS THIS CYCLE (CARD 4100) \$24.00	24.00
12/01	WALTHER ARMS 479-646-4210 AR	2,874.00
12/13	FEDEX OFFICE 800000836 800-4633339 TX	27.12
12/15	AUTOZONE4061AUTOZONE GRAND JUNCTIO CO MATT LAIMINGER TRANSACTIONS THIS CYCLE (CARD 7897) \$2951.03	49.91
12/07	Amazon.com*4U4FV65Q3 Amzn.com/bill WA CORY HEINIGER TRANSACTIONS THIS CYCLE (CARD 9828) \$243.40	243.40

2022 Totals Year-to-Date	
Total fees charged in 2022	\$0.00
Total interest charged in 2022	\$0.00

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

INTEREST CHARGES

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

Balance Type	Annual Percentage Rate (APR)	Balance Subject To Interest Rate	Interest Charges
PURCHASES			
Purchases	17.49%(v)(d)	- 0 -	- 0 -
CASH ADVANCES			
Cash Advances	29.24%(v)(d)	- 0 -	- 0 -



PARENT ACCOUNT:
Town of Paonia

REPORT FOR:
Town of Paonia
0490-00-823899-0
NOV-24-2022 TO DEC-23-2022

Financial Summary

PAGE 1
END OF REPORT

ACCOUNT NUMBER	FLEET NAME
0490-00-823899-0	Town of Paonia

DEPARTMENT	DESCRIPTION	UNITS	COST OR FEE	TOTAL FEES	FUEL \$	OTHER \$	GROSS \$	TOTAL FEES & PURCHASES
PUBLIC SAFETY	Unleaded Regular Monthly Card Charge	72.57	3.401	0.00	245.90	0.00	245.90	245.90
	PERIOD	15.00	2.000	0.00	0.00	0.00	0.00	0.00
	YTD			0.00	245.90	0.00	245.90	245.90
PUBLIC WORKS	Regular Diesel #2 Unleaded Regular Monthly Card Charge	69.82	4.899	0.00	341.36	0.00	341.36	341.36
	PERIOD	303.73	3.191	0.00	970.62	0.00	970.62	970.62
	YTD	36.00	2.000	0.00	0.00	0.00	0.00	0.00
Unassigned	Promo - WEX Funded Rebate	363.50	0.150	-54.52	0.00	0.00	0.00	0.00
	PERIOD			-54.52	0.00	0.00	0.00	0.00
	YTD			-250.99	0.00	0.00	0.00	-250.99
ACCOUNT TOTALS	Regular Diesel #2 Unleaded Regular Monthly Card Charge	69.82	4.899	0.00	341.36	0.00	341.36	341.36
	PERIOD	376.30	6.592	0.00	1216.52	0.00	1216.52	1216.52
	YTD	51.00	4.000	0.00	0.00	0.00	0.00	0.00
	Promo - WEX Funded Rebate Paper Delivery Fee	363.50	0.150	-54.52	0.00	0.00	0.00	0.00
	PERIOD	1.00	10.000	10.00	0.00	0.00	0.00	0.00
	YTD			-44.52	1557.98	0.00	1557.98	1557.98
				-250.99	9367.00	0.00	9367.00	9367.00

ACCOUNTS RECEIVABLE SUMMARY - Invoice 85867894	
PREVIOUS BALANCE	955.70
PAYMENTS	-955.70
PURCHASES	1557.68
DEBITS	10.00
CREDITS	0.00
Phillips 66 Rebate	-54.52
ANCILLARIES	0.00
AMOUNT DUE	1513.36

Employee Number	Name	85-00 Net Pay Emp Amt
1055	Byrge, Rodney A	1,330.37
1053	Cecil, Raymond Cole	1,162.05
1052	Edwards, Roger	1,085.09
1061	Garcia, Jeremiah	1,910.12
1056	Glimpse, Leaf F	505.15
1050	Heiniger, Cory	1,918.08
1025	Henderson, Garrett W	1,890.46
1022	Hinyard, Patrick	1,882.40
1001	Jones, Cynthia	1,913.02
1010	Katzer, JoAnn	1,194.98
1023	Kramer, Lance W	1,487.27
1021	Laiminger, Matt	2,064.47
1003	Mojarro-Lopez, Amanda	1,072.06
1060	Redden, Jordan	1,480.99
1051	Reich, Dennis	1,187.18
1005	Vetter, Samira	1,287.57
Grand Totals:		
	16	23,371.25

12022
 23,371.25+
 505.15-
 22,866.10*
 002

Employee Number	Name	85-00 Net Pay Emp Amt
1300	Bachran, Mary A	184.70
1055	Byrge, Rodney A	1,241.49
1053	Cecil, Raymond Cole	1,230.78
1052	Edwards, Roger	1,045.37
1061	Garcia, Jeremiah	1,389.66
1050	Heiniger, Cory	1,946.21
1025	Henderson, Garrett W	1,635.67
1022	Hinyard, Patrick	2,121.36
1012	Huffman, Julie J	484.84
1001	Jones, Cynthia	1,884.97
1010	Katzer, JoAnn	1,153.33
1301	Knutson, David A	92.35
1023	Kramer, Lance W	1,549.72
1021	Laiminger, Matt	1,718.52
1305	Markle, Thomas	92.35
1003	Mojarro-Lopez, Amanda	933.42
1060	Redden, Jordan	1,282.25
1051	Reich, Dennis	1,126.16
1303	Smith, Paige W	92.35
1304	Stelter, Rick	92.35
1302	Vaentine, John C	92.35
1005	Vetter, Samira	1,312.60
1306	Weber, David	92.35
Grand Totals:		
	23	22,795.15

/ 22,795.15+
 21,571.51-
 646.45-
 484.84-
 92.35-
 005
 0.00*

Report Criteria:

Unpaid transmittals included
Begin Date: ALL
End Date: ALL

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
2							
2	IRS Tax Deposit		12/09/2022	74-00	Federal Tax Deposit Social Security	10-0216	1,248.32
2	IRS Tax Deposit		12/09/2022	74-00	Federal Tax Deposit Social Security	10-0216	1,248.32
2	IRS Tax Deposit		12/09/2022	75-00	Federal Tax Deposit Medicare Pay P	10-0216	430.87
2	IRS Tax Deposit		12/09/2022	75-00	Federal Tax Deposit Medicare Pay P	10-0216	430.87
2	IRS Tax Deposit		12/09/2022	76-00	Federal Tax Deposit Federal Withhold	10-0216	2,051.58
Total 2:							5,409.56
4							
4	Aflac		11/25/2022	63-01	Aflac Pre-Tax Pay Period: 11/25/2022	10-0225	71.34
4	Aflac		11/25/2022	63-02	Aflac After Tax Pay Period: 11/25/202	10-0225	24.90
4	Aflac		12/09/2022	63-01	Aflac Pre-Tax Pay Period: 12/9/2022	10-0225	71.34
4	Aflac		12/09/2022	63-02	Aflac After Tax Pay Period: 12/9/2022	10-0225	24.90
Total 4:							192.48 <i>MP</i>
6							
6	Colorado Dept of Labor		09/30/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	67.16
6	Colorado Dept of Labor		10/14/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	62.92
6	Colorado Dept of Labor		10/28/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	90.66
6	Colorado Dept of Labor		11/11/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	91.55
6	Colorado Dept of Labor		11/25/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	63.25
6	Colorado Dept of Labor		12/09/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	60.64
Total 6:							436.18 <i>QTR</i>
9							
9	Colorado Dept of Revenue		11/25/2022	77-00	State Withholding Tax Pay Period: 11/	10-0217	1,018.00
9	Colorado Dept of Revenue		12/09/2022	77-00	State Withholding Tax Pay Period: 12/	10-0217	932.00
Total 9:							1,950.00 <i>MP</i>
30							
30	Empower Retirement		12/09/2022	51-01	Retirement Plan Retirement Plan Pa	10-0220	997.20
30	Empower Retirement		12/09/2022	51-01	Retirement Plan Retirement Plan Pa	10-0220	1,136.04
30	Empower Retirement		12/09/2022	51-02	Retirement Plan Retirement Loan Pa	10-0220	42.67
Total 30:							2,175.91
33							
33	FPPA - Fire & Police Pensi		12/09/2022	50-00	FPPA Pay Period: 12/9/2022	10-0219	1,152.00
33	FPPA - Fire & Police Pensi		12/09/2022	50-00	FPPA Pay Period: 12/9/2022	10-0219	864.00
33	FPPA - Fire & Police Pensi		12/09/2022	90-00	Death & Disability Pay Period: 12/9/2	10-0219	307.20
Total 33:							2,323.20
70							
70	Rocky Mountain HMO		11/25/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	334.49
70	Rocky Mountain HMO		11/25/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	6,021.19
70	Rocky Mountain HMO		11/25/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	669.90
70	Rocky Mountain HMO		11/25/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	2,322.69

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
70	Rocky Mountain HMO		11/25/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	90.29
70	Rocky Mountain HMO		11/25/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	1,010.67
70	Rocky Mountain HMO		12/09/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	334.49
70	Rocky Mountain HMO		12/09/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	669.90
70	Rocky Mountain HMO		12/09/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	90.29
Total 70:							11,543.91 <i>mo</i>
71							
71	The Harford		11/25/2022	65-01	Group#013307460001 Hartford Basic	10-0226	31.80
71	The Harford		11/25/2022	65-02	Group#013307460001 Hartford Suppl	10-0226	26.55
71	The Harford		11/25/2022	65-03	Group#013307460001 Hartford Disab	10-0226	122.17
71	The Harford		12/09/2022	65-02	Group#013307460001 Hartford Suppl	10-0226	26.55
Total 71:							207.07 <i>mo</i>
73							
73	Delta Dental of Colorado		11/25/2022	60-05	Dental RMHMO - Dental Pay Period:	10-0223	175.11
73	Delta Dental of Colorado		12/09/2022	60-05	Dental RMHMO - Dental Pay Period:	10-0223	175.13
Total 73:							350.24 <i>mo</i>
75							
75	VSP Insurance CO (CT)		11/25/2022	60-04	RMHMO - Vision Pay Period: 11/25/2	10-0223	67.15
75	VSP Insurance CO (CT)		12/09/2022	60-04	RMHMO - Vision Pay Period: 12/9/20	10-0223	67.16
Total 75:							134.31 <i>mo</i>
Grand Totals:							24,722.86

Report Criteria:

Unpaid transmittals included

Begin Date: ALL

End Date: ALL

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

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
2							
2	IRS Tax Deposit		12/23/2022	74-00	Federal Tax Deposit Social Security	10-0216	1,280.05
2	IRS Tax Deposit		12/23/2022	74-00	Federal Tax Deposit Social Security	10-0216	1,280.05
2	IRS Tax Deposit		12/23/2022	75-00	Federal Tax Deposit Medicare Pay P	10-0216	442.97
2	IRS Tax Deposit		12/23/2022	75-00	Federal Tax Deposit Medicare Pay P	10-0216	442.97
2	IRS Tax Deposit		12/23/2022	76-00	Federal Tax Deposit Federal Withhold	10-0216	2,213.19
Total 2:							5,659.23
4							
4	Aflac		11/25/2022	63-01	Aflac Pre-Tax Pay Period: 11/25/2022	10-0225	71.34
4	Aflac		11/25/2022	63-02	Aflac After Tax Pay Period: 11/25/2022	10-0225	24.90
4	Aflac		12/09/2022	63-01	Aflac Pre-Tax Pay Period: 12/9/2022	10-0225	71.34
4	Aflac		12/09/2022	63-02	Aflac After Tax Pay Period: 12/9/2022	10-0225	24.90
4	Aflac		12/23/2022	63-01	Aflac Pre-Tax Pay Period: 12/23/2022	10-0225	71.34
4	Aflac		12/23/2022	63-02	Aflac After Tax Pay Period: 12/23/2022	10-0225	24.90
Total 4:							288.72
6							
6	Colorado Dept of Labor		09/30/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	67.16
6	Colorado Dept of Labor		10/14/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	62.92
6	Colorado Dept of Labor		10/28/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	90.66
6	Colorado Dept of Labor		11/11/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	91.55
6	Colorado Dept of Labor		11/25/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	63.25
6	Colorado Dept of Labor		12/09/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	60.64
6	Colorado Dept of Labor		12/23/2022	98-00	SUTA State Unemployment Tax Pay	10-0218	61.25
Total 6:							497.43
9							
9	Colorado Dept of Revenue		11/25/2022	77-00	State Withholding Tax Pay Period: 11/	10-0217	1,018.00
9	Colorado Dept of Revenue		12/09/2022	77-00	State Withholding Tax Pay Period: 12/	10-0217	932.00
9	Colorado Dept of Revenue		12/23/2022	77-00	State Withholding Tax Pay Period: 12/	10-0217	1,026.00
Total 9:							2,976.00
30							
30	Empower Retirement		12/23/2022	51-01	Retirement Plan Retirement Plan Pa	10-0220	996.66
30	Empower Retirement		12/23/2022	51-01	Retirement Plan Retirement Plan Pa	10-0220	1,136.96
30	Empower Retirement		12/23/2022	51-02	Retirement Plan Retirement Loan Pa	10-0220	42.67
Total 30:							2,176.29
33							
33	FPPA - Fire & Police Pensi		12/23/2022	50-00	FPPA Pay Period: 12/23/2022	10-0219	1,152.00
33	FPPA - Fire & Police Pensi		12/23/2022	50-00	FPPA Pay Period: 12/23/2022	10-0219	864.00
33	FPPA - Fire & Police Pensi		12/23/2022	90-00	Death & Disability Pay Period: 12/23/	10-0219	307.20
Total 33:							2,323.20

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
70							
70	Rocky Mountain HMO		11/25/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	334.49
70	Rocky Mountain HMO		11/25/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	6,021.19
70	Rocky Mountain HMO		11/25/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	669.90
70	Rocky Mountain HMO		11/25/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	2,322.69
70	Rocky Mountain HMO		11/25/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	90.29
70	Rocky Mountain HMO		11/25/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	1,010.67
70	Rocky Mountain HMO		12/09/2022	60-01	RMHMO - Employee Only Pay Period	10-0223	334.49
70	Rocky Mountain HMO		12/09/2022	60-03	RMHMO - Employee + Family Pay Pe	10-0223	669.90
70	Rocky Mountain HMO		12/09/2022	60-07	RMHMO - Employee + Spouse Pay P	10-0223	90.29
Total 70:							11,543.91
71							
71	The Harford		11/25/2022	65-01	Group#013307460001 Hartford Basic	10-0226	31.80
71	The Harford		11/25/2022	65-02	Group#013307460001 Hartford Suppl	10-0226	26.55
71	The Harford		11/25/2022	65-03	Group#013307460001 Hartford Disab	10-0226	122.17
71	The Harford		12/09/2022	65-02	Group#013307460001 Hartford Suppl	10-0226	26.55
Total 71:							207.07
73							
73	Delta Dental of Colorado		11/25/2022	60-05	Dental RMHMO - Dental Pay Period:	10-0223	175.11
73	Delta Dental of Colorado		12/09/2022	60-05	Dental RMHMO - Dental Pay Period:	10-0223	175.13
Total 73:							350.24
75							
75	VSP Insurance CO (CT)		11/25/2022	60-04	RMHMO - Vision Pay Period: 11/25/2	10-0223	67.15
75	VSP Insurance CO (CT)		12/09/2022	60-04	RMHMO - Vision Pay Period: 12/9/20	10-0223	67.16
Total 75:							134.31
Grand Totals:							26,158.40

Report Criteria:

Unpaid transmittals included
Begin Date: ALL
End Date: ALL

Submit to Local Licensing Authority

LOUIE'S PIZZA MY HEART
PO BOX 1713
Paonia CO 81428

Fees Due		
Renewal Fee		401.25
Storage Permit	\$100 X _____	\$
Sidewalk Service Area	\$75.00	\$
Additional Optional Premise Hotel & Restaurant	\$100 X _____	\$
Related Facility - Campus Liquor Complex	\$160.00 per facility	\$
Amount Due/Paid		\$

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

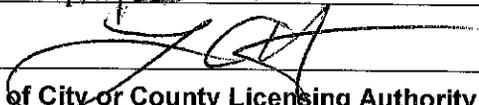
Retail Liquor or Fermented Malt Beverage License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name ASPEN YOGA INC		Doing Business As Name (DBA) LOUIE'S PIZZA MY HEART	
Liquor License # 28-42099-0000	License Type Beer & Wine (city)		
Sales Tax License Number 28420990000	Expiration Date 02/20/2023	Due Date 01/06/2023	
Business Address 202 GRAND AVE Paonia CO 81428			Phone Number 9705278977
Mailing Address PO BOX 1713 Paonia CO 81428		Email hayesguitar9705278977@gmail.com	
Operating Manager Loris Hayes	Date of Birth 12/27/60	Home Address 320 Grand Ave Paonia CO 81428	Phone Number 970 527 8977
1. Do you have legal possession of the premises at the street address above? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the premises owned or rented? <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Rented* *If rented, expiration date of lease <u>11/10/2055</u>			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3b. If so, which are you renewing? <input type="checkbox"/> Delivery <input type="checkbox"/> Takeout <input type="checkbox"/> Both Takeout and Delivery			
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. Yes No
8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. Yes No

Affirmation & Consent		
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.		
Type or Print Name of Applicant/Authorized Agent of Business	Title	
Lois Hayes	owner	
Signature	Date	
	1/5/23	
Report & Approval of City or County Licensing Authority		
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.		
Therefore this application is approved.		
Local Licensing Authority For	Date	
Town of Panna		
Signature	Title	Attest
	Mayor	

Tax Check Authorization, Waiver, and Request to Release Information

I, Lois Hayes am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Aspen DSA LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101, et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business)		Social Security Number/Tax Identification Number	
		75-3133497	
Address			
202 Grand Ave			
City		State	Zip
Paonia		CO	81428
Home Phone Number		Business/Work Phone Number	
970 527 8977		970 527 3265	
Printed name of person signing on behalf of the Applicant/Licensee			
Lois Hayes			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information)			Date signed
			1/5/23

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

Application for Colorado Liquor Sales Room

Regulation 47-428, 1 C.C.R. 203-2

<input type="checkbox"/> Malt Liquor <input checked="" type="checkbox"/> Limited Winery <input type="checkbox"/> Winery <input type="checkbox"/> Distillery		<input type="checkbox"/> Temporary (3 days or less) <input checked="" type="checkbox"/> Permanent	
1. Name of Applicant exactly as it appears on your current Colorado Liquor License. <p style="text-align: center;">JK Cider Company</p>			
2. Trade Name of Applicant <p style="text-align: center;">Clear Fork Cider</p>			
3. State Sales Tax No. <p style="text-align: center;">30132969-008</p>		Applicant Liquor License No. <p style="text-align: center;">03-06464</p>	
4. Business Address of Applicant (Number and Street) <p style="text-align: center;">4965 Iris St</p>		City <p style="text-align: center;">Wheat Ridge</p>	State ZIP <p style="text-align: center;">CO 80033</p>
5. Mailing Address (Number and Street) <p style="text-align: center;">PO Box 489</p>		City <p style="text-align: center;">Hotchkiss</p>	State ZIP <p style="text-align: center;">CO 81419</p>
6. Phone Number <p style="text-align: center;">970-525-2000</p>		7. Email Address <p style="text-align: center;">Jay@clearforkcider.com</p>	
8. Sales Room Location (Full Address) <p style="text-align: center;">234 Grand Ave, Paonia, CO 81428</p>		9. Dates of Events: From Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM To Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
10. Rights to Premises Granted by: (attach a copy of the Premises Use Authorization letter or lease if not previously submitted) <p style="text-align: center;">Letter from Emily Sinclair</p>			
11. Renting/Leasing % Basis <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		12. If Yes, List % and Interested Party. Use Additional Sheet if Necessary.	
13. Alcohol will be sold (check all that apply) <input checked="" type="checkbox"/> For on-premises consumption (if selected, please file this application with the Local Licensing Authority and the State Licensing Authority) <input checked="" type="checkbox"/> For off-premises consumption			
14. The Sales Room Applicant affirms they have complied with local zoning restrictions? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
15. Additional Required Documents <input checked="" type="checkbox"/> Attach an outlined diagram of proposed premises <input checked="" type="checkbox"/> Attach a copy of the premises control plan describing how the premises will be controlled to ensure compliance with liquor code and rules. It must include restricting sales to minors and visibly intoxicated persons and insuring that customers cannot leave the premises with an open container of alcohol. <input type="checkbox"/> Attach a copy of any contracts and/or operating agreements pertaining to the sales room.			
Local Licensing Authority Name <p style="text-align: center;">Town of Paonia</p>		Date Application Copy Submitted to Local Licensing Authority <p style="text-align: center;">October 20, 2022</p>	
Oath of Applicant: I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor, Beer Code and Liquor Rules which affects my permit.			
Applicant Signature 		Title <p style="text-align: center;">President</p>	Date <p style="text-align: center;">October 20, 2022</p>
Notice to Local Licensing Authority			
<p>This application for a Sales Room will be granted to the above name applicant unless any of the below listed conditions apply. If any of these conditions apply please contact the State Licensing Authority immediately.</p> <input type="checkbox"/> Issuance of this permit would impact traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations or ordinances. <input type="checkbox"/> If granted this permit would result in violations of the Colorado liquor code or the laws of the local government. (specify) <input type="checkbox"/> Issuance of this permit would violate local zoning laws.			
<p>For events lasting <u>three consecutive days or less</u>, the Local Licensing Authority has ten (10) business days to submit its determination to the State Licensing Authority.</p> <p>For events lasting <u>four or more consecutive days</u>, the Local Licensing Authority has forty-five (45) days to submit its determination to the State Licensing Authority.</p> <p>Local Licensing Authorities can send the approval via mail or email to dor_liqlicensing@state.co.us</p> <p>If the Local Licensing Authority does not submit a response or determination within the time specified, the State Licensing Authority shall deem that the Local Licensing Authority has determined that the proposed sales room will not impact traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations or ordinances or that the applicant will sufficiently mitigate any impacts identified by the Local Licensing Authority.</p>			
Licensing Authority Signature <input type="checkbox"/> Object <input type="checkbox"/> Do Not Object		Local Licensing Authority Contact Name <p style="text-align: center;">Dawn of Paonia Depury Amanda Mojarrero - clerk</p>	Phone Number <p style="text-align: center;">970-527-4101</p>

If the Local Licensing Authority objects to the sales room, provide a separate page with details of the objection.

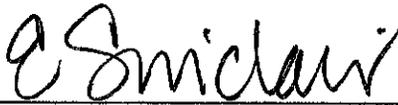
October 20, 2022

Corrine Ferguson
Town of Paonia
214 Grand Ave
Paonia, CO 81428

Dear Corrine:

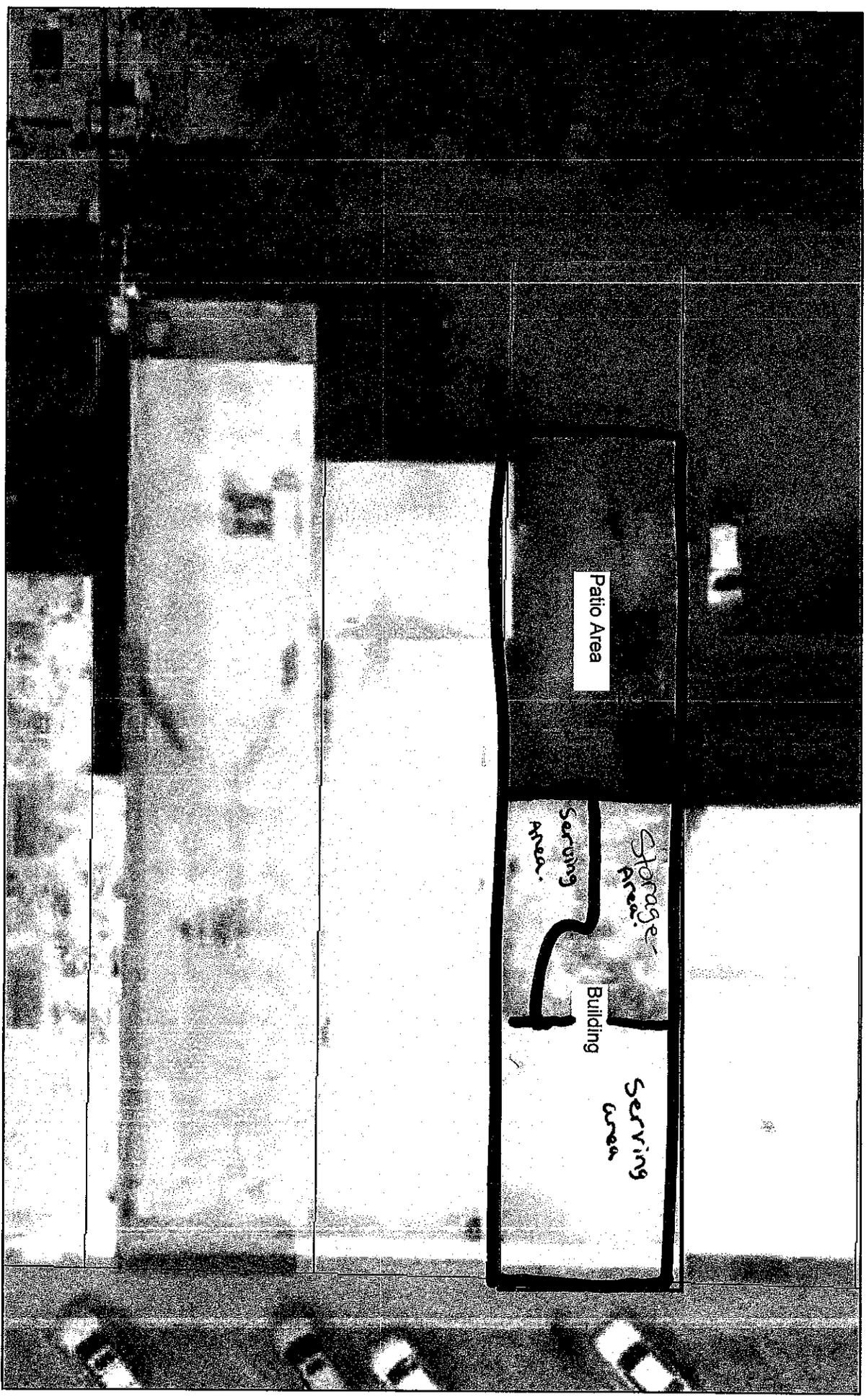
I am the owner of 234 Grand Ave through 234 Grand Ave LLC as well as the owner of Paonia Books through Words West LLC. I authorize JK Cider Company DBA Clear Fork Cider to conduct and operate a Liquor Sales Room at 234 Grand Ave, to include the west patio area as shown in the application that accompanies this letter.

Please let me know if you have any questions or need further details.



Emily Sinclair

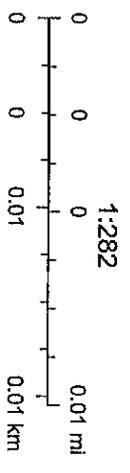
234 Grand Ave, Paonia, CO 81428

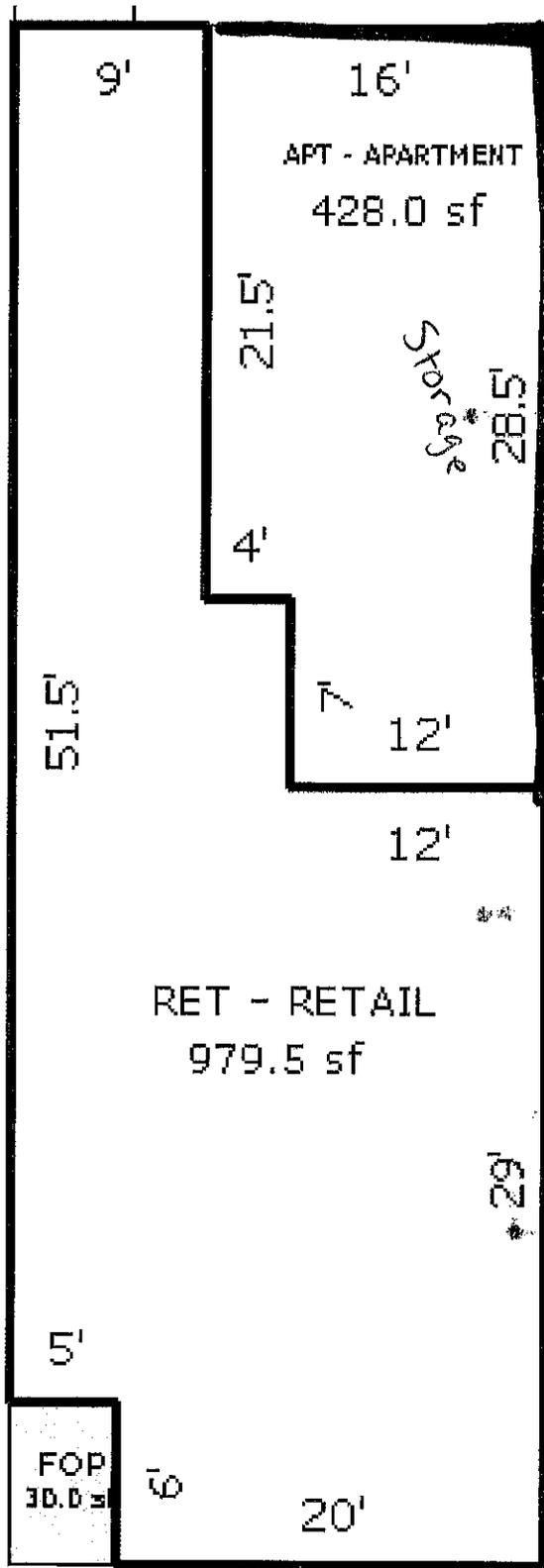


10/20/2022, 10:21:50 AM

Tax Parcels CRW_23947E130812N.sld

- Red: Band_1
- Green: Band_2





234 Grand Ave

Clear Fork Cider Premises Control Plan for 234 Grand Ave

The attached application is for a limited winery sales room for on- and off-premises consumption.

Premises

This control plan includes the actual building at 234 Grand Ave and the small patio area to the west. The building includes both 980 sf of retail space and a 428 sf area shown as an apartment on the attached sketch. In addition, there is a 1,000 sf patio that will be used during the warmer months, as shown on the aerial sketch, also attached. The patio area is fenced, with a single gate opening to Sage Alley. Clear Fork Cider (CFC) will ensure compliance with all state and local regulations and laws to prevent minors from drinking or purchasing alcoholic beverages and to prevent consumption of alcohol outside of the premises.

About Clear Fork Cider

CFC is a small operation. We currently produce just under 1,000 gallons annually. CFC currently has production operations and a tasting room in Wheat Ridge, CO and will be moving both to unincorporated Delta County (37445 Back River Rd) at the end of the year. The owner is TIPS certified and will remain so certified. Any employees engaged in sales will be similarly trained and certified to ensure compliance with all regulations designed to prevent sales to minors and the identification of intoxicated persons. CFC has been in business for 7 years without any incidents or problems involving sales to minors or to intoxicated person. We anticipate selling cider and local wine in support of events at Paonia Books. The CFC operation will be entirely separate from that of Paonia Books, with a separate sales and accounting system to prevent any improper sales by Paonia Books or its employees. CFC plans to bring product to store on an as-needed, event-needed basis, and to remove any unused product after the event. Any product that needs to be left on the premises will be secured so as to prevent unauthorized use, sale, or sale to minors.

Identification

Identification will be required for all sales as indicated and such identification will be compared to an official guide as needed. If determined to be false or otherwise invalid, sales will be refused and an attempt will be made to confiscate the identification and notify authorities.

Signage

Signage will be installed at the east exit and the west gate of the patio to remind guests that it is illegal to carry alcohol onto the streets and alleys of the town. Standard signage will also be in place restricting sales to minors.

DR 8177 (06/10/19)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Report of Changes Corporation, Limited Liability Company and Partnership Liquor and Fermented Malt Beverage Licenses

LLC/Partnership

Corporation See Instructions and Fee Schedule on Page 2

1. Corporate/LLC Partnership Name Cabin Fever Craft Brewing LLC	2. State Tax Account Number 01275388-005-SLS	3. State Liquor License Number 12-75388-002
--	---	--

4. Trade Name Paonia United Brewing	5. Telephone Number 970-462-5799
--	-------------------------------------

6. Address of Licensed Premises 302 Grand Avenue	City Paonia	State CO	ZIP 81428
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7. Mailing Address if different than above PO Box 1861	City Paonia	State CO	ZIP 81428
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8. LIST ALL officers, directors (corporation) or Managing Members (LLC) or General Partner(s). Each officer, Director, Managing Member or Partner MUST FILL OUT a DR 8404-I (Individual History Record).

Position Held	Names	Home Address	DOB	Replaces
COO	Frederick R Zimmer	40887 German Creek Dr Paonia, CO 81428	09/23/59	John D Williams
BR Mgr	Shawn D Larson	608 Orchard Way Paonia, CO 81428	07/13/74	Judson Togerson
Member	Adam Gall	PO Box 873 Paonia, CO 81428	7/17/76	N/A

9. LIST ALL 10% (or more) Stockholders or 10% (or more) Members or 10% (or more) Limited Partners. Each person listed Must Fill out a DR 8404-I (Individual History Record)

Stockholders/Members/Partners owning 10% (or more) of business	% Owned	Home Address	DOB	Replaces
Frederick R Zimmer	33.33%	40887 German Creek Dr Paonia, CO 81428	09/23/59	John D Williams
Shawn D Larson	33.33%	608 Orchard Way Paonia, Co 81428	07/17/74	Judson Togerson
Adam Gall	33.33%	PO Box 873 Paonia, CO 81428	07/17/76	N/A

10. Registered Agent Frederick R Zimmer	Address For Service Po Box 1861 Paonia, CO 81428
--	---

Oath of Application
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

11. Authorized Signature	Title COO	Date 11/27/22
--------------------------	--------------	------------------

Report of Local Licensing Authority
The foregoing changes have been received and examined by the Local Licensing Authority.

12. Local Licensing Authority For	<input type="checkbox"/> County <input type="checkbox"/> Town/City
-----------------------------------	---

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

Attest	Date
--------	------

Do Not Write In This Space – For Department of Revenue Use Only

Liability Information			
License Account Number	Period	Cash Fund	Total

Attachment to form DR 8177

On November 1st John D Williams and Judson Togerson sold the entirety of their ownership interests 60% and 40% respectively of Cabin Fever Craft Brewing LLC to Frederick R Zimmer, Shawn D Larson and Adam Gall. The updated ownership percentages are as follows.

- Frederick R Zimmer - 33.33%
- Shawn D Larson - 33.33 %
- Adam Gall - 33.33%

After the finalized purchase, Cabin Fever Craft Brewing LLC, appointed Frederick R Zimmer a Chief Operating Officer and Authorized Agent for all Governmental Reporting and Compliance.



Frederick R Zimmer COO & Authorized Agent

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		License Number <div style="border: 1px solid black; padding: 2px; font-family: monospace; font-size: 1.2em;">41-74390-0000</div>
2. Name of Licensee <div style="font-family: cursive; font-size: 1.2em;">Blue Sage Center for the Arts</div>		3. Trade Name of Establishment (DBA)
4. Address of Premises (specify exact location of premises) <div style="font-family: cursive; font-size: 1.2em;">226-228/228 Loft Grande Ave</div>		5. Business Email Address <div style="font-family: cursive; font-size: 1.2em;">Director@bluesage.org</div>
City <div style="font-family: cursive; font-size: 1.2em;">Paonia</div>	County <div style="font-family: cursive; font-size: 1.2em;">Delta</div>	State ZIP <div style="font-family: cursive; font-size: 1.2em;">CO 81428</div>
Business Phone Number <div style="font-family: cursive; font-size: 1.2em;">9705277243</div>		

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager Reg/Change	Section C
<input type="checkbox"/> Manager's Registration (Hotel & Restr.) \$30.00 <input type="checkbox"/> Manager's Registration (Tavern) \$30.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment) \$30.00 <input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE	<input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) \$100.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) \$50.00 <input type="checkbox"/> Change Location Permit (ea) \$150.00 <input type="checkbox"/> Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 <input checked="" type="checkbox"/> Change, Alter or Modify Premises <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> \$150.00 x 1 Total Fee: 150.00 </div>
<p><i>Please note that Manager's Registration for Hotel & Restaurant, Lodging & Entertainment, and Tavern licenses requires a local fee with submission to the local licensing authority as well. Please reach out to local licensing authorities directly regarding local processing and fees.</i></p>	
Section B – Duplicate License	
<input type="checkbox"/> Duplicate License \$50.00	<input type="checkbox"/> Addition of Optional Premises to Existing H/R <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> \$100.00 x Total Fee: </div> <input type="checkbox"/> Addition of Related Facility to an Existing Resort or Campus Liquor Complex <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-between;"> \$160.00 x Total Fee: </div> <input type="checkbox"/> Campus Liquor Complex Designation No Fee <input type="checkbox"/> Sidewalk Service Area \$75.00

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$00

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change

8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change

Select the option that applies to your situation:

- Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or
Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2).

(a) Address of Location 1: City County ZIP

(b) Address of Location 2: City County ZIP

Change of Manager

9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S.

(a) Change of Manager

Former manager's name

New manager's name

(b) Date of Employment

Has manager ever managed a liquor licensed establishment? Yes No

Does manager have a financial interest in any other liquor licensed establishment? Yes No

If yes, give name and location of establishment

Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area

10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed Add the Second Story Loft of building 228 Grande Ave, Paonia

(b) If the modification is temporary, when will the proposed change:

Start End (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) Yes No

(d) Is the proposed change in compliance with local building and zoning laws? Yes No

(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

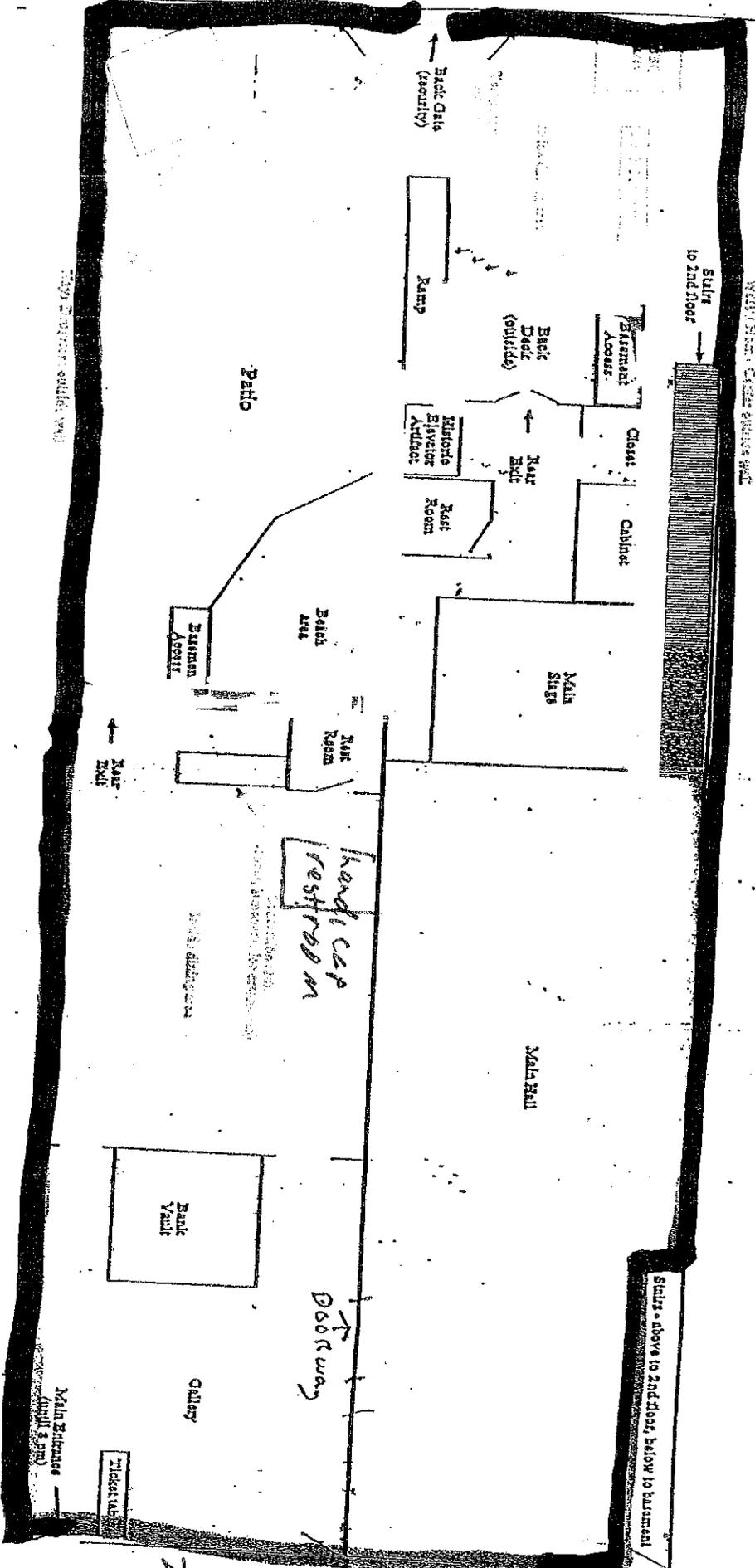
(g) Attach any existing lease that is revised due to the modification.

(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	<p>11. Campus Liquor Complex Designation</p> <p>An institution of higher education or a person who contracts with the institution to provide food services</p> <p>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
Additional Related Facility	<p>12. Additional Related Facility</p> <p>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.</p> <p>(a) Address of Related Facility _____</p> <p>(b) Outlined diagram provided <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature	Print name and Title	Date
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County)		Date filed with Local Authority
Town of Paonia		12/15/2022
Signature	Title	Date
Debra Muzika	Executive Director	2/15/22
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

Alley



Current

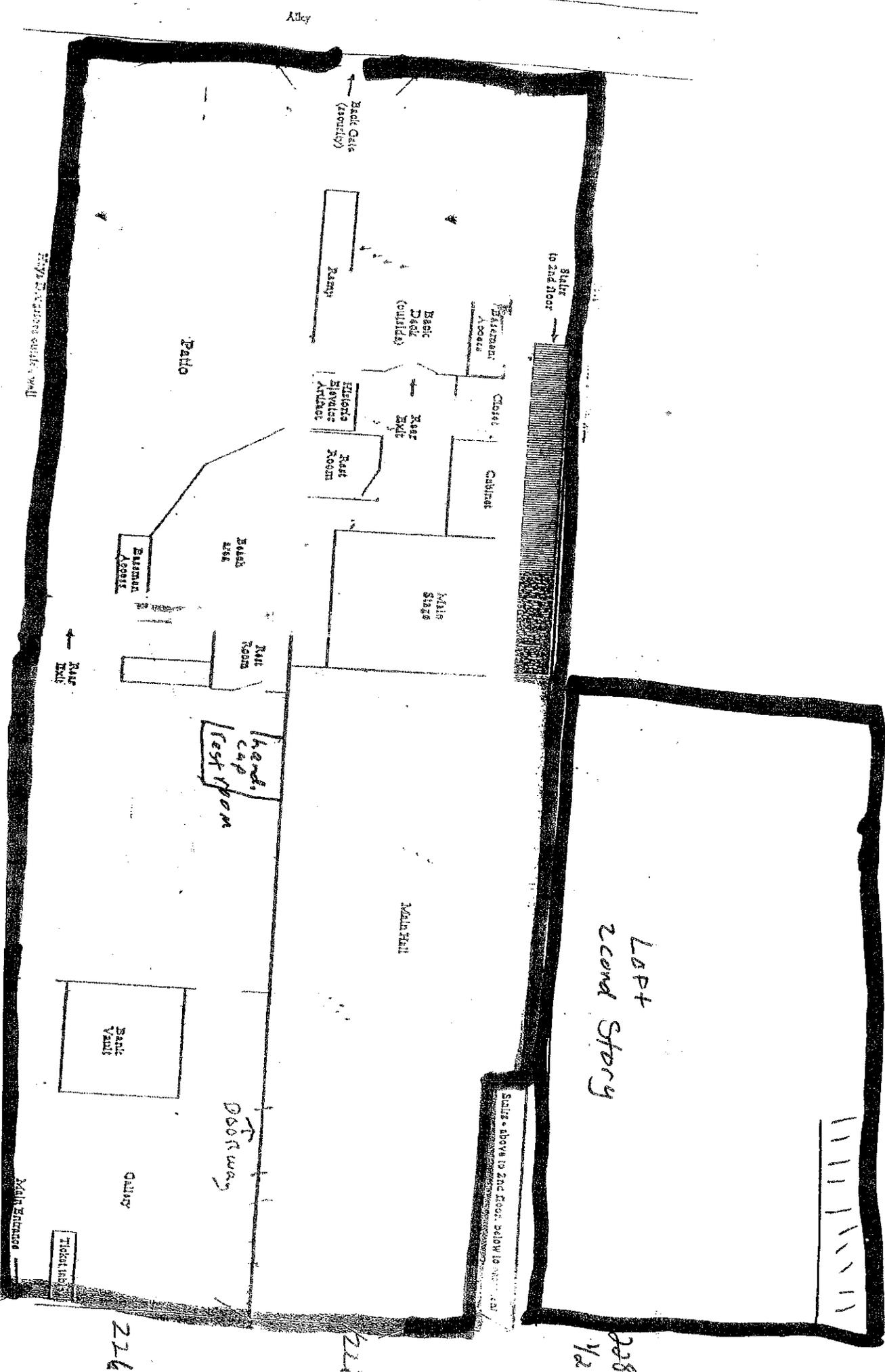
Blue Sage Center for the Arts.

226, 228 Grande Ave
Poncha, CO 81428

226

228

Proposed
Blue Sage Center for the Arts
226, 228, 228 1/2 Grand Ave
Phoenix, CO 81428



To: Mayor Mary Bachran and Board of Trustees
From: Leslie Klusmire, Interim Town Administrator
RE: Town Administrator’s Report
Date: January 10, 2023

Draft Master Engineering Contracts:

SGM’s Master Agreement is on your agenda for approval tonight.

Land Use Issues:

UPDATES:

1. 7’ ‘Sargent’ Fence and possible Town property encroachment: Cory determined the fence is not encroaching on Town property.
2. We are working with the Delta County School District on a boundary adjustment to clean up parcel lines on their school properties. The boundary adjustment includes ownership conveyance to the Town of land necessary for the 5th/Grand intersection reconstruction and conveys public sidewalks now on school property to the Town. The Mayor, Town Attorney, and I met with the School District last week to discuss their application. It looks like it will meet all Town requirements. We recommend waiving the \$500 fee for this approval process because the Town will benefit from this adjustment.

DOLA Water Source Evaluation Report:

The report the Town received from JDSHydro, funded by DOLA, is on the agenda for receipt.

Water and Sewer Improvements, including those necessary to lift the tap moratorium:

The staff is meeting weekly to form a plan, move forward, and monitor progress on repairs and improvements to both the water and sewer systems. Proposed purchases approved in the 2022 budget were not made in time. There are other purchases we have since identified as crucial. We ask that the board approve the following list of immediate purchases for the 2023 budget. Funding would either come from reserves or COVID Relief Rescue Funds:

Peristaltic pumps - purchase three new ones	\$3,600
Tripod and two harnesses (M&XL)	\$5,300
Tabletop Turbidimeter and standards	\$2,100
Chemical Transfer pumps	\$3,200
Chemical Spill Basin	\$1,700
Grounding Rings	\$300
Diaphragm and pilot valve	\$1,040

Servo Board for Water TP	\$800
Track vehicle for accessing springs year-round	\$30,000
Chlorine Analyzer and Conversion	\$7,500
Solenoids for Treatment Plant	\$500
Pressure Relief Valves	\$16,500
Diver for 2mg Tank	\$3,800
Leak Detection for water system	\$5,000
Water Rights Status	\$5,000
Water Rights legal work	\$50,000
Annual service agreement for Clock Plant membranes	\$2,965
Subtotal immediate cash purchases	\$139,305

Regarding the Chlorine Analyzer and Conversion, Jeremiah is still investigating the best solution so that number may change. The legal fees for water rights legal work may differ (more or less) than those represented here.

Cory will be on hand at the meeting to answer any questions about this list.

Also attached to this report is a draft spreadsheet of projects. We have learned that we can expect to receive at least 80% loan forgiveness from CDPHE for water and sewer projects. This means that the Town could take out a \$30 million loan and only have to pay back \$6 million over 30 years. We plan to enter applications as soon as possible to start this process. They may grant funds before the usual 18-month time lapse for critical needs such as water line replacement and tank relining.

CDOT Grant to rebuild and improve the intersection at Grande and Fifth: No new news except that the School District is filing the application necessary to convey land to the Town for the intersection.

Town Administrator Job Description: I reviewed the job description and made significant revisions. The Personnel Committee has revised it, and their version is ready for you to approve tonight. I will use those revisions to draft a brochure. Once I get that done and the Personnel Committee approves it, you can re-advertisement. I am recommending you also advertise with ICMA to widen the pool of qualified applicants, and searching out of state may be your best bet to accomplish a better applicant pool.

Affordable Housing Study RFP: By the time you meet, the RFP for this project should be posted on APAColorado, and Bidnet. We hope to have enough proposals for you to select a proposer and start contract negotiations at your February 14th meeting. Kudos to Mayor Mary for pulling in that grant.

Front Office Staffing:

We are having serious problems with staffing the front office. Depending on the schedule of current employees, it may be necessary to hire at least part-time help to staff the office's administrative functions adequately. I should have more information for you at your next BOT regular meeting.

CML's Update Home Rule Handbook:

I have it. If you want to read it, it's on the round table in the administrator's office. Sam can get it for you if I'm not here.

Meeting with Water Committee folks regarding enterprise funding: An email exchange demonstrated the need for more information on how enterprise fund accounting has to be conducted. By the time you receive this, Cindy and I should have met with the parties to discuss information and answer questions.

Paonia Water and Sewer Needs Funding Strategy

			Town Cash	CDBG	Small Systems Grant	Energy Impact	Colorado River District	SRLF Water	SRLF Sewer	SRLF Lead Remediation	Total Project Funding	Note
	For Immediate Purchase											
1	Perastatic pumps - purchase three new ones	\$3,600	\$3,600								\$3,600	
2	Tripod and two harnesses (M&XL)	\$5,300	\$5,300								\$5,300	
3	Tabletop Turbidimeter and standards	\$2,100	\$2,100								\$2,100	
4	Chemical Transfer pumps	\$3,200	\$3,200								\$3,200	
5	Chemical Spill Basin	\$1,700	\$1,700								\$1,700	
6	Grounding Rings	\$300	\$300								\$300	
7	Diaphragm and pilot valve	\$1,040	\$1,040								\$1,040	
8	Servo Board for Water TP	\$800	\$800								\$800	
9	Track vehicle for accessing springs year-round	\$30,000	\$30,000								\$30,000	
10	Chlorine Analyzer and Conversion	\$7,500	\$7,500								\$7,500	
11	Solnoids for Treatment Plant	\$500	\$500								\$500	
12	Pressure Relief Valves	\$16,500	\$16,500								\$16,500	
13	Diver for 2mg Tank	\$3,800	\$3,800								\$3,800	
14	Leak Detection for water system	\$5,000	\$5,000								\$5,000	
15	Water Rights Status	\$5,000	\$5,000								\$5,000	
16	Water Rights legal work	\$50,000	\$50,000								\$50,000	
17	Annual service agreement for Clock Plant membranes	\$2,965	\$2,965								\$2,965	
18	Subtotal immediate cash purchases	\$139,305	\$139,305								\$139,305	
19												
20	<u>Grants/SRLF Projects</u>											
21	<u>Utility construction Standards</u>				Planning							***
22												
23	<u>Spring Redevelopment (assumes \$1.5 million)</u>											



Paonia Police Department

DEPARTMENT BRIEFING: SUMMARY OF PROGRESS

01/01/2022

- Partnered with the DCSO, County Emergency Management team, and Delta County 911 Dispatch for the launch of “Delta County Alerts.” This new alert system replaces the CodeRED alert system and will be used to send critical, timely public safety alerts via phone, text, and/or email (based on individual preference) to individuals and business owners when minutes matter most.
- Entered all the Paonia Police Department crime data into the FBI NIBRS portal. NIBRS is the “National Incident-Based Reporting System” used to track and collect crime data nationally. Service Technician Katzer applied for her NIBRS number in June of 2022 and received her number in December of 2022. For various reasons the department had not submitted NIBRS’s data since 2015. Service Technician Katzer also assisted the Hotchkiss PD with entering their 2022-year end data.
- Two members of the department were formally sworn in by Municipal Judge Julie Huffman. This brings the department into compliance with department policy and state requirements.
- Worked with Colorado State Patrol and North Fork EMS services to source several pieces of donated equipment for emergency vehicles. These items include light bars, firearms racks, lock timers, and controllers, in all totaling over \$10,000.00 in donations to the Paonia Police Department. Thank you to CSP and Ryan with NFEMS.
- A staff member along with members of the Delta County Emergency management team attended FEMA class AWR 148, Crisis Management for School-Based Incidents: Partnering Rural Law Enforcement, First Responders, and Local School Systems. This class provided insight on the changing nature of school incidents and improving overall response to such incidents.

Paonia Police Department

Law Incident Table, by Date and Time

Date Occurred: 12/01/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:54:47	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 12/02/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
14:48:15	ANIMAL CONTROL	MINNESOTA AVE, Paonia, CO	PPD	PPD	CIT
15:02:41	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
16:22:34	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 3					

Date Occurred: 12/03/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:38:40	SUSPICIOUS	2ND ST, Paonia, CO	PPD	PPD	
22:46:20	Traffic Stop	Samuel Wade RD., Paonia, CO	PPD	PPD	CIT
Total Incidents for this Date: 2					

Date Occurred: 12/05/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
16:51:18	WELFARE CHECK	MAIN AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 12/07/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:07:12	WELFARE CHECK	ONARGA AVE, Paonia, CO	PPD	PPD	
16:59:22	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
19:21:32	RESTR/PROT ORDR	BOX ELDER AVE, Paonia, CO	PPD	PPD	A
Total Incidents for this Date: 3					

Date Occurred: 12/10/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:34:16	THEFT	CLARK AVE, Paonia, CO	PPD	PPD	
14:20:57	SUSPICIOUS	SAMUEL WADE RD, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 2					

Date Occurred: 12/11/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:54:34	MISSING PERSON	GRAND AVE, Paonia, CO	PPD	PPD	

Total Incidents for this Date: 1

Date Occurred: 12/12/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:24:50	WELFARE CHECK	SAMUEL WADE RD, Paonia, CO	PPD	DIST3	

Total Incidents for this Date: 1

Date Occurred: 12/13/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:13:51	WELFARE CHECK	MINNESOTA AVE, Paonia, CO	PPD	PPD	
15:46:41	CITIZEN ASSIST	GRAND AVE , Paonia, CO	PPD	PPD	

Total Incidents for this Date: 2

Date Occurred: 12/16/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
21:05:38	AGENCY ASSIST	NORTH FORK AVE, Paonia, CO	PPD	PPD	

Total Incidents for this Date: 1

Date Occurred: 12/17/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:10:31	ALARM	VISTA DR, Paonia, CO	PPD	PPD	

Total Incidents for this Date: 1

Date Occurred: 12/19/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:06:54	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
17:20:18	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	

Total Incidents for this Date: 2

Date Occurred: 12/20/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:29:27	THEFT	3RD ST, Paonia, CO	PPD	PPD	
10:03:21	Code Enforce	MAIN AVE, Paonia, CO	PPD	PPD	
12:57:36	TRAFFIC	GRAND AVE, Paonia, CO	PPD	PPD	

Total Incidents for this Date: 3

Date Occurred: 12/21/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:03:40	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
15:49:03	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
22:00:20	AGENCY ASSIST	KING AVE, Somerset, CO	PPD	GSO	
Total Incidents for this Date: 3					

Date Occurred: 12/22/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
16:31:55	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
18:08:22	THEFT	DELTA AVE, Paonia, CO	PPD	PPD	
22:48:46	SUSPICIOUS	SAMUEL WADE RD, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 3					

Date Occurred: 12/23/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:03:45	AGENCY ASSIST	KING AVE, Somerset, CO	PPD	GSO	
16:01:06	TrafficAccident	GRAND AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 2					

Date Occurred: 12/25/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
08:42:15	CIVIL PROBLEM	MAIN AVE, Paonia, CO	PPD	PPD	
14:18:35	WILDLIFE	ONARGA AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 2					

Date Occurred: 12/28/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
17:52:45	WELFARE CHECK	MAIN AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 12/29/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:22:57	ANIMAL CONTROL	BOX ELDER AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 12/30/22

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:03:27	SUICIDE/ATTEMPT	ALDER DR, Paonia, CO	PPD	PPD	
13:12:36	WILDLIFE	6TH ST, Paonia, CO	PPD	PPD	

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
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Total Incidents for this Date: 2

Total reported: 37

CIT-2, A-1

A=ARREST

CIT=CITATION

Report Includes:

All dates between `00:00:01 12/01/22` and `00:00:01 12/31/22`, All agencies matching `PPD`, All disposition's, All natures, All location codes, All cities

PUBLIC WORKS

- The public works crew would like to thank the town for allowing us to purchase some much-needed tools.
- We have been doing snow removal and some plow repairs.
- Working with JDS Hydro on planning and upcoming projects with water distribution.
- Working on inventory and organizing.
- Mapping of meter pits not currently shown in arcgis.
- Working with the county on infrastructure maps.
- Replaced some seals and screens at the 2 million gallon tank.
- Working on sanitary improvements as well as any improvements we can make to reduce cost of operation.

AGENDA SUMMARY FORM



Ordinance 2022-09: Amendment to Chapter 18 of the Municipal Code and adopting 2018 I-Code

Summary:

Notes:

Possible Motions:

Motion by: _____ 2nd: _____ vote: _____

Vote:	Mayor Bachran	Trustee Knutson	Trustee Markle
Trustee Smith	Trustee Stelter	Trustee Valentine	Trustee Weber

**TOWN OF PAONIA, COLORADO
ORDINANCE NO. 06-2022**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AMENDING CHAPTER 18 OF THE MUNICIPAL CODE AND PROVIDING FOR THE ADOPTION OF AND AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE, AND ADOPTION OF THE INSTALLATION HANDBOOK FOR MANUFACTURED HOMES AND FACTORY BUILT HOUSING, JANUARY 2020 EDITION, PUBLISHED BY THE COLORADO DEPARTMENT OF LOCAL AFFAIRS.

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

WHEREAS, the Town has adopted by reference earlier editions of building codes for the Town; and

WHEREAS, the International Code Council released updated editions of International Building Codes in 2018, and staff recommends adoption of the 2018 Editions; and

WHEREAS, pursuant to Title 31, Article 16, Part 2. C.R.S, the Board of Trustees desires to amend the Paonia Municipal Code in order to adopt by reference the 2018 Editions of the International Building Code; International Residential Code; International Mechanical Code; International Fuel Gas Code; and the Installation Handbook for Manufactured Homes and Factory Built Housing, January 2020 edition, published by the Colorado Department of Local Affairs, as the building codes for the Town pursuant to the procedures set forth in C.R.S. §31-16-201, *et seq.*

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, ORDAINS THAT:

Section 1. Recitals.

The recitals to this Ordinance are adopted as findings of the Board of Trustees in support of the enactment of this Ordinance.

Section 2. Repeal and Adoption.

Town of Paonia, Colorado
Ordinance No. 06, Series of 2022
Page 2 of 3

Title 18, Articles 1, 2, 3, 4, 5 of the Paonia Municipal Code are hereby repealed in their entirety.

Title 18, Article 6, Signs, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 10.

Title 18, Article 7, Flood Damage Prevention, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 11.

Title 18, Article 8, Supplementary Regulations, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 12.

Title 18, Article 10, Building Permits and Site Plan Review Requirements, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 14.

Title 18, Article 11, Building Code Board of Appeals, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 8.

New Title 18, Articles 1 through 9, as set forth in **Exhibit A** attached, are hereby adopted.

The Town’s codifier is hereby authorized to renumber this Title to conform with these amendments.

Section 3. Severability.

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance, which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 4. Ordinance Effect.

Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed, and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided, however, that the repeal of any ordinance or parts of ordinances of the Town shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded, and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

Town of Paonia, Colorado
Ordinance No. 06, Series of 2022
Page 3 of 3

Section 5. Effective Date.

This Ordinance shall take effect thirty days from the date of publication.

INTRODUCED, READ, AND REFERRED before the Board of Trustees for the Town of Paonia, Colorado, on the 23 day of June 2022.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 10 day of January, 2023 by a vote of __ to __.

**TOWN OF PAONIA, COLORADO,
A MUNICIPAL CORPORATION**

By: _____
Mary Bachran, Mayor

ATTEST:

Amanda Mojarro, Interim Town Clerk

Approved As To Form:

Nick Cotton-Baez, Town Attorney

EXHIBIT A

Chapter 18 - BUILDING REGULATIONS

ARTICLE 1. - BUILDING CODE

Sec. 18-1-10. - Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted as the building code of the Town, by reference thereto, for the purpose of providing minimum standards to protect persons, property and public welfare the International Building Code, 2018 edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

(b) The scope of the International Building Code includes all buildings except detached one- and two-family dwellings and townhouses up to three stories. Chapters 1 through 35 inclusive and Appendix Chapters C, E, G, I and J, are hereby adopted by reference as the Town of Paonia Building Code as if fully set out in this Article with the additions, deletions, insertions, and changes as set forth in Section 18-1-30 below and pertains to all buildings except detached one- and two-family dwellings and townhouses up to three stories.

Sec. 18-1-20. - Copy on file.

At least one (1) copy of the International Building Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-1-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

- a) References to jurisdiction in Section 101.1 (Title) and elsewhere mean the Town of Paonia.
- b) Section 101.4.1 (Gas) The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the

Town of Paonia, Colorado
Ordinance No. 06, Series of 2022
Exhibit A
Page 2 of 24

installation and operation of residential and commercial gas appliances and related accessories.

- c) Section 101.4.3 (Plumbing)The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.
- d) Section 101.4.4 (Property Maintenance) is hereby deleted.
- e) Sections 104.10.1 (Flood Hazard Areas), 1612.3 (Establishment of Flood Hazard Areas) and 1612.4 (Flood Hazard Documentation) are amended to read: Consideration of Flood Hazard Areas shall be as adopted by Chapter 18 Article 12 of this Municipal Code.
- f) Section 105.2 (Work exempt from permit) is amended to exempt the following from permit requirements:
 - 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area cannot exceed 200 square feet. Such structures shall be located in accordance with Section 705.3 with respect to other structures on the same lot and in accordance with Chapter 16 Zoning Regulations.
 - 2. Fences not over 6 feet high; however, all fence-plans must be reviewed and approved as per Municipal Code Section 18-9-10
 - 14. Item 14 is added and reads: Window and door replacement provided no structural changes are needed or proposed.
 - 15. Item 15 is added and reads: Decks not exceeding 200 square feet (18.58 m2) in area, that are not more than 30 inches (762 mm) above grade at any point; however, a site-plan is required and subject to approval with regards to setback requirements.
 - 16. Item 16 is added and reads: Re-siding without alteration of wall structure provided, however, the proposed weather barrier is not a stucco-type product*. (*If the stucco-type product will be applied over an existing masonry or concrete surface it too shall be exempt from requiring a permit).

Town of Paonia, Colorado
Ordinance No. 06, Series of 2022
Exhibit A
Page 3 of 24

- g) Section 109.2 (Schedule of permit fees) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- h) Section 109.4 (Work commencing before permit issuance) is amended to read: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by Resolution of the Town Board that shall be in addition to the required permit fees. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.
- i) Section 109.6 (Refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- j) Section 113 (Board of Appeals) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.
- k) Section 114 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.
- l) Section 310.4.1 (Care facilities within a dwelling) is hereby deleted
- m) All foundation designs submitted for habitable structures or additions to habitable structures, excluding patio covers and carports shall be site specific, stamped and signed by an engineer registered in the State of Colorado.
- n) The following Appendix Chapters of the International Building Code, 2018 Edition, are adopted:
 - 1. Appendix C: Group U Agricultural Buildings.
 - 2. Appendix E: Supplementary
 - 3. Appendix F: Accessibility Requirements.
 - 4. Appendix G: Flood-Resistant Construct
 - 5. Appendix I: Patio Covers.
 - 6. Appendix J: Grading.

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ARTICLE 2. – RESIDENTIAL CODE

Sec. 18-2-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted for the purpose of providing minimum standards to protect persons, property and public welfare as the residential building code of the Town, by reference thereto, the International Residential Code, 2018 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478.
- b) The subject matter of the International Residential Code includes the standards for the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of one and two-family dwellings and townhouses not more than three stories above grade, and providing for the issuance of permits and collection of fees therefore. Chapters 1 through 32 inclusive and Appendix Chapters B, F, H, J, K, M, Q, R and S are hereby adopted by reference as the Town of Paonia Residential Building Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-2-30 below.

Sec. 18-2-20. - Copy on file.

At least one (1) copy of the International Residential Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-2-30. - Amendments.

The code adopted herein is hereby modified and amended by the following:

- a) References to jurisdiction in Section R101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) R104.10.1 (Flood hazard areas), R105.3.1.1 (Permits/Determination of substantially improved or substantially damaged existing buildings in flood hazard areas), R301.2.4 (Design criteria/Floodplain construction), R309.3 (Garages and carports/Flood hazard

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areas), and R322 (Flood resistant construction) are amended to read: Consideration of Flood Hazard Areas shall be as adopted by Chapter 18 Article 12 of this Code.

c) Section R105.2 (Work exempt from permit) is amended in part and with items added to read as exempt from permit requirements:

1. Building:

- a. Item 2 Fences not over 6 feet high; however, all fence-plans must be reviewed and approved as per Section 18-9-10 of this Code
- b. Item 10 Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point; however, a site-plan is required and subject to approval with regards to setback requirements.
- c. Item 11 is added and reads: Window and door replacement provided no structural changes are needed or proposed.
- d. Item 12 is added and reads: Re-siding without alteration of wall structure provided, however, the proposed weather barrier is not a stucco-type product*. (*If the stucco-type product will be applied over an existing masonry or concrete surface it too shall be exempt from requiring a permit).

- 2. Electrical: All exemptions are subject to the laws established by the Colorado State Electrical Board.
- 3. Plumbing: All exemptions are subject to the laws established by the Colorado State Plumbing Board.

d) Section R105.5 (Permit expiration) is amended to read:

- 1. Work must commence within 180 days of issuing the permit.
- 2. Unless determined otherwise by the Building Official because of the size or complexity of the project, each inspection must be completed within

180 days of the previous mandated inspection according to the following schedule:

- a. Reinforcement in footings or structural (monolithic) slab.
- b. Reinforcement in stem-wall or basement-wall.
- c. Wall and roof sheathing.
- d. Framing (plumbing, electrical and mechanical must have already passed inspection or will be inspected at the time of the framing inspection).
- e. Insulation.
- f. Drywall or other interior wall coverings.
- g. All final inspections.

e) Section R108.2 (Schedule of permit fees) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.

f) Section R108.5 (Refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.

g) Section R108.6 is amended to read: Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by Resolution of the Town Board that shall be in addition to the required permit fees. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

h) Section R112 (Board of Appeals) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.

i) Section R113 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.

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j) All foundation designs submitted for habitable structures or additions to habitable structures, excluding patio covers and carports shall be site specific, stamped and signed by an engineer registered in the State of Colorado. The Building Official has the right to waive this requirement when the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code.

k) Amend Table R301.2(1) (Climatic and Geographic Design Criteria) Manual J Design Criteria

1. Elevation: 5,682
2. Latitude: 38
3. Winter Heating: 3
4. Summer Cooling: 87
5. Altitude Correction Factor: .84
6. Indoor Design Temperature: 70
7. Design Temperature Cooling: 75
8. Heating Temperature Difference: 67
9. Cooling Temperature Difference: 12
10. Wind Velocity Heating: N/A
11. Wind Velocity Cooling: N/A
12. Coincident Wet Bulb: 58
13. Daily Range: H
14. Winter Humidity: 30%
15. Summer Humidity: 50%

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- 16. Ground Snow Load: 33 psf
- 17. Minimum Roof Snow Load: 25 psf
- 18. Wind Speed: 105 mph Ultimate / Exposure B or C
- 19. Topographic Effects: N/A
- 20. Special Wind Region: N/A
- 21. Windborne Debris Zone: N/A
- 22. Seismic Design Category: C
- 23. Weathering: Severe
- 24. Frost Line Depth: 24”
- 25. Termite: Moderate
- 26. Winter Design Temp.: 3 degrees F
- 27. Ice Barrier Underlayment: No
- 28. Flood Hazards: Those set forth in FIRM Map Nos. 08029C0313D, 08029C0501D, and 08029C0502D (effective 8.19.2010), as they may be amended, and any other applicable FIRM, FBFM, or other flood hazard map, if any.
- 29. Air Freezing Index: 1500
- 30. Mean Annual Temp.: 49

1) Amend Exceptions to Section R302.1 (Exterior walls) to read:

- 1. Exception #2 is hereby deleted.
- 2. Exception #3 is hereby deleted.

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- m) Section 324.4.1 (Structural requirements) is amended to read: Rooftop-mounted photovoltaic systems - Structural requirements to include: For PV systems with a total installed weight not to exceed 3-psf and with staggered fasteners attaching to an existing roof, an engineer's review of the roof structure shall not be required.
- n) Section R326.1 (Swimming pools, spas and hot tubs) is hereby deleted.
- o) Section R908.3.1.1 (Roof cover not allowed) #3 is amended to read: Where the existing roof has two or more applications of any type of roof covering unless the third covering is metal panels and appropriate length fasteners are used.
- p) Add a new subsection R908.7 to read as follows: R908.7 Attic ventilation shall be made to be in compliance with Section R806 (Roof ventilation).
- q) Section G2445 (Unvented Room Heaters) is amended to read: Unvented room Heaters are prohibited.
- r) Section G2406.2 (Appliance prohibited locations) is amended to delete Exceptions #3 and #4.
- s) Section G2425.8 (Appliances not required to be vented) is amended to delete item #7.
- t) Section N1102.4.1.2 (Energy efficiency/Air leakage/Testing) is deleted.
- u) Section N1103.3.3 (Energy efficiency/Systems/Duct testing) is deleted.
- v) Section N1103.3.4 (Energy efficiency/Systems/Duct leakage) is deleted.
- w) Section N1103.5.1 (Energy efficiency/Systems/Heated water circulation and temperature maintenance systems) is amended as follows: When these systems are installed, heated water circulation systems shall be in accordance with Section R403.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2. Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.

x) Section N1103.5.2 (Energy efficiency/Systems/Demand recirculation water systems) is amended as follows: When installed, demand recirculation water-systems shall have controls that comply with both of the following:

1. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.
2. The controls shall limit the temperature of the water entering the cold-water piping to not greater than 104°F (40°C).

y) Section N1103.5.4 (Energy efficiency/Systems/Drain water heat recovery units) is amended as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.

z) Chapter 33 is hereby deleted.

aa) Chapters 34-43 regarding electrical requirements are hereby deleted. Note, that pursuant to CRS 12-115-107, the electrical code as enforced by the State of Colorado approved Electrical Inspector shall apply to all electrical work within the Town.

bb) The following Appendix Chapters of the International Residential Code, 2018 Edition, are adopted:

- 1) Appendix B: Vent Sizing. Appendix F: Radon Control.
- 2) Appendix H: Patio Covers.
- 3) Appendix J: Existing Buildings and Structures is amended to read as follows: Section AJ501.5 Electrical repairs and upgrades are subject to the National Electrical Code as adopted by the state of Colorado Electrical Board.
- 4) Appendix K: Sound Transmission.

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- 5) Appendix M: Home Day Care.
- 6) Appendix Q: Tiny Homes.
- 7) Appendix R: Light Straw-Clay Construction.
- 8) Appendix S: Strawbale Construction.

ARTICLE 3. - EXISTING BUILDING CODE

Sec. 18-3-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted for the purpose of providing minimum standards to protect persons, property and public welfare as the existing building code of the Town, by reference thereto, the International Existing Building Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.
- b) The Existing Building Code provides the standards for the alteration, repair, addition, moving, change of occupancy and relocation of existing buildings, and providing for the issuance of permits and collection of fees therefor. Chapters 1 through 16 inclusive, all Appendix Chapters and Resource “A” are hereby adopted by reference as the Town of Paonia Existing Building Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-3-30 below.

Sec. 18-3-20. - Copy on file.

At least one (1) copy of the International Existing Building Code, 2018 edition, certified to be a true copy is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-3-30. - Amendments.

The code adopted herein is hereby modified and amended by the following:

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- a) Reference to “jurisdiction” in Section 101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) Section 108.2 (Schedule of permit fees) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- c) Section 108.6 (Refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- d) Section 112 (Board of Appeals) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.
- e) Section 113 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.

ARTICLE 4. - ENERGY CONSERVATION CODE

Sec. 18-4-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the energy conservation code of the Town, by reference thereto, the International Energy Conservation Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.
- b) The subject matter of the adopted code includes regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems, and providing for the issuance of permits and collection of fees therefor. Chapters 1 through 6 and Appendix A designed for Commercial and Residential provisions, respectively, are hereby adopted by reference as the Town of Paonia International Energy Conservation Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-4-30 below.

Sec. 18-4-20. - Copy on file.

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At least one (1) copy of the International Energy Efficiency Code, 2018 edition, certified to be a true copy is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-4-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

a) Commercial

1) Section C101.1 (Title) is amended as follows: This code shall be known as the Energy Conservation Code of Town of Paonia, Colorado, and shall be cited as such. It is referred to herein as “this code.”

b) Residential

1) Section R101.1 (Title) is amended as follows: This code shall be known as the Energy Conservation Code of Town of Paonia, Colorado, and shall be cited as such. It is referred to herein as “this code.”

2) Section R402.4.1.2 (Testing) is deleted.

3) Section R403.3.3 (Duct testing) is deleted.

4) Section R403.3.4 (Duct leakage) is deleted.

5) Section R403.5.1 (Heated water circulation and temperature maintenance systems) is amended as follows: When these systems are installed, heated water circulation systems shall be in accordance with Section R403.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2. Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.

6) Section R403.5.2 (Demand recirculation water systems) is amended as follows: When installed, demand recirculation water systems shall have controls that comply with both of the following:

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- a. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.
- b. The controls shall limit the temperature of the water entering the cold-water piping to not greater than 104°F (40°C).

7) Section R403.5.4 (Drain water heat recovery units) is amended as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.

8) R403.6 (Mechanical ventilation) – append this Section by adding: Automatic controls for heating incoming-air shall be provided.

ARTICLE 5. - MANUFACTURED HOUSING INSTALLATION

Sec. 18-5-10. - Adoption

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the manufactured housing code of the Town, for the purpose of providing minimum standards to protect persons, property and public welfare, by reference thereto, the Installation Handbook for Manufactured Homes and Factory Built Housing, January 2020 edition, published by the Colorado Department of Local Affairs. The subject matter of the adopted code includes regulations governing the installation of manufactured homes in the Town and is adopted in its entirety without amendment.

Sec. 18-5-20. - Copy on file.

At least one (1) copy of the Installation Handbook for Manufactured Homes and Factory Built Housing, January 2020, certified to be a true copy is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

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Sec. 18-5-30. - Definitions.

For purposes of this Article, the following definitions will apply:

Dependent mobile home means a mobile home which does not have a flush toilet and a bath or shower.

Independent mobile home means a mobile home which has a flush toilet, a bath or a shower and a sink.

Mobile home means any vehicle, trailer coach, house trailer or similar portable structure designed or constructed to permit occupancy for dwelling or sleeping purposes and designed to be transported on wheels.

Modular home means a factory-built or prefabricated structure designed for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled by a manufacturer for installation or assembly and installation on a residential building site.\

Sec. 18-5-40. - Permit for location and installation.

- a) It shall be unlawful for any person to use or occupy a dependent mobile home for human habitation within the limits of the Town.
- b) It shall be unlawful for any person to install, erect, use or occupy any independent mobile home or modular home that has less than six hundred (600) square feet of living space.
- c) It shall be unlawful for any person to install, erect, use or occupy any independent mobile home or modular home for human habitation within the limits of the Town without first obtaining a permit therefor upon written application on a form to be furnished by the Town Clerk. Each such application shall describe the land on which the installation is to be made, shall be accompanied by plans and specifications of the foundation for the proposed installation showing its location on the building site, shall be signed by the applicant, shall be accompanied by evidence of application for a State Permit from the Colorado Department of Housing and shall give such other information as may be required by the Building Official. The application plans and specifications shall be checked by the Building Official, and if he or she is satisfied that the installation

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therein described will conform to the requirements of Paragraphs (1) through (6) below, he or she shall issue a permit therefor to the applicant. Fees for the permit shall be a minimum of \$300.00 or otherwise in accordance with the Permit Fee Rate Schedule adopted by Resolution based on the value of the foundation, exterior stairs, landings, porches and any other added feature exterior to the Manufactured Structure. Thereafter, the Building Official shall make such inspections as reasonably necessary to determine that all requirements of Subparagraphs (1) through (6) below are complied with, and he or she shall either approve the installation at each inspection or notify the permit holder when it fails to comply with said requirements. No mobile home or modular home shall be used or occupied until the Building Official has issued a certificate of occupancy which shall be issued to the permittee after final inspection of the installation and approval of the same by the Building Official in accordance with the foregoing. The certificate of occupancy shall contain the permit number, the address of the installation, the name of the owner, a statement that the mobile home or modular home installation complies with the requirements of this Article, the date issued and the signature of the Building Official.

- 1) The proposed location shall be in compliance with Chapter 16 of this Code. No mobile home or modular home shall be located or placed on or within an area of less than five thousand (5,000) square feet.
- 2) No mobile home or modular home shall be located closer than twelve (12) feet to any building and shall also be located as to comply with all requirements as to setback lines and side and rear yards as now or hereafter provided for dwelling structures by Chapter 16 of this Code.
- 3) The plumbing and electrical connections shall be in accordance with the provisions of this Code and in accordance with State Law as set forth in paragraph (6) below.
- 4) All mobile homes or modular homes using liquefied petroleum gas, kerosene, gasoline or fuel oil for heating or cooking purposes shall have their stoves properly vented with flues of adequate size and construction; and, with the exception of a supply container for each mobile home, no gasoline, kerosene or fuel oil shall be stored on the premises. Said supply container must be approved by the Fire Chief. Every connection between a liquefied petroleum gas container

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and its appliance shall be of metal pipe. No liquefied petroleum gas container shall be permitted inside of any mobile home. All mobile homes and modular homes shall comply with the regulations of the Colorado State Department of Public Health and Environment controlling carbon monoxide poisoning.

5) Every mobile home and modular home shall be supported on solid masonry or concrete footings which shall be of sufficient size to safely support the loads imposed as determined from the character of the soil. The foundation walls or piers shall extend at least six (6) inches above the finished grade adjacent to the wall at all points. The foundation walls or piers shall be directly below the load-bearing beams or stringers of the mobile home or modular home. If piers are used, they shall be installed pursuant to requirements of the home manufacturer and State Laws, except that design and specifications shall be provided by a Colorado Licensed Engineer for all “permanent foundations”. Every mobile home and modular home shall be anchored in such a way as to resist wind loads established per the IRC and approved as per State Laws, except that design and specifications for anchoring shall be provided by a Colorado Licensed Engineer for all “permanent foundations”. Foundations for all mobile homes and modular homes shall be level or shall be stepped so that both top and bottom of such foundation are level. After such foundations have been constructed, each mobile home or modular home shall have a wood or metal skirt firmly attached to all exterior walls and extended to the ground along the entire outside perimeter.

6) Pursuant to the Laws of the State of Colorado, Department of Housing, no permanent utilities are to be released to the home prior to the affixing of the installation-insignia, and Occupancy of the structure is prohibited prior to affixing the installation-insignia.

ARTICLE 6. - INTERNATIONAL MECHANICAL CODE

Sec. 18-6-10. - Adoption.

a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the mechanical code of the Town, for the purpose of providing minimum standards to protect persons, property and public welfare, by reference thereto, the International Mechanical Code,

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2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

b) The adopted code regulates the design and installation of mechanical systems and appliances, appliance venting, duct and ventilation systems, combustion air provisions, hydronic systems and solar systems, issuance of permits and collection of fees therefor. Chapters 1 through 15 inclusive and all Appendix Chapters are hereby adopted by reference as the Town of Paonia Mechanical Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-6-30 below.

Sec. 18-6-20. - Copy on file.

At least one (1) copy of the International Mechanical Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-6-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

- a) Reference to “jurisdiction” in Section 101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) Section 106.5.2 (Fee schedule) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- c) Section 106.5.3 (Fee refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- d) Section 108 (Violations) is amended to read: Violations shall be processed pursuant to Article 8 9 of this Chapter.
- e) Section 109 (Means of appeal) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.

ARTICLE 7. – INTERNATIONAL FUEL GAS CODE

Sec. 18-7-10. - Adoption.

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a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fuel gas code of the Town, by reference thereto, the International Fuel Gas Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795_

b) The subject matter of the adopted code includes regulations governing fuel gas systems and gas-fired appliances and the issuance of permits and collection of fees therefor. Chapters 1 through 8 inclusive and all Appendix Chapters are hereby adopted by reference as the Town of Paonia International Fuel Gas Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-6-30 below.

Sec. 18-7-20. - Copy on file.

At least one (1) copy of the International Fuel Gas Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-7-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

- a) Reference to “jurisdiction” in Section 101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) Section 106.6.2 (Fee schedule) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- c) Section 106.6.3 (Fee refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- e) Section 108 (Violations) is amended to read: Violations shall be processed pursuant to Article 8 9 of this Chapter.

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- f) Section 109 (Means of Appeal) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.
- g) Section 501.8 (Appliances not required to be vented) #8 (Hot plates and laundry stove) is hereby deleted.
- h) Section 621 (Unvented Room Heaters) is amended to read: Unvented Room Heaters are hereby prohibited.

ARTICLE 8 - BUILDING CODE BOARD OF APPEALS

Sec. 18-9-10. – Establishment and Purpose of Building Code Board of Appeals.

a) There is hereby created the Building Code Board of Appeals. Unless otherwise conflicted, the five (5) members of the Building Code Board of Appeals shall serve as the members of the Zoning Board of Adjustment. The Board of Appeals shall consist of five (5) members, who are qualified by experience and training to pass upon matters pertaining to building construction. In evaluating the qualifications and experience of the five (5) members, the qualifications in Appendix B of the version of the IBC adopted by the Town shall serve as guidance in selecting members to the Board of Appeals. (As adopted by 2021-03.)

b) The purpose of the Board of Appeals is to hear and decide appeals arising under the codes adopted by reference under this title, except with respect to the National Electric Code and International Plumbing Code. Zoning appeals pursuant to Chapter 16 shall be heard in accordance with Chapter 16.

c) Such Building Code Board of Appeals shall have jurisdiction to decide any appeals from a decision of the Building Official, or his/her designee, if the decision of the Building Official or his/her designee concerns suitability of alternate materials, method of construction or reasonable interpretations of the codes adopted pursuant to this title. Provided, however, the Building Code Board of Appeals shall not be entitled to hear appeals of life safety matters, or the administrative provisions of the codes adopted pursuant to this title, nor shall the Building Code Board of Appeals be empowered to waive requirements under said codes.

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c) The Building Code Board of Appeals may adopt reasonable rules and regulations not inconsistent with this Code for conducting its business, meetings, and deliberations.

Sec. 18-9-20. Membership

Membership shall be as prescribed in Section 2-8-20, Zoning Board of Adjustment. Four of the five members shall be qualified by experience and training to pass upon matters pertaining to building construction. In evaluating the qualifications and experience of the four (4) members, the qualifications in Appendix B of the version of the IBC adopted by the Town shall serve as guidance in selecting members to the Building Code Board of Appeals.

Sec 18-8-30 –Appeal Procedures

a) Appeals to the Building Code Board of Appeals may be taken by any person aggrieved by a decision of the Building Official, or his/her designee, denying, issuing, or revoking a permit or in applying the provisions of this title or any code adopted by reference thereunder, to the construction, alteration, or repair of a structure.

b) Appeals to the Building Code Board of Appeals must be made in writing and filed with the Town Clerk no later than 4:30 p.m. of the tenth (10) day following the date of the decision of the Building Official, or his/her designee, by filing a written notice of appeal with the Town Clerk setting forth the decision appealed from and the grounds for said appeal. Upon receipt, the Town Clerk shall transmit the notice of appeal to the Building Official and the Building Code Board of Appeals.

c) In the event the tenth (10) day falls on a Saturday, Sunday or holiday, the next regular business day of the Town shall be deemed the tenth (10) day. The day of the action or decision shall not be included in the ten-day calculation.

d) An appeal to the Building Code Board of Appeals stays all proceedings in furtherance of the action appealed from, unless the Building Official, or his/her designee, from whom the appeal is taken, certifies to the Zoning Board of Adjustment after the notice of appeal has been filed with him or her that, by reason of facts stated in the certificate, a stay, in his or her opinion, would cause imminent peril to life and property, in which case proceedings shall not be stayed other than by a restraining order which may be granted by the

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Zoning Board of Adjustment or a court of record on application, on notice to the Building Official, or his/her designee, from whom the appeal is taken and on whom due cause is shown.

Sec. 18-8-30. - Scheduling of hearing.

Upon receipt of a notice of appeal, the Town Clerk shall schedule said appeal for hearing within thirty (30) days from the date of receipt of the notice of appeal. The Town Clerk shall thereupon mail written notice of the date, time, and place of the hearing to the Building Official, or his/her designee and to the appellant.

Sec. 18-8-40. - Hearing.

- a) The hearing on the appeal from a decision of the Building Official, or his/her designee shall be public and shall permit the appellant and the Building Official, or his/her designee to call witnesses, introduce evidence, examine and cross-examine witnesses, and otherwise provide each of the parties with due process of law.
- b) At hearings, all witnesses shall be sworn-in, and the Chairperson will utilize such procedures as the Building Code Board of Appeals finds will ensure fairness and efficiency. The Building Code Board of Appeals shall not be required to observe formal rules of evidence but may consider any testimony or other evidence the Building Code Board of Appeals finds reasonably reliable and calculated to aid the Building Code Board of Appeals in reaching an accurate determination of the issue involved. Rulings on questions of procedure, admissibility of evidence, and exhibits will be made by the Chairperson and will stand unless objected to by a member of the Building Code Board of Appeals, in which event the question will be decided by a majority vote of the members of the Board present.
- c) The Building Code Board of Appeals shall have the authority to review any written final decisions of the Building Official regarding the suitability of alternate materials, methods of construction, or regarding the technical application and interpretation of the building codes adopted by reference, and any amendments thereto, within this Chapter 18. The Building Code Board of Appeals shall also be authorized to issue advisory opinions and policies regarding such matters at the request of the building official. The Building Code Board of Appeals shall not have the authority to waive requirements of any such code, nor shall the Building Code Board of Appeals have the authority to recommend decreasing public safety or fire-resistive standards set forth in any section of such codes. A decision of the Board

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shall not be considered a precedent for future decisions of the building official. The Building Code Board of Appeals shall act in each instance based upon the facts presented in the appeal.

d) In the event of a conflict between any building codes adopted by the Town and this Chapter 18, Article 9, the Town Code shall take precedent. Notwithstanding the foregoing, for any matter which the Town Code is silent, the Building Code Board of Appeals shall take into account direction and guidance from the relevant building code(s).

Sec. 18-8-50. - Decisions.

Building Code Board of Appeals, shall issue its findings and decision of a majority of the members on an appeal in writing no later than thirty (30) days after the conclusion of the hearing. The Town Clerk shall mail copies of the findings and decision to the Building Official, or his/her designee and the appellant.

Sec. 18-8-60. - Appeals from the board.

Any decision issued by the Building Code Board of Appeals filed under this chapter shall be final. Any further appeal from the decision of the Building Code Board of Appeals shall be made to the District Court as provided by law.

ARTICLE 9. – VIOLATIONS

Sec. 18-9-10. - Violations – Penalty.

a) Except as may otherwise be provided in this title, any person, firm, or corporation violating any of the provisions of this title shall be deemed guilty of a municipal misdemeanor and subject to the Town’s general penalty provision, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this title is committed, continued or permitted. Said offense shall be deemed to be one of “strict liability.” Only the Town of Paonia, by and through its Building Official, or his/her designee, the Town Attorney, or the Police Department, shall be permitted to initiate the filing of a complaint in the Paonia Municipal Court for violation of any of the provisions of this title and the primary codes adopted by reference herein.

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b) In the event any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used, or maintained in violation of this title or any primary code adopted by reference herein, the Town Attorney, upon request of the Building Official or the Town Manager, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance, or use, in any court of competent jurisdiction.

**TOWN OF PAONIA, COLORADO
ORDINANCE NO. 06-2022**

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AMENDING CHAPTER 18 OF THE MUNICIPAL CODE AND PROVIDING FOR THE ADOPTION OF AND AMENDMENTS TO THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE, AND ADOPTION OF THE INSTALLATION HANDBOOK FOR MANUFACTURED HOMES AND FACTORY BUILT HOUSING, JANUARY 2020 EDITION, PUBLISHED BY THE COLORADO DEPARTMENT OF LOCAL AFFAIRS.

WHEREAS, the Town of Paonia (the “Town”), in the County of Delta and State of Colorado, is a statutory municipal corporation duly organized and existing under the laws of the State of Colorado; an;

WHEREAS, the Town has adopted by reference earlier editions of building codes for the Town; and

WHEREAS, the International Code Council released updated editions of International Building Codes in 2018, and staff recommends adoption of the 2018 Editions; and

WHEREAS, pursuant to Title 31, Article 16, Part 2. C.R.S, the Board of Trustees desires to amend the Paonia Municipal Code in order to adopt by reference the 2018 Editions of the International Building Code; International Residential Code; International Mechanical Code; International Fuel Gas Code; and the Installation Handbook for Manufactured Homes and Factory Built Housing, January 2020 edition, published by the Colorado Department of Local Affairs, as the building codes for the Town pursuant to the procedures set forth in C.R.S. §31-16-201, *et seq.*

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, ORDAINS THAT:

Section 1. Recitals.

The recitals to this Ordinance are adopted as findings of the Board of Trustees in support of the enactment of this Ordinance.

Section 2. Repeal and Adoption.

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Title 18, Articles 1, 2, 3, 4, 5 of the Paonia Municipal Code are hereby repealed in their entirety.

Title 18, Article 6, Signs, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 10.

Title 18, Article 7, Flood Damage Prevention, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 11.

Title 18, Article 8, Supplementary Regulations, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 12.

Title 18, Article 10, Building Permits and Site Plan Review Requirements, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 14.

Title 18, Article 11, Building Code Board of Appeals, of the Paonia Municipal Code is hereby repealed in its entirety and readopted at Title 18, Article 8.

New Title 18, Articles 1 through 9, as set forth in **Exhibit A** attached, are hereby adopted.

The Town’s codifier is hereby authorized to renumber this Title to conform with these amendments.

Section 3. Severability.

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance, which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 4. Ordinance Effect.

Existing ordinances or parts of ordinances covering the same matters as embraced in this Ordinance are hereby repealed, and any and all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, provided, however, that the repeal of any ordinance or parts of ordinances of the Town shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded, and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

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Section 5. Effective Date.

This Ordinance shall take effect thirty days from the date of publication.

INTRODUCED, READ, AND REFERRED before the Board of Trustees for the Town of Paonia, Colorado, on the ~~23rd~~-~~23~~ ~~??~~ day of June ~~2024~~~~2022~~~~??~~.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 10 day of January, 20223 by a vote of to .

**TOWN OF PAONIA, COLORADO,
A MUNICIPAL CORPORATION**

By: _____
Mary Bachran, Mayor

ATTEST:

Amanda Mojarro, ~~Deputy~~-Interim Town Clerk

Approved As To Form:

Nick Cotton-Baez, Town Attorney

EXHIBIT A

Chapter 18 - BUILDING REGULATIONS

ARTICLE 1. - BUILDING CODE

Sec. 18-1-10. - Adoption.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted as the building code of the Town, by reference thereto, for the purpose of providing minimum standards to protect persons, property and public welfare the International Building Code, 2018 edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

(b) The scope of the International Building Code includes all buildings except detached one- and two-family dwellings and townhouses up to three stories. Chapters 1 through 35 inclusive and Appendix Chapters C, E, G, I and J, are hereby adopted by reference as the Town of Paonia Building Code as if fully set out in this Article with the additions, deletions, insertions, and changes as set forth in Section 18-1-30 below and pertains to all buildings except detached one- and two-family dwellings and townhouses up to three stories.

Sec. 18-1-20. - Copy on file.

At least one (1) copy of the International Building Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-1-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

- a) References to jurisdiction in Section 101.1 (Title) and elsewhere mean the Town of Paonia.

- ~~b)~~ Section 101.4.1 (Gas) The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the

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~~installation and operation of residential and commercial gas appliances and related accessories. Section 101.4.1 (Gas) is amended to read: The provisions of the International Fuel Gas Code as amended and adopted by the State of Colorado Plumbing Board (see 3-CCR 720-1 of the Code of Colorado Regulations) shall be enforced by the State of Colorado.~~

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~~b)~~

~~c) Section 101.4.3 (Plumbing) The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems. Section 101.4.3 (Plumbing) is amended to read: The provisions of the International Plumbing Code as amended and adopted by the State of Colorado Plumbing Board (see 3 CCR 720-1 of the Code of Colorado Regulations) shall be enforced by the State of Colorado.~~

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~~e)~~

d) Section 101.4.4 (Property Maintenance) is hereby deleted.

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e) Sections 104.10.1 (Flood Hazard Areas), 1612.3 (Establishment of Flood Hazard Areas) and 1612.4 (Flood Hazard Documentation) are amended to read: Consideration of Flood Hazard Areas shall be as adopted by Chapter 18 Article 12 of this Municipal Code.

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f) Section 105.2 (Work exempt from permit) is amended to exempt the following from permit requirements:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses provided the floor area cannot exceed 200 square feet. Such structures shall be located in accordance with Section 705.3 with respect to other structures on the same lot and in accordance with Chapter 16 Zoning Regulations.
2. Fences not over 6 feet high; however, all fence-plans must be reviewed and approved as per Municipal Code Section 18-9-10
14. Item 14 is added and reads: Window and door replacement provided no structural changes are needed or proposed.

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15. Item 15 is added and reads: Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point; however, a site-plan is required and subject to approval with regards to setback requirements.

16. Item 16 is added and reads: Re-siding without alteration of wall structure provided, however, the proposed weather barrier is not a stucco-type product*. (*If the stucco-type product will be applied over an existing masonry or concrete surface it too shall be exempt from requiring a permit).

- g) Section 109.2 (Schedule of permit fees) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- h) Section 109.4 (Work commencing before permit issuance) is amended to read: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by Resolution of the Town Board that shall be in addition to the required permit fees. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.
- i) Section 109.6 (Refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- j) Section 113 (Board of Appeals) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.
- k) Section 114 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.
- l) Section 310.4.1 (Care facilities within a dwelling) is hereby deleted
- m) All foundation designs submitted for habitable structures or additions to habitable structures, excluding patio covers and carports shall be site specific, stamped and signed by an engineer registered in the State of Colorado.
- n) The following Appendix Chapters of the International Building Code, 2018 Edition, are adopted:
 - 1. Appendix C: Group U Agricultural Buildings.

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- 2. Appendix E: Supplementary
- 3. Appendix F: Accessibility Requirements.
- 4. Appendix G: Flood-Resistant Construct
- 5. Appendix I: Patio Covers.
- 6. Appendix J: Grading.

ARTICLE 2. – RESIDENTIAL CODE

Sec. 18-2-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted for the purpose of providing minimum standards to protect persons, property and public welfare as the residential building code of the Town, by reference thereto, the International Residential Code, 2018 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478.
- b) The subject matter of the International Residential Code includes the standards for the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of one and two-family dwellings and townhouses not more than three stories above grade, and providing for the issuance of permits and collection of fees therefore. Chapters 1 through 32 inclusive and Appendix Chapters B, F, H, J, K, M, Q, R and S are hereby adopted by reference as the Town of Paonia Residential Building Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-2-30 below.

Sec. 18-2-20. - Copy on file.

At least one (1) copy of the International Residential Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

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Sec. 18-2-30. - Amendments.

The code adopted herein is hereby modified and amended by the following:

- a) References to jurisdiction in Section R101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) R104.10.1 (Flood hazard areas), R105.3.1.1 (Permits/Determination of substantially improved or substantially damaged existing buildings in flood hazard areas), R301.2.4 (Design criteria/Floodplain construction), R309.3 (Garages and carports/Flood hazard areas), and R322 (Flood resistant construction) are amended to read: Consideration of Flood Hazard Areas shall be as adopted by Chapter 18 Article 12 of this Code.
- c) Section R105.2 (Work exempt from permit) is amended in part and with items added to read as exempt from permit requirements:
 - 1. Building:
 - a. Item 2 Fences not over 6 feet high; however, all fence-plans must be reviewed and approved as per Section 18-9-10 of this Code
 - b. Item 10 Decks not exceeding 200 square feet (18.58 m2) in area, that are not more than 30 inches (762 mm) above grade at any point; however, a site-plan is required and subject to approval with regards to setback requirements.
 - c. Item 11 is added and reads: Window and door replacement provided no structural changes are needed or proposed.
 - d. Item 12 is added and reads: Re-siding without alteration of wall structure provided, however, the proposed weather barrier is not a stucco-type product*. (*If the stucco-type product will be applied over an existing masonry or concrete surface it too shall be exempt from requiring a permit).
 - 2. Electrical: All exemptions are subject to the laws established by the Colorado State Electrical Board.

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- 3. Plumbing: All exemptions are subject to the laws established by the Colorado State Plumbing Board.

- d) Section R105.5 (Permit expiration) is amended to read:
 - 1. Work must commence within 180 days of issuing the permit.
 - 2. Unless determined otherwise by the Building Official because of the size or complexity of the project, each inspection must be completed within 180 days of the previous mandated inspection according to the following schedule:
 - a. Reinforcement in footings or structural (monolithic) slab.
 - b. Reinforcement in stem-wall or basement-wall.
 - c. Wall and roof sheathing.
 - d. Framing (plumbing, electrical and mechanical must have already passed inspection or will be inspected at the time of the framing inspection).
 - e. Insulation.
 - f. Drywall or other interior wall coverings.
 - g. All final inspections.

- e) Section R108.2 (Schedule of permit fees) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.

- f) Section R108.5 (Refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.

- g) Section R108.6 is amended to read: Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by Resolution of the Town Board that shall be in addition to the required

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permit fees. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

h) Section R112 (Board of Appeals) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.

i) Section R113 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.

j) All foundation designs submitted for habitable structures or additions to habitable structures, excluding patio covers and carports shall be site specific, stamped and signed by an engineer registered in the State of Colorado. The Building Official has the right to waive this requirement when the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code.

k) Amend Table R301.2(1) (Climatic and Geographic Design Criteria) Manual J Design Criteria

1. Elevation: 5,682
2. Latitude: 38
3. Winter Heating: 3
4. Summer Cooling: 87
5. Altitude Correction Factor: .84
6. Indoor Design Temperature: 70
7. Design Temperature Cooling: 75
8. Heating Temperature Difference: 67
9. Cooling Temperature Difference: 12
10. Wind Velocity Heating: N/A

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- 11. Wind Velocity Cooling: N/A
- 12. Coincident Wet Bulb: 58
- 13. Daily Range: H
- 14. Winter Humidity: 30%
- 15. Summer Humidity: 50%
- 16. Ground Snow Load: 33 psf
- 17. Minimum Roof Snow Load: 25 psf
- 18. Wind Speed: 105 mph Ultimate / Exposure B or C
- 19. Topographic Effects: N/A
- 20. Special Wind Region: N/A
- 21. Windborne Debris Zone: N/A
- 22. Seismic Design Category: C
- 23. Weathering: Severe
- 24. Frost Line Depth: 24"
- 25. Termite: Moderate
- 26. Winter Design Temp.: 3 degrees F
- 27. Ice Barrier Underlayment: No
- 28. Flood Hazards: Those set forth in FIRM Map Nos. 08029C0313D, 08029C0501D, and 08029C0502D (effective 8.19.2010), as they may be amended, and any other applicable FIRM, FBFM, or other flood hazard map, if any.
- 29. Air Freezing Index: 1500

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30. Mean Annual Temp.: 49

l) Amend Exceptions to Section R302.1 (Exterior walls) to read:

- 1. Exception #2 is hereby deleted.
- 2. Exception #3 is hereby deleted.

m) Section 324.4.1 (Structural requirements) is amended to read: Rooftop-mounted photovoltaic systems - Structural requirements to include: For PV systems with a total installed weight not to exceed 3-psf and with staggered fasteners attaching to an existing roof, an engineer's review of the roof structure shall not be required.

n) Section R326.1 (Swimming pools, spas and hot tubs) is hereby deleted.

o) Section R908.3.1.1 (Roof cover not allowed) #3 is amended to read: Where the existing roof has two or more applications of any type of roof covering unless the third covering is metal panels and appropriate length fasteners are used.

p) Add a new subsection R908.7 to read as follows: R908.7 Attic ventilation shall be made to be in compliance with Section R806 (Roof ventilation).

q) Section G2445 (Unvented Room Heaters) is amended to read: Unvented room Heaters are prohibited.

r) Section G2406.2 (Appliance prohibited locations) is amended to delete Exceptions #3 and #4.

s) Section G2425.8 (Appliances not required to be vented) is amended to delete item #7.

t) Section N1102.4.1.2 (Energy efficiency/Air leakage/Testing) is deleted.

u) Section N1103.3.3 (Energy efficiency/Systems/Duct testing) is deleted.

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- v) Section N1103.3.4 (Energy efficiency/Systems/Duct leakage) is deleted.
- w) Section N1103.5.1 (Energy efficiency/Systems/Heated water circulation and temperature maintenance systems) is amended as follows: When these systems are installed, heated water circulation systems shall be in accordance with Section R403.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2. Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.
- x) Section N1103.5.2 (Energy efficiency/Systems/Demand recirculation water systems) is amended as follows: When installed, demand recirculation water-systems shall have controls that comply with both of the following:
 - 1. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.
 - 2. The controls shall limit the temperature of the water entering the cold-water piping to not greater than 104°F (40°C).
- y) Section N1103.5.4 (Energy efficiency/Systems/Drain water heat recovery units) is amended as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.
- z) Chapter 33 is hereby deleted.
- aa) Chapters 34-43 regarding electrical requirements are hereby deleted. Note, that pursuant to CRS 12-115-107, the electrical code as enforced by the State of Colorado approved Electrical Inspector shall apply to all electrical work within the Town.
- bb) The following Appendix Chapters of the International Residential Code, 2018 Edition, are adopted:

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- 1) Appendix B: Vent Sizing. Appendix F: Radon Control.
- 2) Appendix H: Patio Covers.
- 3) Appendix J: Existing Buildings and Structures is amended to read as follows: Section AJ501.5 Electrical repairs and upgrades are subject to the National Electrical Code as adopted by the state of Colorado Electrical Board.
- 4) Appendix K: Sound Transmission.
- 5) Appendix M: Home Day Care.
- 6) Appendix Q: Tiny Homes.
- 7) Appendix R: Light Straw-Clay Construction.
- 8) Appendix S: Strawbale Construction.

ARTICLE 3. - EXISTING BUILDING CODE

Sec. 18-3-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted for the purpose of providing minimum standards to protect persons, property and public welfare as the existing building code of the Town, by reference thereto, the International Existing Building Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.
- b) The Existing Building Code provides the standards for the alteration, repair, addition, moving, change of occupancy and relocation of existing buildings, and providing for the issuance of permits and collection of fees therefor. Chapters 1 through 16 inclusive, all Appendix Chapters and Resource “A” are hereby adopted by reference as the Town of Paonia Existing Building Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-3-30 below.

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Sec. 18-3-20. - Copy on file.

At least one (1) copy of the International Existing Building Code, 2018 edition, certified to be a true copy is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-3-30. - Amendments.

The code adopted herein is hereby modified and amended by the following:

- a) Reference to “jurisdiction” in Section 101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) Section 108.2 (Schedule of permit fees) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- c) Section 108.6 (Refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- d) Section 112 (Board of Appeals) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.
- e) Section 113 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.

ARTICLE 4. - ENERGY CONSERVATION CODE

Sec. 18-4-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the energy conservation code of the Town, by reference thereto, the International Energy Conservation Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.
- b) The subject matter of the adopted code includes regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and

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power systems, and providing for the issuance of permits and collection of fees therefor. Chapters 1 through 6 and Appendix A designed for Commercial and Residential provisions, respectively, are hereby adopted by reference as the Town of Paonia International Energy Conservation Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-4-30 below.

Sec. 18-4-20. - Copy on file.

At least one (1) copy of the International Energy Efficiency Code, 2018 edition, certified to be a true copy is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-4-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

a) Commercial

1) Section C101.1 (Title) is amended as follows: This code shall be known as the Energy Conservation Code of Town of Paonia, Colorado, and shall be cited as such. It is referred to herein as “this code.”

b) Residential

1) Section R101.1 (Title) is amended as follows: This code shall be known as the Energy Conservation Code of Town of Paonia, Colorado, and shall be cited as such. It is referred to herein as “this code.”

2) Section R402.4.1.2 (Testing) is deleted.

3) Section R403.3.3 (Duct testing) is deleted.

4) Section R403.3.4 (Duct leakage) is deleted.

5) Section R403.5.1 (Heated water circulation and temperature maintenance systems) is amended as follows: When these systems are installed, heated water circulation systems shall be in accordance with Section R403.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2.

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Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.

6) Section R403.5.2 (Demand recirculation water systems) is amended as follows: When installed, demand recirculation water systems shall have controls that comply with both of the following:

a. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.

b. The controls shall limit the temperature of the water entering the cold-water piping to not greater than 104°F (40°C).

7) Section R403.5.4 (Drain water heat recovery units) is amended as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.

8) R403.6 (Mechanical ventilation) – append this Section by adding: Automatic controls for heating incoming-air shall be provided.

ARTICLE 5. - MANUFACTURED HOUSING INSTALLATION

Sec. 18-5-10. - Adoption

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the manufactured housing code of the Town, for the purpose of providing minimum standards to protect persons, property and public welfare, by reference thereto, the Installation Handbook for Manufactured Homes and Factory Built Housing, January 2020 edition, published by the Colorado Department of Local Affairs. The subject matter of the adopted code includes regulations governing the installation of manufactured homes in the Town and is adopted in its entirety without amendment.

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Sec. 18-5-20. - Copy on file.

At least one (1) copy of the Installation Handbook for Manufactured Homes and Factory Built Housing, January 2020, certified to be a true copy is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-5-30. - Definitions.

For purposes of this Article, the following definitions will apply:

Dependent mobile home means a mobile home which does not have a flush toilet and a bath or shower.

Independent mobile home means a mobile home which has a flush toilet, a bath or a shower and a sink.

Mobile home means any vehicle, trailer coach, house trailer or similar portable structure designed or constructed to permit occupancy for dwelling or sleeping purposes and designed to be transported on wheels.

Modular home means a factory-built or prefabricated structure designed for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled by a manufacturer for installation or assembly and installation on a residential building site.\

Sec. 18-5-40. - Permit for location and installation.

- a) It shall be unlawful for any person to use or occupy a dependent mobile home for human habitation within the limits of the Town.
- b) It shall be unlawful for any person to install, erect, use or occupy any independent mobile home or modular home that has less than six hundred (600) square feet of living space.
- c) It shall be unlawful for any person to install, erect, use or occupy any independent mobile home or modular home for human habitation within the limits of the Town without first obtaining a permit therefor upon written application on a form to be furnished by the Town Clerk. Each such application shall describe the land on which the

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installation is to be made, shall be accompanied by plans and specifications of the foundation for the proposed installation showing its location on the building site, shall be signed by the applicant, shall be accompanied by evidence of application for a State Permit from the Colorado Department of Housing and shall give such other information as may be required by the Building Official. The application plans and specifications shall be checked by the Building Official, and if he or she is satisfied that the installation therein described will conform to the requirements of Paragraphs (1) through (6) below, he or she shall issue a permit therefor to the applicant. Fees for the permit shall be a minimum of \$300.00 or otherwise in accordance with the Permit Fee Rate Schedule adopted by Resolution based on the value of the foundation, exterior stairs, landings, porches and any other added feature exterior to the Manufactured Structure. Thereafter, the Building Official shall make such inspections as reasonably necessary to determine that all requirements of Subparagraphs (1) through (6) below are complied with, and he or she shall either approve the installation at each inspection or notify the permit holder when it fails to comply with said requirements. No mobile home or modular home shall be used or occupied until the Building Official has issued a certificate of occupancy which shall be issued to the permittee after final inspection of the installation and approval of the same by the Building Official in accordance with the foregoing. The certificate of occupancy shall contain the permit number, the address of the installation, the name of the owner, a statement that the mobile home or modular home installation complies with the requirements of this Article, the date issued and the signature of the Building Official.

- 1) The proposed location shall be in compliance with Chapter 16 of this Code. No mobile home or modular home shall be located or placed on or within an area of less than five thousand (5,000) square feet.
- 2) No mobile home or modular home shall be located closer than twelve (12) feet to any building and shall also be located as to comply with all requirements as to setback lines and side and rear yards as now or hereafter provided for dwelling structures by Chapter 16 of this Code.
- 3) The plumbing and electrical connections shall be in accordance with the provisions of this Code and in accordance with State Law as set forth in paragraph (6) below.

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- 4) All mobile homes or modular homes using liquefied petroleum gas, kerosene, gasoline or fuel oil for heating or cooking purposes shall have their stoves properly vented with flues of adequate size and construction; and, with the exception of a supply container for each mobile home, no gasoline, kerosene or fuel oil shall be stored on the premises. Said supply container must be approved by the Fire Chief. Every connection between a liquefied petroleum gas container and its appliance shall be of metal pipe. No liquefied petroleum gas container shall be permitted inside of any mobile home. All mobile homes and modular homes shall comply with the regulations of the Colorado State Department of Public Health and Environment controlling carbon monoxide poisoning.
- 5) Every mobile home and modular home shall be supported on solid masonry or concrete footings which shall be of sufficient size to safely support the loads imposed as determined from the character of the soil. The foundation walls or piers shall extend at least six (6) inches above the finished grade adjacent to the wall at all points. The foundation walls or piers shall be directly below the load-bearing beams or stringers of the mobile home or modular home. If piers are used, they shall be installed pursuant to requirements of the home manufacturer and State Laws, except that design and specifications shall be provided by a Colorado Licensed Engineer for all "permanent foundations". Every mobile home and modular home shall be anchored in such a way as to resist wind loads established per the IRC and approved as per State Laws, except that design and specifications for anchoring shall be provided by a Colorado Licensed Engineer for all "permanent foundations". Foundations for all mobile homes and modular homes shall be level or shall be stepped so that both top and bottom of such foundation are level. After such foundations have been constructed, each mobile home or modular home shall have a wood or metal skirt firmly attached to all exterior walls and extended to the ground along the entire outside perimeter.
- 6) Pursuant to the Laws of the State of Colorado, Department of Housing, no permanent utilities are to be released to the home prior to the affixing of the installation-insignia, and Occupancy of the structure is prohibited prior to affixing the installation-insignia.

ARTICLE 6. - INTERNATIONAL MECHANICAL CODE

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Sec. 18-6-10. - Adoption.

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the mechanical code of the Town, for the purpose of providing minimum standards to protect persons, property and public welfare, by reference thereto, the International Mechanical Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.
- b) The adopted code regulates the design and installation of mechanical systems and appliances, appliance venting, duct and ventilation systems, combustion air provisions, hydronic systems and solar systems, issuance of permits and collection of fees therefor. Chapters 1 through 15 inclusive and all Appendix Chapters are hereby adopted by reference as the Town of Paonia Mechanical Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-6-30 below.

Sec. 18-6-20. - Copy on file.

At least one (1) copy of the International Mechanical Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-6-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

- a) Reference to “jurisdiction” in Section 101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) Section 106.5.2 (Fee schedule) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.
- c) Section 106.5.3 (Fee refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- d) Section 108 (Violations) is amended to read: Violations shall be processed pursuant to Article § 9 of this Chapter.

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- e) Section 109 (Means of appeal) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.

ARTICLE 7. – INTERNATIONAL FUEL GAS CODE

Sec. 18-7-10. - Adoption.

a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fuel gas code of the Town, by reference thereto, the International Fuel Gas Code, 2018 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795_

b) The subject matter of the adopted code includes regulations governing fuel gas systems and gas-fired appliances and the issuance of permits and collection of fees therefor. Chapters 1 through 8 inclusive and all Appendix Chapters are hereby adopted by reference as the Town of Paonia International Fuel Gas Code as if fully set out with the additions, deletions, insertions, and changes as set forth in Section 18-6-30 below.

Sec. 18-7-20. - Copy on file.

At least one (1) copy of the International Fuel Gas Code, 2018 edition, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person during regular business hours.

Sec. 18-7-30. - Amendments.

The code adopted herein is hereby modified by the following amendments:

- a) Reference to “jurisdiction” in Section 101.1 (Title) and elsewhere shall mean the Town of Paonia.
- b) Section 106.6.2 (Fee schedule) is amended to read: Fees shall be assessed as established by Resolution of the Town Board.

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- c) Section 106.6.3 (Fee refunds) is amended to read: Refunds shall be determined as established by Resolution of the Town Board.
- e) Section 108 (Violations) is amended to read: Violations shall be processed pursuant to Article 9 of this Chapter.
- f) Section 109 (Means of Appeal) is amended to read: Means of Appeal shall be initiated and addressed pursuant to Article 8 of this Chapter.
- g) Section 501.8 (Appliances not required to be vented) #8 (Hot plates and laundry stove) is hereby deleted.
- h) Section 621 (Unvented Room Heaters) is amended to read: Unvented Room Heaters are hereby prohibited.

ARTICLE 8 - BUILDING CODE BOARD OF APPEALS

Sec. 18-9-10. – Establishment and Purpose of Building Code Board of Appeals.

a) There is hereby created the Building Code Board of Appeals. Unless otherwise conflicted, the five (5) members of the Building Code Board of Appeals shall serve as the members of the Zoning Board of Adjustment. The Board of Appeals shall consist of five (5) members, who are qualified by experience and training to pass upon matters pertaining to building construction. In evaluating the qualifications and experience of the five (5) members, the qualifications in Appendix B of the version of the IBC adopted by the Town shall serve as guidance in selecting members to the Board of Appeals. (As adopted by 2021-03.)

b) The purpose of the Board of Appeals is to hear and decide appeals arising under the codes adopted by reference under this title, except with respect to the National Electric Code and International Plumbing Code. Zoning appeals pursuant to Chapter 16 shall be heard in accordance with Chapter 16.

c) Such Building Code Board of Appeals shall have jurisdiction to decide any appeals from a decision of the Building Official, or his/her designee, if the decision of the Building Official or his/her designee concerns suitability of alternate materials, method of construction or reasonable interpretations of the codes adopted pursuant to this title. Provided, however, the Building Code Board of Appeals shall not be entitled

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to hear appeals of life safety matters, or the administrative provisions of the codes adopted pursuant to this title, nor shall the Building Code Board of Appeals be empowered to waive requirements under said codes.

c) The Building Code Board of Appeals may adopt reasonable rules and regulations not inconsistent with this Code for conducting its business, meetings, and deliberations.

Sec. 18-9-20. Membership

Membership shall be as prescribed in Section 2-8-20, Zoning Board of Adjustment. Four of the five members shall be qualified by experience and training to pass upon matters pertaining to building construction. In evaluating the qualifications and experience of the four (4) members, the qualifications in Appendix B of the version of the IBC adopted by the Town shall serve as guidance in selecting members to the Building Code Board of Appeals.

Sec 18-8-30 –Appeal Procedures

a) Appeals to the Building Code Board of Appeals may be taken by any person aggrieved by a decision of the Building Official, or his/her designee, denying, issuing, or revoking a permit or in applying the provisions of this title or any code adopted by reference thereunder, to the construction, alteration, or repair of a structure.

b) Appeals to the Building Code Board of Appeals must be made in writing and filed with the Town Clerk no later than 4:30 p.m. of the tenth (10) day following the date of the decision of the Building Official, or his/her designee, by filing a written notice of appeal with the Town Clerk setting forth the decision appealed from and the grounds for said appeal. Upon receipt, the Town Clerk shall transmit the notice of appeal to the Building Official and the Building Code Board of Appeals.

c) In the event the tenth (10) day falls on a Saturday, Sunday or holiday, the next regular business day of the Town shall be deemed the tenth (10) day. The day of the action or decision shall not be included in the ten-day calculation.

d) An appeal to the Building Code Board of Appeals stays all proceedings in furtherance of the action appealed from, unless the Building Official, or his/her designee, from

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whom the appeal is taken, certifies to the Zoning Board of Adjustment after the notice of appeal has been filed with him or her that, by reason of facts stated in the certificate, a stay, in his or her opinion, would cause imminent peril to life and property, in which case proceedings shall not be stayed other than by a restraining order which may be granted by the Zoning Board of Adjustment or a court of record on application, on notice to the Building Official, or his/her designee, from whom the appeal is taken and on whom due cause is shown.

Sec. 18-8-30. - Scheduling of hearing.

Upon receipt of a notice of appeal, the Town Clerk shall schedule said appeal for hearing within thirty (30) days from the date of receipt of the notice of appeal. The Town Clerk shall thereupon mail written notice of the date, time, and place of the hearing to the Building Official, or his/her designee and to the appellant.

Sec. 18-8-40. - Hearing.

a) The hearing on the appeal from a decision of the Building Official, or his/her designee shall be public and shall permit the appellant and the Building Official, or his/her designee to call witnesses, introduce evidence, examine and cross-examine witnesses, and otherwise provide each of the parties with due process of law.

b) At hearings, all witnesses shall be sworn-in, and the Chairperson will utilize such procedures as the Building Code Board of Appeals finds will ensure fairness and efficiency. The Building Code Board of Appeals shall not be required to observe formal rules of evidence but may consider any testimony or other evidence the Building Code Board of Appeals finds reasonably reliable and calculated to aid the Building Code Board of Appeals in reaching an accurate determination of the issue involved. Rulings on questions of procedure, admissibility of evidence, and exhibits will be made by the Chairperson and will stand unless objected to by a member of the Building Code Board of Appeals, in which event the question will be decided by a majority vote of the members of the Board present.

c) The Building Code Board of Appeals shall have the authority to review any written final decisions of the Building Official regarding the suitability of alternate materials, methods of construction, or regarding the technical application and interpretation of the building codes adopted by reference, and any amendments thereto, within this Chapter 18. The Building Code Board of Appeals shall also be authorized to issue advisory opinions and policies regarding such matters at the request of the building official. The Building

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Code Board of Appeals shall not have the authority to waive requirements of any such code, nor shall the Building Code Board of Appeals have the authority to recommend decreasing public safety or fire- resistive standards set forth in any section of such codes. A decision of the Board shall not be considered a precedent for future decisions of the building official. The Building Code Board of Appeals shall act in each instance based upon the facts presented in the appeal.

d) In the event of a conflict between any building codes adopted by the Town and this Chapter 18, Article 9, the Town Code shall take precedent. Notwithstanding the foregoing, for any matter which the Town Code is silent, the Building Code Board of Appeals shall take into account direction and guidance from the relevant building code(s).

Sec. 18-8-50. - Decisions.

Building Code Board of Appeals, shall issue its findings and decision of a majority of the members on an appeal in writing no later than thirty (30) days after the conclusion of the hearing. The Town Clerk shall mail copies of the findings and decision to the Building Official, or his/her designee and the appellant.

Sec. 18-8-60. - Appeals from the board.

Any decision issued by the Building Code Board of Appeals filed under this chapter shall be final. Any further appeal from the decision of the Building Code Board of Appeals shall be made to the District Court as provided by law.

ARTICLE 9. – VIOLATIONS

Sec. 18-9-10. - Violations – Penalty.

a) Except as may otherwise be provided in this title, any person, firm, or corporation violating any of the provisions of this title shall be deemed guilty of a municipal misdemeanor and subject to the Town’s general penalty provision, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this title is committed, continued or permitted. Said offense shall be deemed to be one of “strict liability.” Only the Town of Paonia, by and through its Building Official, or his/her designee, the Town Attorney, or the Police Department, shall be permitted to initiate the filing of a complaint in the

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Paonia Municipal Court for violation of any of the provisions of this title and the primary codes adopted by reference herein.

b) In the event any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used, or maintained in violation of this title or any primary code adopted by reference herein, the Town Attorney, upon request of the Building Official or the Town Manager, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus, or abatement to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance, or use, in any court of competent jurisdiction.

TOWN OF PAONIA, COLORADO

RESOLUTION NO. 01-2023

DESIGNATION OF PUBLIC PLACE FOR THE POSTING OF NOTICES OF PUBLIC MEETINGS AND THE OFFICIAL PUBLICATION NEWSPAPER OF GENERAL CIRCULATION FOR THE TOWN OF PAONIA, COLORADO.

WHEREAS, during the 1991 Legislative session, the Colorado State Legislature passed legislation under Senate Bill 33 providing for requirements of municipal governments, as well as other local public bodies, concerning public meetings; and

WHEREAS, C.R.S. 24-6-402, as amended by Senate Bill 33, provides that timely notice of any public meeting be posted in a designated public place within the boundaries of the local public body no less than twenty-four (24) hours prior to the holding of any such meeting; and

WHEREAS, all public bodies are required by state law to publish certain notices in newspaper(s) of general circulation; and

WHEREAS, all public bodies are required to designate annually at their first regular meeting the place or places where such public notices are to be posted.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, that notices of all public meetings requiring a minimum of twenty-four (24) hours prior notice by posting at a designated public place pursuant to Senate Bill 33 (C.R.S. 24-6-402) shall be posted in the following place:

Town Hall, 214 Grand Avenue, Paonia, Colorado

The Official Publication newspaper of general circulation is:

Delta County Independent (DCI), Delta, Colorado

ADOPTED this 10th day of January 2023, by the Town Board of Trustees of the Town of Paonia.

TOWN OF PAONIA, COLORADO

Mary Bachran, Mayor

ATTEST:

Amanda Mojarro – Interim Town Clerk

RESOLUTION NO. 02-2023

A RESOLUTION DESIGNATING HOLIDAYS FOR THE TOWN OF PAONIA FOR THE YEAR 2023

WHEREAS, the Town of Paonia is governed by the laws of the State of Colorado; and

WHEREAS, it is in the best interest for the functioning of the Town of Paonia to designate holidays recognized by the Town of Paonia, and

WHEREAS, two new national holidays were declared by the United States government; Indigenous People’s Day in 2021 and Juneteenth in 2022;

NOW, THEREFORE, LET IT BE RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF PAONIA THAT;

The Town of Paonia will observe the following adopted holidays and offices will be closed:

Holiday:	Date Town Office is Closed:
New Year’s Day	Sunday, January 01 (observed) Monday, January 02
Martin Luther King Day	Monday, January 16
President’s Day	Monday, February 20
Memorial Day	Monday, May 29
Labor Day	Monday, September 4
Veterans Day	Saturday, November 11 (observed) Friday, November 10
Thanksgiving Day	Thursday, November 23 & Friday, November 24
Christmas Day	Monday, December 25

And the Town of Paonia will designate the following holidays as recognized holidays:

Holiday:	Date Town Office is Closed:
Juneteenth	Monday, June 19
Columbus/Indigenous	Monday, October 9

This Resolution passed by a vote of the Board of Trustees for the Town of Paonia. INTRODUCED, READ, APPROVED AND ADOPTED this 10th day of January 2023.

By: _____
Mary Bachran, Mayor

Attest:

Amanda Mojarro, Interim Town Clerk

TOWN OF PAONIA REQUEST TO BE PLACED ON AGENDA

PO Box 460
Paonia, CO 81428
970/527-4101
paonia@townofpaonia.com

Here are things you need to know:

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

Please complete the following information and return this form no later than the Monday, a week prior to the Board meeting to the above address or bring it to the Town Hall at 214 Grand Avenue.

Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.

Regular Board meetings are scheduled for the second and fourth Tuesdays of each month.

Name of person making presentation: Ben Katz

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

Is this a request for Board action? Yes No

Please provide a summary of your comments:
We would like the board to sign a support letter for the Thompson Divide Mineral withdrawal happening on public lands in the North Fork Valley watershed. Sample support letter to be provided

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

Contact information:

Name: Ben Katz
Physical Address: 201 Poplar Ave
Mailing Address: _____
E-mail: ben@theconservationcenter.org
Daytime Phone: 203 521 5134

Office Use Only:
Received: 1/05/23 SMR
Approved for Agenda: yes
Board Meeting Date: 1/10/23



Doug Vilsack, State Director
Bureau of Land Management
Colorado State Office
2850 Youngfield Street
Lakewood, Colorado 80215
Via email: blm_co_statedirector@blm.gov & BLM_CO_Thompson_Divide@blm.gov

Dear Mr. Vilsack,

We are writing to express our strong support for the proposed Administrative Mineral Withdrawal for the Thompson Divide. It would provide meaningful protection for revered public lands on the White River and Gunnison National Forests, essential public lands to the Town of Paonia.

The Thompson Divide occupies nearly 225,000 acres of prime, mostly roadless, wildlife habitat, including a dozen watersheds that provide clean water to domestic and agricultural users in Western Colorado. The Divide is relied upon by local grazers for summer range and it is important for sportsmen and recreationists. Existing values in the area support hundreds of jobs and contribute tens of millions annually to local communities, including Paonia. The public lands in the Thompson Divide support our communities' quality of life and support our sustainable outdoor recreation-driven economies.

The Town of Paonia have long been proponents of protecting the Thompson Divide and have supported legislation like the Thompson Divide Withdrawal and Protection Act and the Colorado Outdoor Recreation and Economy Act, which would permanently protect these lands from oil and gas development. We can think of no reason why this area shouldn't be withdrawn from new oil and gas leasing and mining for the next 20 years under the Federal Lands Policy and Management Act (FLPMA) until a permanent legislative solution is passed in Congress.

Millions of people visit the Western Slope of Colorado each year, and our federal public lands contribute immeasurable to our economy and way of life, but we must have the vision to protect these landscapes and conserve wildlife habitat. We believe this administrative withdrawal will provide important interim protections for this critical area and urge the Departments of the Interior and Agriculture to proceed quickly and for this process to remain a priority.

Thank you for your consideration of this issue.

XX,
Town of Paonia Town Council

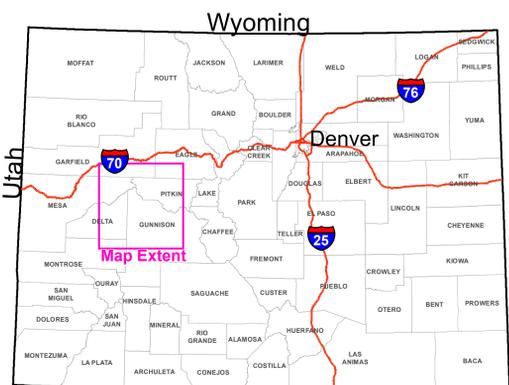
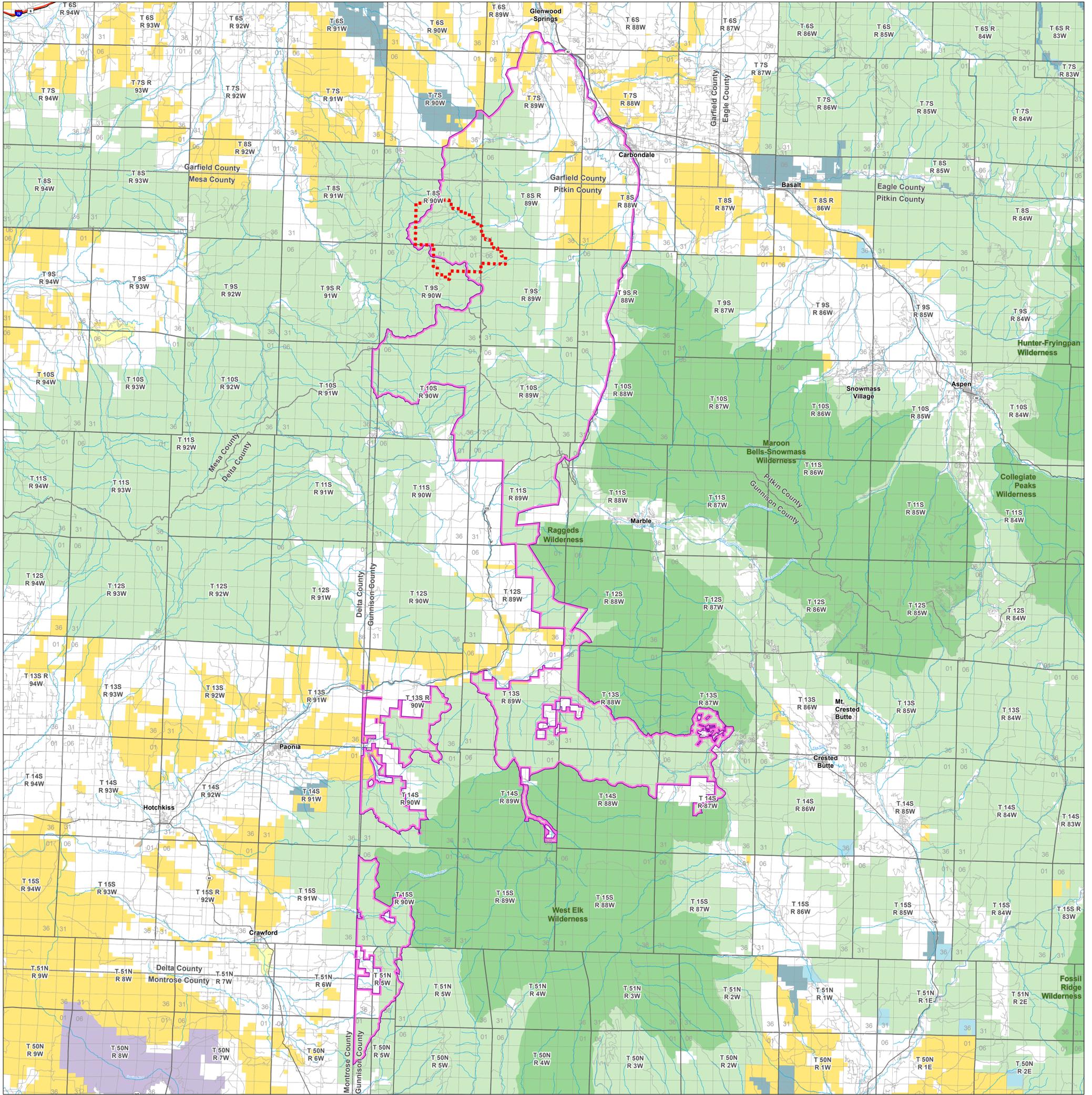


CC: Secretary of Agriculture Tom Vilsack
Secretary of the Interior Deb Haaland
Senator Michael Bennet
Senator John Hickenlooper
Congressman Joe Neguse
Governor Jared Polis

Greater Thompson Divide Area Map

September 22, 2016

This map prepared at the request of Senator Michael Bennet



0 5 10 20 Miles

1:130,000

This map is intended to be plotted at 34 x 44 in.

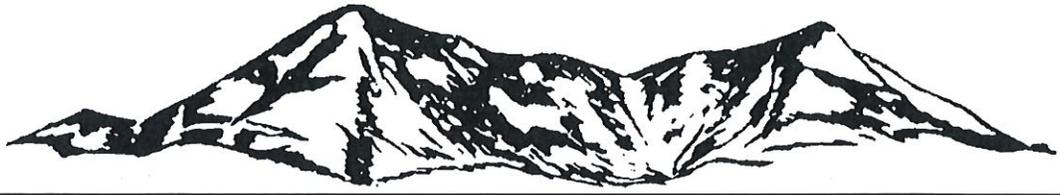
- Thompson Divide Withdrawal and Protection Area
- Wolf Creek Storage Agreement
- County Boundaries
- Streams & Rivers

- Interstates
- U.S. Highway
- State Highway
- County & Main Roads
- Bureau of Land Management
- Bureau of Reclamation
- National Park Service
- Other Federal
- State
- State, County, City; Areas
- US Forest Service
- USFS Wilderness Area

NO WARRANTY IS MADE BY THE BUREAU OF LAND MANAGEMENT FOR USE OF THE DATA FOR PURPOSES NOT INTENDED BY BLM.

This map was produced by the BLM Colorado State Office, Sep. 22, 2016. Document Path: T:\COCS\gis\work\osgeo\projects\legislative_images\2016\Thompson_Divide\mxd\Greater_Thompson_Divide_Area_Map.mxd

Town of Paonia
P.O. Box 460
Paonia, CO 81428-0460



Senator Michael Bennet
Senator Cory Gardner
Representative Joe Neguse
Representative Scott Tipton

Dear Members of the Colorado Congressional Delegation:

We are writing to express our strong support for the Colorado Outdoor Recreation and Economy Act (CORE Act). We appreciate the leadership of the Colorado delegation to protect public lands in Colorado, and in particular the leadership of Senator Michael Bennet and Representative Joe Neguse for introducing this legislation. Our public lands support our communities' quality of life and support our sustainable outdoor recreation-driven economies. Of particular benefit to the Town of Paonia are Thompson Divide Withdrawal and Protection Act and Curecanti National Recreation Area Boundary Establishment Act within the CORE Act.

Thompson Divide - In particular, we appreciate that the CORE Act carries forward protections that balance conservation and recreation that we have long supported in the Thompson Divide Withdrawal and Protection Act, which was introduced last Congress. The Thompson Divide Withdrawal and Protection Act has enjoyed consistent and broad [support](#) from local governments and diverse stakeholders for years. The bill has enjoyed support from Gunnison and Pitkin Counties, eight local municipalities, and a wide array of local businesses and organizations. Individual supporters come from all walks of life and all political persuasions, and include ranchers, sportsmen, private landowners, recreation groups, small business owners, skiing companies, and many more. A version of the Thompson Divide Withdrawal and Protection Act was most recently introduced by Sen. Bennet in March of 2017 (S. 481).

Curecanti National Recreation Area - We appreciate that the CORE Act formally establishes the boundaries and management of the Curecanti National Recreation Area. Curecanti National Recreation Area deserves official recognition within the National Park System, managed by its dedicated staff, and celebrated for the significant benefit it brings to the local economy. The CORE Act will ensure proper management of Curecanti NRA that will enable locals and tourists alike to enjoy the natural resources of the lands surrounding our community.

The four elements of the CORE Act are all reflective of and accountable to the needs and interests of diverse stakeholders, with carefully drawn boundaries and thoughtful designations. We are appreciative that these proposed designations were locally developed to address existing and future recreation, wildlife habitat, wildfire management, agricultural and water supply needs.

Millions of people visit the central mountains and western slope of Colorado each year, and our federal public lands contribute immeasurably to our economy and quality of life. But we must have the vision to protect what is wilderness, create ongoing opportunities for sustainable recreation, and conserve wildlife habitat. We believe that the CORE Act strikes that balance.

We hope that Colorado's congressional delegation will prioritize passage of the CORE Act in the 116th Congress.

Sincerely,

Kenneth D. Knight
Town Administrator – On Behalf of the Paonia Board of Trustees

City of Glenwood Springs and Town of Carbondale

January 5, 2022

Doug Vilsack, State Director
Bureau of Land Management
Colorado State Office
2850 Youngfield Street
Lakewood, Colorado 80215
Via email: blm_co_statedirector@blm.gov & BLM_CO_Thompson_Divide@blm.gov

Dear Mr. Vilsack,

For over a decade and with broad-based support from local citizens, the Town of Carbondale and the City of Glenwood Springs have consistently supported conservation of public lands in the Thompson Divide. The Divide is a landscape that is critical to our local economy, home to valuable wildlife habitat and incredible recreational opportunities, and sustains some of the oldest ranching operations in the region. We continue that support today and urge you to implement the recently proposed administrative withdrawal of public lands and minerals within the Thompson Divide.^[1]

Our work to protect Thompson Divide began many years ago. In 2009, the Town of Carbondale and the City of Glenwood Springs resolved that community, environmental, and economic values in the Divide “deserve preservation and protection,” and supported “efforts of the Thompson Divide Coalition to explore legislative initiatives and other opportunities to protect these special areas from energy development.” See Exhibits 1 and 2.

In 2010, Trustees of the Town of Carbondale adopted Resolution No. 9 Series of 2010 reciting the unique existing values in the Thompson Divide, indicating that “[e]nergy development in the area would have a deleterious impact on the rural character, ranching heritage and agricultural heritage... and would forever ruin the wild character and exceptional wildlife habitat it now offers.” The resolution endorsed the Thompson Divide Withdrawal and Protection Act and supported “immediate introduction of the Thompson Withdrawal and Protection Act legislation to secure permanent protection of the Thompson Divide...” See Exhibit 3.

Also in 2010, the Mayors of Carbondale and Glenwood Springs sent letters to Rep. John Salazar reciting support of the Thompson Divide Coalition and for the aims of the

Thompson Divide Withdrawal and Protection Act, and requesting introduction of the Act “during this session in order to move this effort forward.” See Exhibits 4 and 5.

In 2012, Glenwood Springs City Council passed Resolution 2012-21 supporting a bill drafted by Senator Bennett to provide a middle ground for the conflict; the draft bill presented an option that would have withdrawn unleased public minerals in the area from future oil and gas development while also preserving existing private property rights for current leaseholders. See Exhibit 6. Unfortunately, after being referred to the Committee on Energy and Natural Resources, no further action was taken.

Carbondale also passed Resolution No. 15 Series of 2012, once again supporting withdrawal and protection of federal lands including the Thompson Divide. See Exhibit 7.

In 2015, the Mayors of Carbondale and Glenwood Springs joined leaders from other local communities in signing a letter to BLM reiterating “the need to conserve certain public lands in the Thompson Divide” and stating that: “our communities have long supported a legislative solution to address conflicts that exist in the Thompson Divide area.” See Exhibit 8.

In 2019, the Town of Carbondale and the City of Glenwood Springs sent letters to Sen. Michael Bennet, Sen. Cory Gardner, Rep. Scott Tipton, and Rep. Joe Neguse declaring support for “provisions of the CORE Act that will protect public lands in the Thompson Divide with a permanent withdrawal from availability for future leasing...” See Exhibit 9 and 10.

In 2022, the Glenwood Spring City Council and the Town of Carbondale Trustees sent letters to President Biden urging executive action to help protect this special place, and specifically encouraging the President to implement a 20-year mineral withdrawal for the Thompson Divide under the Federal Lands Policy and Management Act. The letter underscored continued support for passage of the Colorado Outdoor Recreation and Economy (CORE) Act, but noted the need for more immediate action. See Exhibits 11 and 12.

In October, we were pleased when the White House, in partnership with officials from the Departments of Interior and Agriculture, announced that it would begin consideration of an administrative withdrawal for Thompson Divide and other nearby treasured landscapes such as Mt. Emmons, and initiated a two-year segregation that will prohibit new mining claims and the issuance of new Federal mineral leases in the area. We support the administrative withdrawal and the meaningful interim protection that it will

provide while a permanent legislative solution works its way through Congress. We hope that the administrative withdrawal remains a priority for the Departments of Interior and Agriculture and proceeds quickly. We look forward to fully engaging in the process early and throughout as cooperating agencies.

Thank you for your attention to this issue.

Sincerely,

Jonathan Godes, Mayor
City of Glenwood Springs

Ben Bohmfalk, Mayor
Town of Carbondale

CC: Secretary of Agriculture Tom Vilsack
Secretary of the Interior Deb Haaland
Senator Michael Bennet
Senator John Hickenlooper
Congressman Joe Neguse
Governor Jared Polis

[1] See Notice of Proposed Withdrawal and Public Meeting, Thompson Divide Area, Colorado, 87 Fed. Reg. 62,878 (Oct. 17, 2022), available [here](#)

**FIRST AMENDMENT TO INTERIM TOWN ADMINISTRATOR
INDEPENDENT CONTRACTOR AGREEMENT**

This **FIRST AMENDMENT TO INTERIM TOWN ADMINISTRATOR INDEPENDENT CONTRACTOR AGREEMENT** (“First Amendment”) is made and entered into as of the 7th day of January, 2023, by and between the **Town of Paonia**, a Colorado municipal corporation (“Town”), and **Sustainable Futures LLC**, a Colorado limited liability company (“Contractor”) (sometimes referred to together as the “Parties”).

WHEREAS, the City and Contractor are parties to that certain Interim Town Administrator Independent Contractor Agreement, dated November 9, 2022 (the “Original Agreement,” and together with this First Amendment, the “Agreement”), the term of which Original Agreement expires January 7, 2023; and

WHEREAS, the Parties desire by this First Amendment to amend the Original Agreement to extend the term of the Agreement to March 7, 2023, and to authorize further extensions in one (1) month increments, subject to the terms and conditions of this First Amendment.

NOW THEREFORE, in consideration of the foregoing and the mutual promises contained herein and in the Original Agreement, the Parties agree as follows:

Section 1. The term of the Agreement is hereby extended through at least March 7, 2023 (the “initial term”). Thereafter, the parties may agree in writing to extend the term of the Agreement in one (1) month increments, for up to four (4) additional months (each, an “extension term”). The Mayor, on behalf of the Town, may authorize one or more extension terms without prior approval of the BOT if the Mayor reasonably determines the BOT will not appoint a permanent Town Administrator within two (2) weeks of the commencement of the applicable extension term. Otherwise, extension terms shall be authorized only with approval of the BOT.

Section 2. Should the Town desire not to renew the Agreement following the initial term or any extension term, the Town shall use all reasonable efforts to provide the IA with written notice of nonrenewal at least fifteen (15) days’ prior to the expiration of the initial term or extension term, as applicable.

Section 3. Section 9 of the Original Agreement is amended to read as follows (words added are double underlined; words deleted are ~~stricken through~~):

- 9. Availability: IA may schedule her hours (average 30 ~~24~~ per week) to have a Friday and Monday off, assuming there are no pressing or scheduled town matters. IA has informed the BOT that she will not be available Wednesday - Friday of the Thanksgiving holiday and Thursday to Monday of the Christmas holiday.

Section 4. Section 12(E) of the Original Agreement is amended to read as follows (words added are double underlined; words deleted are ~~stricken through~~):

E. IA will provide approximately 30 ~~24~~ hours per week on average (excluding travel time) as the Town needs in any given week, which hours may be more or less adjusted up or down as needed. IA agrees to be onsite for the Regular Board meetings scheduled on the 2nd and 4th Tuesday evenings of the month. IA may perform other work remotely unless otherwise directed by the BOT.

Section 5. Section 13 of the Original Agreement is amended to read as follows (words added are double underlined; words deleted are ~~stricken through~~):

13. Termination: If BOT terminates this Agreement for any reason not specifically stated in this Section, or for no reason at all, before the expiration of the initial term or any duly-commenced extension term of this Agreement (~~January 7, 2023~~), then BOT shall immediately pay IA \$2040 per full week remaining under the then-current term. However, if IA is terminated due partially or wholly on a conviction for a state criminal or federal act, other than traffic offenses, a misdemeanor traffic offense, Class 2 or 3 misdemeanors, petty offense, the Town has no obligation to pay beyond the last day for which services were performed. In addition, for work-related conduct which constitutes a material breach of this Agreement, or willful or wanton acts or resulting in gross negligence, the Town has no obligation to pay beyond the last day for which services were performed. IA may not terminate this Agreement for IA’s convenience.

Section 6. The IA’s appointment as Interim Town Administrator will expire automatically upon the Town’s appointment of a permanent Town Administrator. However, the IA agrees to remain under contract with the Town as a consultant, for the purpose of assisting the Town in the transition to the permanent Town Administrator, for *the longer of*:(i) the remainder of the initial term or then-current extension term, (ii) a period of two (2) weeks, or (iii) for such period of time as the parties agree in writing (the “consultant term”). Unless otherwise directed by the BOT, such transitional consulting services shall be provided remotely, at the hourly rate set forth in Section 4 of the Original Agreement. The terms and conditions of the Agreement shall continue in effect during the consultant term, except as may conflict with the powers and duties of the permanent Town Administrator.

Section 7. The Original Agreement, as amended by this First Amendment, is hereby ratified and confirmed and shall remain in full force and effect and binding upon the Town and IA in accordance with its terms. Any capitalized term not defined herein shall have the meaning assigned to it in the Original Agreement.

IN WITNESS WHEREOF the Parties have executed this First Amendment on the date first above written.

SUSTAINABLE FUTURES LLC

TOWN OF PAONIA

By: _____
Leslie Klusmire, Principal

By: _____
Mary Bachran, Mayor

ATTEST:

Amanda Mojarro, Deputy Town Clerk

DRAFT

Town of Paonia

Administrator Job Description

Job Summary

Paonia is a statutory Town and provides a full range of public services, including a Police Department, ~~Municipal Utilities~~ Public Works (water, wastewater, and trash), ~~Infrastructure~~ (drainage streets, curb and gutter, sidewalks, airport, and public buildings facilities), and ~~P~~arks. The town employs a total of 22 full-time employees.

Commented [PS1]: Is this number correct?

This position is at will and serves at the pleasure of the Mayor and Board of Trustees.

Under a Mayor-Board of Trustees form of government, the Town Administrator manages and oversees, ~~and directs~~ Town operations and services at the direction of ~~to meet~~ the Board of Trustees (Board)' goals, policies, objectives and ensures consistent adherence with Town of Paonia Municipal Code.

The Town Administrator shall have specific duties as follows:

- Be responsible for the enforcement of laws and ordinances for the Town;
- Recruit, hire, evaluate, suspend, transfer, and remove Town employees for cause subject to the provisions of C.R.S. (except the Town Judge, Chief of Police, and Town Attorney), except as otherwise provided by Town policy, determine work procedures and priorities;
- Make appointments on the basis of executive and administrative ability, training, and experience related to the work which they are to perform;
- Cause a proposed budget to be prepared annually and submit it to the Board and be responsible for the administration of the budget after its adoption;
- Prepare and submit to the Board at the end of the fiscal year a complete report on finances and administrative activities of the Town for the preceding year, and make written and verbal reports at least monthly, and at any time requested by the Board concerning the affairs of the Town;
- Keep the Board advised of the financial condition and future needs of the Town and make such recommendations to the Board for adoption as he/she may deem necessary or expedient, provide quality financial reports to the Board;
- Exercise supervision and control over all applicable executive and administrative departments, and recommend to the Board any proposal he/she thinks advisable to establish, consolidate, or abolish administrative departments;
- Be responsible for the enforcement of all terms and conditions imposed in favor of the Town in any contract or public utility franchise, and upon knowledge of any violation thereof, report the same to the Board for such action and proceedings as may be necessary to enforce the same;

Commented [PS2]: Need to insert a C.R.S. reference.

Commented [LK3]: This is a typical responsibility for the Town Administrator. I understand this not currently the case in Paonia.

- Attends all meetings of the Board and participates in discussions in an advisory capacity. May also be requested to attend various Board Committee meetings, including Finance, Personnel, Water/Sewer/Trash, Streets, Parks, and Public Safety.
- Coordinates with the Mayor and Town Clerk to develop agendas for Board, Planning Commission, Tree Board and Zoning Board of Adjustment/Building Code Board of Appeals meetings; prepares well-researched staff reports with recommendations for these meetings as necessary.
- Establish a system of accounting and auditing for the Town which shall reflect, in accordance with generally accepted accounting principles, the financial condition of the Town;
- Establish, subject to approval by the Board, appropriate personnel rules and regulations governing officers and employees of the Town in conformance with the **Town's Personnel Policy**;
- Recommend to the Board for adoption such measures, resolutions, acts and policies as the Town Administrator may deem necessary or desirable for the efficient and proper operation of the Town and the performance of its functions;
- Provide professional advice to the Board and track Board direction and inquiries.
- Formulate and recommend policies and procedures for the Town and communicate official plans, policies, and procedures to staff and the public. Make formal presentations as necessary.
- Prepare and review operational, administrative, and other special reports.
- Receive general policy direction from the Board and follow up with appropriate staff or outside organizations to take necessary action. Serve as leader of the "executive leadership team," implementing Town goals, values, culture, long and short-range planning, policies, procedures, and practices consistent with the goals of consistent improvement;
- Be responsible for the preparation of plans and specifications, estimating cost, advertising for bids, supervision, and approval of any public work or special improvement;
- Establish and maintain proper relationships with other levels of government and public service agencies and conduct all business negotiations between them and the Town, the nature of which does not require the personal attention of the elected officers of the Town-Board or Mayor;
- Provide effective and efficient customer service both internally and externally:
 - Create and retain effective working relationships throughout the organization and in the community;
 - Respond to Board and citizen requests for information and assistance;
 - Respond to citizen inquiries and concerns on behalf of the Town including investigation, research and problem solving;
 - Maintain critical sensitive and confidential communication;
 - Utilize diplomacy, communication, and conflict management skills;
 - Investigate and resolve complaints;
 - Negotiate and execute economic and intergovernmental agreements in the interest of the Town;
- Issue such administrative regulations and outline general administrative procedures in the form of rules which are not in conflict with the Town Code, the **Personnel regulations of the Town** and the laws of the State. Review, recommend and implement the Town's **Personnel Policies and Procedures**. Oversee other Town operational regulations, Town's compensation, and evaluation systems;

Commented [PS4]: The Tree Board is established by Ordinance. Should the agendas be formalized as with the other formally established boards?

Commented [PS5]: Yellow highlighted text here and below refers to "Personnel Policy" and "Personnel Policies and Procedures." Do such policies and procedures exist for the Town of Paonia? Are these the equivalent of the Personnel Handbook?

- Act as an ex-officio member of all agencies, boards, commissions, and bureaus established by the Town;
- Must be familiar with Surveys grant and loan funding opportunities, be proficient in grant writing prepares competitive grant and loan applications, submits grant and loan applications, controls grant and loan financing, implements grants and loans, and ensures that proper management and reporting is conducted as needed for any upon grant or loan awarded.
- Oversees records and accounting systems:
 - Works closely with the Town Clerk to ensure that all public recordkeeping is conducted in a manner as required for local governments and supports and reflects Town adopted policies and procedures.
 - Ensures that the Board of Trustees receives a budget to actuals accounting each month and any other financial documents necessary to keep the Board fully informed of the financial condition of the Town.
 - Properly stewards the management of Town funds; works with the Finance Director/Treasurer in the development and administration of the annual Town budget, submits budget recommendations to the Mayor/Board of Trustees and monitors expenditures to ensure adherence with the adopted fiscal budget and the Town purchasing policy;
- Participates with the Finance Officer/Treasurer to provide the independent in cooperation with the Auditor contractor with any and all available information requests, and ensures timely to create a financial audit for each fiscal year for submission to the State of Colorado of the budget as approved by, after approval by the Board;
- Responsible for hiring and supervision of the Building Inspector, Clerk, Finance Officer/Treasurer (in coordination with the Board of Trustees) and Public Works Director, Public Utilities Director, and Police Chief. ;
- Must be familiar with the Town Municipal Zoning Code/designations and ensure consistent application regarding proposed changes, annexation/de-annexation and requested variances and the Administrator’s role in these processes as required by Town Municipal Code;
- Must be familiar with Ensure that Colorado state law regarding Open Meetings and Open Records is followed and advises Board as to the best practices for compliance;
- Oversees all professional and consulting service agreements entered into by the Town, including engineering, architectural, financial, planning & zoning, human resources, etc.
- Oversees all town purchases to ensure spending, reporting and approval from the Board is conducted in accordance with the Town’s Purchasing Policy and falls within allocated budget categories and level of spending.
- Tracks state and federal legislation that impacts the Town; consults with Department heads and Town Attorney regarding legislative issues and needed ensures that implementing policies/ordinance and ordinances are recommended development for to the Board for consideration and adoption;
- Works Consults with the Town Attorney regarding legal issues involving the Town and reports outcomes to the Board of Trustees.
- Must ensure Ensures that the Town’s website is up-to-date and provides information in a way that is consistent, written in a public friendly format and that the website is easy to navigate; and for the public, Mayor/Trustees, prospective vendors, and job applicants.
- Perform such other duties as may be prescribed by ordinance or required by the Board which are not inconsistent with state statute.

Commented [PS6]: Leslie mentioned that some of this delegation is unclear. If the Board wants final hiring authority, that needs to be clear. According to the code, the Board hires the Police Chief which she recommends keeping. She also recommended having the Administrator hire the Clerk. The BOT then would appoint that person as the Town Clerk OR could appoint someone else as Town Clerk. The employee Clerk does not have to be the employee who does the work of the job, although appointing the Clerk employee as the Town Clerk is recommended.

~~Attends all meetings of the Board of Trustees and participates in discussions in an advisory capacity. May also be requested to attend various Town Trustee Committee meetings, consisting of Finance, Personnel, Water/Sewer/Trash, Streets, Parks, and Public Safety.~~

~~Coordinates with the Mayor on agenda setting for two regular meetings held monthly; recommends Board of Trustees action on ordinances, resolutions, contracts, and other matters as appropriate.~~

~~Works closely with the Board of Trustees appointed Town Clerk to ensure that all public recordkeeping duties of the position are being conducted in a manner that supports work of the Administrator and reflects Town adopted policies and procedures.~~

~~Must demonstrate effective stewardship of Town funds; works with the Finance Director/Treasurer in the development and administration of the annual Town budget in compliance with Colorado municipal budget laws, submits budget recommendations to the Mayor/Board of Trustees and monitors all expenditures to ensure adherence with the adopted fiscal budget.~~

~~Prepare and submit to the Town Board of Trustees at the end of the fiscal year a complete report on finances and administrative activities of the Town for the preceding year.~~

~~Keep the Trustees advised of the financial condition and future needs of the Town and make such recommendations to the Trustees as deemed necessary or expedient.~~

~~Serves as Human Resources Officer (unless otherwise assigned) and manages Department heads to obtain effective and efficient use of budgeted funds, personnel, materials, facilities, and time.~~

~~Conducts regular staff meetings to establish project priorities and ensure coordination of such information between staff and the Board of Trustees.~~

~~Must be familiar with and consistently apply the Town Municipal Building Code including all International Building Code adopted by reference.~~

~~Must be familiar with the roles of the Planning Commission and the Zoning Board of Adjustments and support both as needed to ensure adherence to Town Municipal Code.~~

~~Ensure that the Town servicing of drinking water, sewage treatment and trash collection are conducted consistently, efficiently, and within budget.~~

~~Must be familiar with state law and Town Municipal Code regarding marijuana stores operating within the Town.~~

~~Facilitate the revision and implementation of the Comprehensive Plan for the Town.~~

Commented [PS7]: Leslie recommends that this be included in the Clerk job description. She did not recommend having the same person responsible for hiring and discipline authority also serving as the human resources officer.

Commented [PS8]: Leslie indicated that it is a rare Administrator who is also a building code expert. She would not apply for a job with this requirement. The Administrator supervises the building inspector but does not have the certifications or expertise of a building inspector.

Commented [PS9]: Leslie identified this as the responsibility of the Public Works (PW) Director, not the Administrator. The Administrator supervises the PW Director.

Commented [PS10]: Leslie recommends this as a Town Clerk function. The Administrator can supervise the Town Clerk to make sure this is happening. It requires highly specialized training for Clerks, not Administrators.

Essential Qualifications

Education:

Bachelor's degree from an accredited four-year college or university. Preference is for a degree earned with a major in Public Administration, Public Policy, Business Management, or a related field is required. However, a bachelor's degree in another major will be considered if accompanied with at least five years of experience in positions that require skills and abilities directed related to those required for a Town Administrator.

Commented [PS11]: Suggested by Leslie to allow for a broader set of degrees that can fulfill this requirement. Her BS degree is in Landscape Architecture.

Experience:

Four (4) years of progressively responsible experience in a municipality, county, or other local government and a minimum of two (2) years of supervisory experience.

Commented [PS12]: Leslie felt this requirement can inadvertently disqualify women in particular who have had to make job decisions based on spouse and family obligations.

Or, An equivalent combination of education and experience to fulfill the essential functions, duties, and responsibilities and provide the necessary knowledge, skills, and abilities may be considered.

Necessary Knowledge, Skills, and Abilities

Knowledge of:

- Local governmental functions and principles and practices of public administration including operations, analysis, and budgeting.
- State of Colorado Municipal law (CRS Titles 29 and 31) and Paonia Town Code, resolutions, policies, and fee schedules.
- Principles, practices and application of strategic planning, performance measurement and required public relations to ensure success.
- Fiscal laws and best practices including GASB municipal public finance administration and practices, and those specific to Colorado such as GASB, Tabor and the Gallagher Amendment and municipal public finance administration and practices.
- Risk management and insurance issues.
- Employment laws such as FLSA, ADA, HIPPA, COBRA, Worker's Compensation, Unemployment and the Family Medical Leave Act.
- ~~Local law enforcement rules, regulations and Colorado Peace Officers Standards and Training certification.~~
- ~~Basic public park management.~~
- ~~Basic drinking water and wastewater distribution and Colorado Department of Public Health and Environment water quality requirements.~~

Commented [PS13]: Each of the last three bulleted entries would be the responsibly of respective department heads -Police Chief for the first and the Public Works Director for the last two.

Skilled in:

- Public outreach: including a keen awareness of the need to maintain public engagement through a variety of diverse approaches and tools, including website content, social media, and other methods which will best engage with Paonia culture.
- Preparing and presenting written and oral reports.
- Communicating effectively with a wide variety of people, including the Board of Trustees, department heads, employees, and representatives of other governmental agencies.
- Successful grant writing with a solid working knowledge of the grant writing process and a track record of successfully securing and managing grant funding.

Ability to:

- Hire, organize, assign, and review work of staff; and able to effectively motivate, develop and discipline staff.
- Plan and coordinate a variety of problem-solving and fact-finding projects.
- Manage multiple projects concurrently and prioritize and delegate work effectively
- Work well under pressure.
- Explain and interpret Town policies, procedures, and functions.
- Establish realistic goals and priorities and attain them.
- Negotiate to find solutions to complex and multi-layered problems and issues.
- Maintain effective working relationships with the public, media, Board of Trustees, employees, and citizens, especially in cases of political significance or high sensitivity.
- Learn and retain technical and complex information, terminology, policies, and procedures.
- Prepare and present ideas and findings clearly and concisely in written, oral, and graphic form using proper sentence construction, punctuation, and grammar.
- Carry out complex oral and written instructions.
- Research and prepare complex reports.
- Work well independently and with others to establish and attain objectives.
- Organize workflow and manage time effectively.
- Ensure accountability within the organization and demonstrate integrity, ingenuity, and inventiveness in the performance of assigned tasks.
- Create and maintain good working relationships with contractors, grantors, state and other local government agencies and personnel.

Challenges To be Addressed by the Town of Paonia

- ~~Moratorium on the sale of water taps/additional demands for water enacted in 2020 by local voters after a serious failure of the Town's water treatment system in 2019.~~
- ~~Engineering firms hired by the Town have assessed the Town's drinking water treatment and distribution system, sewer treatment and distribution system, as well as the condition of roads, town buildings, sidewalks and curb and gutter infrastructure.~~
- ~~Resulting Capital Improvement Plans are being prioritized including funding needs that will be required over the next several decades.~~
- ~~In the near term, the Town is assessing how best to utilize the potential grant funding from the Infrastructure, Investments and Jobs Act and grant matching funds provided by the Colorado legislature to address our identified priorities for the water treatment system in order to be able to discontinue the moratorium.~~

Commented [PS14]: Leslie recommended this be included in the brochure instead.

Salary Range for Town Administrator:

\$85,000 - ~~\$105,000~~ 120,000 commensurate with experience

Benefits include:

- Generous paid time off
- Nine paid holidays
- Health Insurance with ~~Rocky Mountain Health Plans~~ - 100% of employee and family premium paid

- \$10,000 Life Insurance with The Hartford;
- Short-Term Disability with The Hartford.
- Retirement: Empower 401B Plan, Town contributes 5% of base salary
- ~~\$80.00/mo. cell phone allowance~~ Cell phone provided

Commented [PS15]: Recommended by Leslie and Nick. More information to be provided.

Benefits are subject to the terms and conditions of those plans and the summary plan descriptions, which are subject to annual budget and appropriations by Town Trustees and the contractual obligation between the Town and the Town Administrator.

Search Schedule (dates subject to change):

1. Accepting Applications through 9/30/2022
2. Application Review: Week of 10/3/2022
3. Interviews: Week of 10/17/2022
4. Finalists* Notified (and Final Interviews): Week of 11/7/2022
5. Public notice of list of finalists (at least 14 days prior to offer): Week of 11/14/2022
6. Conditional Offer: Week of 12/19/2022
7. Tentative Start Date: January of 2023

Commented [PS16]: Leslie also recommended that all of the remaining information be included in the brochure

***Note — Disclosure requirements of the Colorado Open Meetings Law:**

Colorado Revised Statute 24-72-204 (3)(a)(XI) requires that records filed by finalists for a “chief executive officer” position are open to public review (except for letters of reference or medical, psychological, and sociological data concerning the finalist) and the Town must make public a list of finalists under consideration no later than 14 days prior to making the appointment or employment offer.

To view an online job description and recruitment brochure please go to [Job Opportunities | Town of Paonia \(colorado.gov\)](http://Job Opportunities | Town of Paonia (colorado.gov))

How to Apply

Please submit application material consisting of a cover letter and resume including the contact information for 4 professional references no later than 5:00 p.m. Friday, September 30, 2022, to:

Paige Smith (by mail or in person) Town of Paonia, PO Box 460, 214 Grand Avenue, Paonia, CO 81428. Submitting by email; send to paiges@townofpaonia.com

Questions can be directed to Paige Smith at 307-631-4544

The Town of Paonia is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Town will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.



EXTERNAL MEMORANDUM

To: Corey Heiniger
Public Works Director
Town of Paonia
214 Grand Avenue
Paonia, CO 81428

cc: Project Central File W0317.22009.002 — External Memorandum

From: Doug Schwenke
Principal Engineer
RESPEC
5540 Tech Center Drive, Suite 100
Colorado Springs, CO 80919

Date: December 12, 2022

Subject: Town of Paonia – Water System Planning



BACKGROUND

JDS-Hydro Consultants and Division of REPSEC (JDS-Hydro) serves as the technical engineering unit for the Colorado Department of Local Affairs (DOLA) Small Community Water and Wastewater Project Development Assistance Program. JDS-Hydro was tasked by the Town of Paonia (Town) through DOLA's Northwestern Regional Manager, Dana Hlavac to support planning efforts related to its water system. Specifically, JDS-Hydro investigated the following:

- / Annexation of consecutive systems into the Town of Paonia service area
- / Alternative raw water sources in lieu of continuing to employ its existing spring collection system
- / Rate analysis to assist in prioritizing identified capital improvement projects

Prior to and parallel with these DOLA efforts, the Town has been focused on identifying constraints to its raw and potable water systems. From employing capital projects, repairing breaks in its distribution system, to evaluating its raw water collections system, and to employing additional professional staff in operations, the Town has been active in addressing issues as they have been identified.

The purpose of these efforts was not to prepare a full preliminary engineering report, project needs assessment, or master plan for the Town of Paonia. However, the information contained herein is meant to as a launching pad towards a more detailed Capital Improvement Plan (CIP).

5540 TECH CENTER DRIVE
SUITE 100
COLORADO SPRINGS, CO 80919
719.227.0072



RESPEC



ANNEXATION OF CONSECUTIVE SYSTEMS

The Town of Paonia currently has water agreements with twenty-seven (27) small water companies. Each of these water companies must provide distribution and compliance services. These companies exist as consecutive systems to the existing Town of Paonia distribution system.

In 2019, the small water companies were suspended from water service when one of Paonia's water mains broke, subsequently reducing service pressures and compromising the Town's ability to serve all water customers within its service area. For four days, following the main break a boil order was issued for the Town due to the extremely low system pressure. When the Town's upper, and only in-service, finished water storage tank could not be refilled after the discovered leak was repaired at a hydrant, the tank was segregated from the distribution system. As a result, all 27 rural water companies were the first to have their supplies suspended. In addition, some neighborhoods located inside of town were also cut off from receiving water because of the water main break.

As a result of the water main break issues in 2019, the Town is interested in pursuing options for better providing water service to these water small water companies, as well as increasing revenue to help supplement the financing of planned water system improvements (described in the sections below). Of note, there are two means in which Paonia may consider incorporating these separate water companies into its service area. These would be through the annexation process and intergovernmental agreements, as presented below:

ANNEXATION

One means of incorporating the water companies into the service area is through annexation. While annexation may be a "complete" means of bringing these properties into the Town's service area, this process may not provide sufficient revenue from increased tax dollars to cover the additional expenses of supporting these new communities. Being that these new residents are located further from the center of town (for the most part), they may be more difficult and expensive to expend manpower, and provide all municipal services as with more centrally located residents. Note that with the annexation of these properties the Town of Paonia will now be responsible for all new facilities from the master meter to the residential meters or property lines. One of the most important considerations which the Town will want to consider before moving forward with any annexation effort is whether it wants to absorb these new services into its service area and take responsibility for the operations and maintenance of these new mains. The Town will want each water company to take an inventory of the facilities which each is responsible for now and to provide the following information to the Town for consideration:

- / Size, materials, and age of all water mains
- / Size, materials, and age of all services, taps, curb stops, corp stops, and meters
- / Is each home individually metered? Will each home need to have its meter switched out if it is not compatible with the Town's existing meter infrastructure?
- / History of all maintenance, repairs, and new construction within water company

If the town feels that each water company needs to upgrade its water system to bring it into compliance with the Town's potable water distribution system, it will need to direct the water company to make necessary improvements before annexation is possible. Before the Town considers annexing the infrastructure of a water company it should inventory that respective infrastructure and require its improvement to Town standards before annexing. Taking the responsibility of upgrading each individual water company's distribution system is an expense which the Town would not want to take on, especially considering all the capital improvements projects that it has listed below. However, annexing into the



Town can provide benefits in relation to financing the improvement of infrastructure. As Paonia is aware, municipalities are eligible for more state and federal financing than private non-profit entities such as water companies. It may be possible to set up an improvement district for each specific water company annexation. This would ensure that the entire town would not be responsible for financing the improvement of a specific water company's deficiency and would instead be the responsibility of the residents within the new improvement district (formerly water company service area).

Also, it may not be possible to annex all the water companies at one time due to Colorado Revised Statute 31-12-104, 105, 107 annexation ordinances in Colorado. These revised statutes state:

- / A property can be annexed through a petition signed by 50% of the landowners owning 50% of the land to be annexed.
- / A second way a property can be annexed is through an election
- / The third option for annexation is if 75% of the landowners sign a petition in favor
- / To qualify for annexation, a property must have 1/6 contiguity with town perimeter. A flagpole annexation can prove contiguity through the annexation right-of-way.

With annexation, Town water will continue to be provided to each new annexed property. In providing Town water, tap fees should be assessed for all homes served by the Town. As the Town considers what level of tap fees it should charge to these new properties that will be annexed into the Town service area, it should consider that, on average, tap fees throughout Colorado range from \$4000 - \$10,000 per residence. It is very possible that homeowners currently served by a water company would not be interested in absorbing new tap fees to receive the same water currently provided by their water company.

Annexation could also provide services such as police, fire protection, and possibly snow removal to each of these new "residents" within town. However, these new services may not be as important to proposed annexed residents. There could be more interest as unincorporated areas would now have more of a say in the policies that impact them. For the Town, the main benefit of annexing each individual water company into its service area is that it would have the control to dictate water service, new service construction, and materials to ensure that each facility would not pose a risk to advanced leaks and water losses.

INTERGOVERNMENTAL AGREEMENT (IGA)

An alternative to annexing in each water company would be to prepare a Service Agreement through an Intergovernmental Agreement (IGA) with each water company. In this case, the service agreement would be beyond just merely serving each water company water in the form of a consecutive system, but to take over operations and maintenance of the water company's infrastructure while allowing each water company to still own and operate the infrastructure. The service agreement must be clearly defined and documented as a legally binding contract for the benefit of both parties entering into the agreement. Without this expectation in place, one party or both can be negatively impacted by an IGA. In the case of the Town of Paonia and its associated water companies, the benefits would be in avoiding tap fees for each individual homeowner while the Town avoids the risk of assuming ownership of potentially suspect infrastructure. To guarantee service during crisis situations, the Service Agreement could require that water companies upgrade their existing infrastructure to meet current municipal standards. In addition, the Town could impose certain rates and fees in exchange for such service assurances, block or tiered water usage, or other requirements that the Town might deem necessary. In order to enforce the proposed rate structure, as well as confirm adequate water accountability, the Town should require



acceptable metering infrastructure and standards in the Service Agreement. In an IGA situation, the Town could take over operations and maintenance of the water company infrastructure, but not assume ownership. Thus, if certain repairs had to be made by the Town as part of the IGA, the expenses for the repairs could still lie with the water company or residents who make up the water company. This way, the Town could increase its revenue by serving and operating the water company while ensuring that the water company infrastructure meets industry standards, but on the water company's dime.

Benefits of an IGA where Paonia runs the water companies' distribution systems are:

- / Consolidation of operator hours
- / Reduced monitoring as all is one system
- / Creating uniformity among the systems
- / Increased ability to make system-wide repairs
- / Guarantee of potable water in crisis situations
- / Actual repairs, materials, expenses, etc. are the financial responsibility of the water company
- / Residents do not need to pay tap fees

CONCLUSION

As the Town of Paonia continues to repair and improve their potable water system, it will be important for the Town to consider the 27 small water companies served by the Town as consecutive water systems. As part of that consideration, the Town must evaluate the best option for both parties to guarantee water service while recouping the increased cost of providing water service to each entity. As the Town considers this evaluation, it will want to ask the following questions:

- / Rates for each water system?
- / Do they have to be annexed to be incorporated into the water system?
- / Tax benefits to being annexed (mil levies)
- / Will the water company request that the Town purchase the infrastructure, or give it over to the Town as part of the agreement?
- / Which water company can bring water rights with their agreements?
- / Do any agreements have pertinent timelines?
- / Advisable Tap Fees versus Attractive Tap Fees
- / What is the condition of each water company's infrastructure?
- / How much of the infrastructure does the Town want each water company to repair before annexing into its service area?
- / Does the Town want to take on ownership of substandard infrastructure? Is it worth the risk?

RAW WATER ALTERNATIVES

The Town of Paonia employs a relatively complex raw water collection system to feed its potable water system. Overall, the Town owns rights to roughly 32 raw water springs located on the north side of Mt. Lamborn. To collect this runoff from the springs, the Town employs a system of infiltration galleries, spring boxes, and splitter boxes. The springs have proven to be a reliable source of water, and so far, have been relatively drought resistant. However, the Town is not able to capture all flows from the springs,



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especially during runoff season. In addition, the springs are spread out over the face of Mt. Lamborn, making it difficult to consolidate collection of spring water. Overall, there are at least six to eight collection locations for the springs spread over the face of Mt. Lamborn.

In addition, due to the topography of the springs, the Town needs to employ two different treatment plants and finished water storage to collect, treat, and distribute water to serve the town. Because all of the springs existing on Mt. Lamborn are considered surface water, both existing treatment plants (the Upper Lamborn Treatment Plant and Lower Clock Treatment Plant) feature surface water treatment technologies. There is no easy means of providing a central raw water storage reservoir to equalize and store spilled raw water that bypasses the springs, or to collect raw water that spills past each treatment plant collection point. The Town has spent substantial money over the past twenty years to commission at least three raw water evaluations to look at a variety of raw water storage options. Overall, it has proven very difficult to capture and utilize all available spring water off the mountain. And even though estimated yields off the mountain have been calculated to be quite high, spring flows are still very susceptible to drought conditions. In addition, these springs are also vulnerable to contamination through wildfires, animal activities, natural contaminants, and anthropomorphic contamination. Therefore, it is advisable that the Town of Paonia continue to investigate different and alternative raw water sources to those available on the side of Mt. Lamborn. JDS would strongly encourage the Town of Paonia consider setting aside \$10,000 to \$20,000 to commission a raw water source evaluation study to investigate the viability of acquiring an additional water source to supplement its existing raw water portfolio. As the Town of Paonia considers a new raw water source separate from those located on Mt. Lamborn, it will want to evaluate the following:

1. Does the Town need to add treatment or storage capacity for the new source? Or can the new source be piped via transmission line to one of its existing water treatment plants?
2. Does the Town need to add additional treatment if the new source is surface water?
3. Can the Town lease the source, or does the Town need to purchase?
4. How does the Town bring the source water into the distribution system?
5. How much volume does the source need to provide in order to make it financially viable?
6. Are there funding sources available to help offset the purchase of the new supply and to build the infrastructure to bring the new supply into Paonia's distribution system?
7. Will any new supply require a decree, augmentation plan, adjudication, or other legal work?
8. Does the Town want to consider a surface water source which may still be susceptible to drought conditions, wildfire impacts, and contamination?

Note that these questions could be part of a Raw Water Source Study investigation recommended above. JDS-Hydro would recommend that this investigation become a priority with the Town, and included in an overall master planning effort. Ultimately, the Town of Paonia will want to consider the following potential surface and groundwater sources as it investigates new sources of supply through its evaluation.

1. **Groundwater Sources** – the Town of Paonia may wish to consider acquiring or leasing an existing groundwater well near the Town. The majority of wells near the Town of Paonia are alluvial wells, measuring a depth between 50 feet to over 200 feet. Overall, there are over one-hundred and ninety (190) wells within a 2.0 mile radius of the Town of Paonia, with most being alluvial wells (according to the Colorado Decision Support System Map viewer website). There are many more wells within a five mile radius of the town. Most of these wells exist within the North Fork of the Gunnison, Bell Creek,



Reynolds Creek, German Creek, or Minnesota Creek alluvium. However, there are some wells, especially on the west side of the North Fork of the Gunnison, that are much deeper (over 600') that may be considered non-renewable and non-tributary. These sources may not be as susceptible to drought conditions, wildfires, or surface water contamination as alluvial wells or surface water diversions. As the Town investigates supplementary supply through its raw water source evaluation, especially in the sense of groundwater wells, it will want to consider the following:

Yield – one of the first pieces of information which the Town will wish to consider when evaluating the purchase or lease of a new well would be yield. When considering a well, the Town will need to investigate the flow rate yield and the annual yield. The majority of the existing wells near the Town of Paonia feature yields of 20 gpm or less. However, many other wells feature yields of 1 gpm or less. Given the level of daily usage necessary to meet average day demands of the community, the Town will want to look for a relatively high yield well to make up the difference between estimated max day demand and max day production. More importantly would be the annual yield, which is a function of the well's water rights and 10-year use (more on that below). The Town will want to investigate wells with high annual permitted yields (i.e. over 50 AF/year) and high usage over the past 10-years to help augment potential lost springs flows from Mt. Lamborn.

Treatment - depending upon the depth of the well, these structures may require surface water treatment (though JDS-Hydro does have clients who have alluvial wells that have not been classified as GWUDI by CDPHE, even after conducting a Source Water Classification Evaluation on the source). Either way, if the Town were to secure an alluvial well from an entity, it would want to conduct water quality sampling and analysis on the source before purchasing the source. At a minimum, it would want to employ CDPHE's screening tool to preliminarily confirm a GWUDI classification, if not go through an entire GWUDI classification process using water quality sampling. This would be so that the Town would know if it would need to provide surface water type treatment on the water coming from the well, no matter if the well were a shallow alluvial well or deeper non-tributary well. Of note, it may be possible to bring a new alluvial well source into one of its existing water treatment plants as they are designed to treat surface water sources. Whether either of the existing water treatment plants has the capacity to treat one of these new sources would need to be evaluated by an engineer.

Water rights – it is likely that any shallow alluvial well would require some type of decree or augmentation plan to take water out of the alluvium and apply it to municipal use. A deeper, non-tributary well may not require additional legal work to secure the supply as its use would not be seen as injurious to the alluvial supply in the area.

Change in Beneficial Use – as mentioned above, if the Town were to lease or purchase an existing well it would want to consider one with high usage over the past 10-years. That is because if the Town were to purchase or lease an existing well it would probably need to switch the beneficial use of the well from either domestic / household / commercial / irrigation useage to municipal use. As part of this change in beneficial use evaluation, as required by Colorado's Department of Water Resources (DWR), DWR will take the average use over the past 10-years and assign the average annual usage as the new annual yield. Because most wells around Paonia are domestic or household usage wells, it is likely that most wells will feature low annual yields. Thus, the Town will want to consider that trend as it evaluates potential new groundwater sources. For that reason, it is likely that the Town will need to consider purchasing more than one groundwater well, especially if they are originally permitted as domestic.



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Transmission line – in order to bring the new source into the distribution system, the Town will need to construct a new transmission line(s). In constructing a new transmission line, it will also need to evaluate what easements, transportation permits, utility permits, environmental permits, booster stations, etc. are needed to bring the water into the distribution system. Also, if it is possible that one of the existing treatment plants in Paonia (i.e. Upper Lamborn Plant or Lower Clock plant) can facilitate the treatment of a new source then Paonia will certainly want the location of a new source to be closer to one of these existing plants.

Well Equipment – the Town will also need to evaluate the infrastructure of the new well. Since it is likely that any original well will have been designed for household or commercial use, the well pump will need to be redesigned to bring water up and out of the well, and then travel a significant distance into the distribution system. Plus, the well pump will also need to be designed to match service pressures into the distribution system as well. The Town will want to inspect the well casing via video and review well construction documentation to ensure that the casing and well do not have any significant defects.

2. **Surface water sources** – overall, there are over 148 surface water rights (either springs, ditches, or creeks) within 2.0 miles of the Town of Paonia according to Colorado Decision Support System Map viewer website. There are double that quantity of wells within a five (5) mile radius of the Town. As with the alluvial wells, many of these ditches and springs are on North Fork of the Gunnison, Bell Creek, Reynolds Creek, German Creek, or Minnesota Creek. While these sources may be more susceptible to drought conditions, wildfires, or other surface water contaminants, they also are more apt to feature higher flowrate yields and annual yields (mostly measured in cfs rather than gpm). As the Town investigates supplementary supply through its raw water source evaluation, especially in the sense of surface water sources, it will want to consider the following:

Yield – as noted above, one of the most important features of a new water source is its yield. In the case of surface water sources, they tend to have higher yields (generally measured in cfs) because surface water sources are traditionally associated with surface water irrigation. To purchase and change the beneficial use of a surface water source, an entity generally does not need to go through a change in beneficial use process, but will need to go through the water courts to change the decree to modify the beneficial usage. Previous usage of the right will be considered by the water courts, and some sort of diligence is necessary to keep the water right in consideration. However, surface water yields, especially those previously used for crop irrigation, generally feature higher yields than wells (especially domestic or household use wells).

Treatment – Any surface water right and usage will require surface water treatment to bring the water into the potable water distribution system. It is likely that the source will require a treatment system similar to what exists in the Upper Lamborn plant or Lower Clock plant. Similar to bringing a new groundwater well into the distribution system, the same can be said about bringing a new surface water source into the system. It is very possible that one of the two existing plants could accommodate a new surface water source. If not, it is more than likely an ultrafiltration or reverse osmosis system with backwash and chemical removal of constituents will need to be constructed to treat a new surface water source (if one were secured by the Town). This would require an increase in construction costs, operator classification, operations costs, maintenance costs, and ultimately user fees.



Water rights – with a surface water right (as well as an alluvial well right) the priority of the right can be one of the most important considerations when evaluating a potential source of supply. If a surface water right is too junior (i.e. too “young”) it may never come into priority, thus not being usable by the Town. If this is the case, a municipality may need to purchase augmentation rights from more senior entities to enable the use of the surface water right when it is out of priority. To sort out the seniority of a particular water right, and the potential augmentation plan to exercise the right (if necessary), it is likely that a water attorney will need to be retained. The water attorney may be able to discern a particular right’s seniority, develop an augmentation plan, amend the change in use of a particular water right, and even work through the court decree process with the Town. Note that any amendment to an existing water right is a long process and the Town should expect a lengthy court process to secure the right (i.e. multiple years) on top of the preliminary evaluation process.

Transmission line – much like with a new well, the Town will need to construct a new transmission line or ditch to bring the new water supply into the Town’s distribution system. Historically, surface water sources were brought to their point of application using gravity ditches or pipelines. In the case of Paonia, it may not have that luxury and may need to pump the new source from its diversion point to the raw water collection system or treatment point. In constructing a new transmission line, it will also need to evaluate what easements, transportation permits, utility permits, environmental permits, booster stations, etc. are needed to bring the water into the distribution system.

Collection / Diversion Facilities – if the new surface water source is on a river or creek, a diversion such as a headgate and diversion dam would need to be constructed. Many times the existing headgate or division structure is not adequate enough to divert and supply the volumes necessary for the municipality and a new one would need to be constructed. As noted above, the new headgate and diversion may require an ancillary pump station to transport water from the diversion point into the raw water storage or treatment system. In the case of a spring, it is recommended that a new infiltration gallery be constructed with the new spring to ensure that the spring water is collected as efficiently as possible to enhance the effectiveness of the new source. Also, collection and transmission of the new spring water may require a pump station following collection. It is likely that the new spring or surface water diversion structure will require the services of a design engineering professional and specialty municipal treatment general contractor.

3. **Interconnect** – while this may not be the most convenient alternative to bring a new water source into the Town of Paonia, the Town may wish for an engineer to evaluate this alternative to see if it would be viable or not. Many communities within Colorado develop intergovernmental agreements (IGA) with adjacent communities to provide them water, especially in emergency situations. In the case of Paonia, this may be a viable solution in an emergency situation. While this may not be advantageous or viable in a continual source water application, it may be conducive in an emergency water situation. Obviously, the largest investment for the Town would be to construct a transmission line from the other governmental entity to connect the two Towns. As part of the raw water source evaluation, the engineer would need to not only determine if building such a transmission line was physically feasible, but also assess whether there would be any willing adjacent communities to consider such an interconnect. In reviewing the adjacent communities, the Town of Paonia may wish to approach the following municipalities (if they have not already):



- / Crawford
- / Sommerset
- / Hotchkiss
- / Orchard City
- / Cedaredge

It is noted that given Paonia's relatively remote location and difficult physical topography, the availability of adjacent communities to share in an emergency interconnect may be limited. It is likely that the only community of sufficient resources and convenient location to engage in an emergency interconnect with the Town of Paonia would be the Town of Hotchkiss (roughly 8 miles away). Of note, Sommerset is only 8 miles away but probably does not have the resources to provide additional water to the Town of Paonia. Also, given the mountainous terrain between Sommerset and Paonia, it would be difficult to construct an interconnect pipeline between the two communities.

4. **Hauling Water** – this alternative should not be considered a long term solution. However, the Town of Paonia may wish to at least identify a water hauler should it find itself in a situation where it cannot supply enough water to meet the basic demands of the community should the Mount Lamborn Springs become compromised or unable to support demands in the Town. COWARN is another resource which the Town may wish to contact in the event of a water supply emergency.

RATE ANALYSIS

The original DOLA scope of work for the Town of Paonia (Town) called for utilizing a JDS-Hydro created rate analysis tool to prioritize capital improvement projects. However, the Town had already leveraged the Rural Community Assistance Corporation (RCAC) to draft a 'Cost-of-Service Analysis' in November 2021. RCAC's preliminary findings indicated that the Town's water enterprise fund could not fully fund capital improvements and using its own rate analysis tool outlined six scenarios attempting to balance rate increases and capital improvements. Rather than conduct a parallel rate analysis to RCAC, JDS-Hydro took the following approach to satisfying the original intent of its DOLA scope of services:

- / Conduct detailed review of RCAC Cost-of-Service Analysis
- / Work with Town staff to begin prioritizing capital improvements
- / Assist RCAC in updating scenarios that could be used in a subsequent 'Cost-of-Service Analysis'

Paonia is confronted with needing to fund several relatively large capital improvement projects in the next 3-5 years. Funding for these capital improvements is likely to come from a combination of water enterprise reserves, loans, and grants. Consequently, defining the scenarios used in a rate study analysis requires careful consideration.

The assumptions made by RCAC were based on previous reports by SGM (Asset Inventory/Capital Improvement Plan, September 2021) and JDS-Hydro (Water System Evaluation, May 2021). The SGM report was primarily a summary of its comprehensive asset inventory efforts, which included streets, water, wastewater and building infrastructure. This report provides estimated replacement cost and minor maintenance costs for existing water infrastructure. However, the immediate and future needs of the water system were not the purpose of this report, and thus not specifically addressed.

The JDS-Hydro report focuses specifically on the Town's water infrastructure, and its function was an assessment of existing infrastructure and identifying potential future capital improvements. However, the JDS-Hydro report was not a capital improvement plan informed by a Town masterplan. Consequently,



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the scenarios used by RCAC assumed capital improvements that had not been well enough defined by either report in terms of order of priority and warrant more detailed cost estimation. Aside from the timing and estimated cost of specific water enterprise expenditures, JDS-Hydro noted the following in its review of the RCAC report worth further consideration.

- / **Estimated Useful Life:** Water enterprise expenditures were based on estimated useful life of existing infrastructure. Some infrastructure may need to be replaced sooner to improve system reliability.
- / **Capital Improvement Projects:** Identified priority capital improvement projects should be updated. Scenarios assume a single large project in Year 1, and then subsequent large projects occurring at least 5+ years. More capital improvements are likely to occur in the next 1-5 years than assumed by the RCAC report.
- / **Operations and Maintenance Expenses:** JDS-Hydro reviewed and discussed a few items that may warrant being increased including wages, legal and engineering fees.
- / **Water Enterprise Revenues:** In each of the RCAC scenarios, total water enterprise revenues were estimated at over \$1.4 million. JDS-Hydro understands customer service rates have been increased. However, prior to 2021, water enterprise revenues had not exceeded \$900,000. The town is currently under a tap moratorium and while rates have increased, JDS-Hydro questions whether projected revenues may be too high.
- / **Funding:** Grants were assumed to provide 50% of funding for all projects between \$50,000 and \$10,000,000. While certain project may be substantially high, as a rule for all projects, this may be unrealistically optimistic.

Rate Analysis Take-Away: RCAC provided a thorough and detailed projection of water enterprise revenues and expenses. Its recommendations are accurate - the Town of Paonia needs to continue to increase rates/revenues and reserve funding or it will struggle with rising operation and maintenance costs and funding larger capital improvements. However, the 2021 RCAC analysis should be updated in 2023 upon the Town committing to a 3-5-year Capital Improvement Plan. Subsequent updates may be warranted every two years as funding mechanisms for larger capital improvements are determined, rate increases are implemented, and once and ongoing tap moratorium is able to be lifted.

JDS-Hydro spoke directly with RCAC and discussed the information presented above. RCAC agrees with updating financial model scenarios based on updated engineering and master planning efforts.

CAPITAL IMPROVEMENT PLAN

Aware of a variety of needed investment in its water infrastructure, the Town has been making incremental progress toward development of a near-term strategic capital improvement plan (CIP). Near-term being roughly defined as 3-5 years. Provided herein is a summary of preliminary capital improvement planning as of the date of this letter report. It is understood that a refined CIP is planned, and will be presented for approval by the Town's board of commissioners. This refined CIP plan will be conducted outside of the scope of this Small Communities Effort through DOLA.

Incremental progress towards a CIP has involved input from a variety of stakeholders, including the public, town administration and public works personnel, the Town's water council/advisory committee, the Rural Water Association, previous engineering reports by SGM Engineering (2021) and JDS-Hydro (2021), and DOLA, which has also provided enterprise budget training to Town board members. Funding for the projects listed below remains largely to be determined. However, the Town has recently hired an



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interim administrator with extensive funding experience. It is anticipated that these DOLA funded efforts provide a meaningful steppingstone towards revised financial model scenarios and an achievable CIP.





TOWN OF PAONIA – PRELIMINARY CAPITAL IMPROVEMENT PLAN

Round 1 – 2023

- / Upper Lamborn Finished Water Storage Recoating
- / Lower Clock Finished-Water Storage Repairs
- / Water-Line Replacement A
- / Altitude Valve to fill (with water treated at Lamborn Facility) Lower Clock Finished-Water Storage Stank
- / (Service) Meter Replacements
- / Consecutive Systems Meter Calibration
- / Video Sewer Lines

Round 2 – 2024

- / Water-Line Replacement B
- / Raw Water Improvements – e.g., Spring Creek
- / Minnesota Creek PRV
- / Backup Generators for Treatment Facilities
- / (Service) Meter Replacements?

Round 3 – 2026/2027

- / Wastewater Treatment Facility Improvements
- / Wastewater Collection Line Replacement
- / Additional Finished-Water Storage at Upper Lamborn Plant

In addition to larger capital improvement efforts, the Town identified a list of projects that it intends to fund with cash reserves. These include:

Task List – Other

- / Engineering (Misc., including transient analysis)
- / PRV Repairs
- / PRV Improvements #5 and #9
- / PRV Improvements #1
- / Spring Repairs and Maintenance
- / Construction Standards and Operational SOPs
- / Water Loss Analysis / Leak Detection Contractor
- / Water/Wastewater Masterplan
- / Alternative Raw Water Source Investigation and Analysis

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is entered into by and between Schmueser Gordon Meyer, Inc., a Colorado corporation (“Engineer”) (doing business as “SGM”), and the Town of Paonia (“Town”). This Agreement is effective as of January 10, 2023.

For good and valuable consideration, the parties agree as follows:

1. **Work.** Engineer shall perform general engineering, consulting, and related services to the Town as further outlined in Exhibit A, attached hereto and incorporated herein by this reference. Nothing herein shall prohibit the Town from contracting with other firms for surveying services, geotechnical engineering, hydrology, or other specialized engineering services, or in any instance wherein, in the opinion of the Town, Engineer may have a conflict of interest due to representation of another party.

2. **Compensation.** Engineer will be paid for the work to be performed pursuant to this Agreement based on actual time spent at billing rates not to exceed those set forth in Exhibit B, attached hereto and incorporated herein by this reference. Rates will be adjusted on an annual basis every January. For all capital projects, and for other service items as to which Engineer’s fees will be reimbursed to the Town by a third party (typically a developer) which items have an estimated engineering services fee of greater than \$2,500, Engineer will provide the Town a letter outlining scope and fee estimate for the Town’s approval. The Town shall not pay mileage and other reimbursable expenses (such as meals, parking, travel expenses, necessary memberships, etc.), unless such expenses are (1) clearly set forth in Exhibit B, and (2) necessary for performance of the services hereunder (“Pre-Approved Expenses”). The foregoing amounts of compensation shall be inclusive of all costs of whatsoever nature associated with the Engineer’s efforts, including but not limited to salaries, benefits, overhead, administration, profits, expenses, and outside consultant fees. The Engineer shall submit monthly an invoice to the Town for services rendered and a detailed expense report for Pre-Approved Expenses incurred during the previous month. The invoice shall document the services provided during the preceding month, identifying by work category and subcategory the work and tasks performed and such other information as may be required by the Town. The Engineer shall provide such additional backup documentation as may be required by the Town. The Town shall pay the invoice within thirty (30) days of receipt unless the Services or the documentation therefor are unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation therefor.

3. **Standard of Care.** The standard of care applicable to Engineer’s services will be the same degree of care, skill, and diligence normally employed by professionals performing the same or similar services. No other warranty, express or implied, is included in this Agreement or in any drawing, specification, or opinion produced pursuant to this Agreement. Engineer does not guarantee that the documents and products are without error; however, Engineer will re-perform any services not meeting this standard without additional compensation.

4. **Independent Contractor Status.** Engineer shall perform the services as an independent contractor, retaining complete control over Engineer’s personnel, sub-consultants and operations. **Engineer shall satisfy all tax and other governmentally imposed responsibilities including but not limited to, payment of state, federal, and social security taxes, unemployment taxes, workers’ compensation and self-employment taxes. No**

state, federal or local taxes of any kind shall be withheld or paid by the Town. Engineer is not entitled to workers' compensation benefits except as may be provided by the Engineer nor to unemployment insurance benefits unless unemployment compensation coverage is provided by the Engineer or some entity other than the Town.

5. **Insurance.** Engineer and all sub-consultants shall maintain statutory workers' compensation insurance coverage and shall maintain motor vehicle liability insurance and general liability insurance coverage with at least minimum limits as follows: General Liability - \$1,000,000 per occurrence/\$2,000,000 Aggregate; Automobile - \$1,000,000 combined single limit, with a Hired & Non-owned Auto clause; Workers Compensation — Colorado State Statutory Limits. The Engineer shall also maintain professional liability insurance with coverage limits of \$1,000,000 per occurrence/\$1,000,000 Aggregate. The Town and its employees shall be named as an additional insured under the general liability and motor vehicle liability insurance policies. Every policy required above shall be primary insurance, and any insurance carried by the Town, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Engineer. The additional insured endorsement shall not contain an exclusion for bodily injury or property damage arising from completed operations. The Engineer shall be solely responsible for any deductible losses under each of the policies required above. Certificates of insurance shall be completed by the Engineer's insurance agent as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the Town. Each certificate shall provide that the coverages afforded under the policies shall not be canceled, terminated or materially changed until at least thirty (30) days prior written notice has been given to the Town. If the words "endeavor to" appear in the portion of the certificate addressing cancellation, those words shall be stricken from the certificate by the agent(s) completing the certificate. The Town reserves the right to request and receive a certified copy of any policy and any endorsement thereto. Failure on the part of the Engineer to procure or maintain policies providing the required coverages, conditions and minimum limits shall constitute a material breach of this Agreement upon which the Town may immediately terminate the Agreement, or at its discretion may procure or renew any such policy or an extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the Town shall be repaid by Engineer to the Town upon demand, or the Town may offset the cost of the premiums against any monies due to Engineer from the Town. The parties hereto understand and agree that the Town is relying on, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights immunities and protections provided by the Colorado Governmental Immunity Act, Sections 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the Town, its officers or employees.

6. **Default.** In the event of default by the Engineer, in addition to all other rights and remedies available at law or in equity, the Town shall have the right to stop the work being performed by the Engineer, terminate the Agreement, and employ others to complete the work. If there is a finding of negligence or breach of contract by the Engineer, the Town is entitled to recover damages from the Engineer, and shall be entitled to recover all reasonable attorney's fees and costs incurred by the Town in connection with enforcement of this Agreement.

7. **Indemnity.** To the fullest extent permitted by law, the Engineer agrees to indemnify and hold harmless the Town, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, including but not limited to court costs, expert witness fees and reasonable attorneys' fees, on account of any injury, loss, or damage, which arise out of or are connected with the services hereunder, if such injury, loss, or damage is caused by the negligent act, or omission, or intentional wrongful conduct of the Engineer or any subcontractor

of the Engineer, or any officer, employee, or agent of the Engineer or any subcontractor, or any other person for whom Engineer is responsible. The Engineer's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the negligent act, or omission of the Town, and its elected and appointed officers and its employees. The extent of the Engineer's obligation to indemnify the Town shall be determined only after the Engineer's liability or fault has been determined by adjudication, alternative dispute resolution, or otherwise resolved by mutual agreement between the Town and the Engineer.

8. **Personal Services Agreement.** This is a personal services Agreement on the part of the Engineer. This Agreement, or any part of this Agreement, may not be assigned or delegated without the prior express written consent of the Town. The parties further agree and acknowledge that the Town's primary contact with Engineer shall be through Brandyn Bair, P.E., and that Mr. Bair or SGM Assistant Client Service Manager Scott Forester shall be Engineer's representative when presence is requested at Town Board meetings. Should any of these Engineer representatives be replaced, and should such replacement or replacements require the Town or the Engineer to undertake additional reevaluations, coordination, orientations, or similar activities, the Engineer shall be fully responsible for all such additional costs and services.

9. **Access to/Ownership of Records.** The Town shall have access to all books, documents, papers and records of Engineer and all sub-consultants, which are pertinent to this Agreement for the purpose of making audit, examination, excerpts, transcripts and copies. All original documents prepared by Engineer or its sub-consultants in performance of this Agreement, including, but not limited to, original maps, plans, drawings, electronic media and specifications, are the property of the Town, upon full compensation to the Engineer. The Town shall have and retain all applicable rights in such documents, including, but not limited to copyrights, unless otherwise agreed in writing. Any reuse (for purposes not contemplated under this Agreement) or modification of the documents will be at the sole risk of the Town, and, to the extent permitted by law, the Town agrees to indemnify and hold harmless the Engineer from all claims, damages, and expenses, including reasonable attorneys' fees, arising out of such reuse by the Town or by others acting through the Town.

10. **Term & Termination.** Engineer's services under this Agreement shall commence on the Effective Date, and shall continue until terminated as provided herein. The Town shall have the right to terminate this Agreement for any reason at any time without liability to the Engineer or any sub-consultant by providing written notice thereof to the Engineer. Such notice may be given by personal service, facsimile transmission, or U.S. mail. Such notice shall be effective upon receipt by the Engineer. In the event of such termination, the Engineer shall be paid for all satisfactory work accomplished pursuant to this Agreement prior to the date of termination. Upon termination of this Agreement, the Engineer and all sub-consultants shall immediately cease work under this Agreement, deliver to the Town all documents, keys, papers, drawings, architectural renderings, calculations, quotes, reports or other papers or documents, as well as writable copies of all electronic data (including survey data, plans/specifications, construction drawings or mapping) that have been prepared by the Engineer or any sub-consultants under the terms of this Agreement.

11. **Waiver of Breach.** Any waiver granted hereunder must be in writing and shall be valid only in the specific instance in which given. In the event that either party hereto waives a breach of this Agreement by the other party, such waiver shall not be deemed to be or be construed a waiver of any subsequent breach of the terms hereof.

12. **Governing Law.** This Agreement shall be deemed entered into in Delta County, Colorado, and shall be construed, interpreted and governed by the laws of the State of Colorado. In the event that legal proceedings are instituted by either of the parties for enforcement of this Agreement, such proceedings shall be brought in the Delta County District Court, and in no other court.

13. **Compliance with Laws; Equal Opportunity Employer.** Engineer shall be solely responsible for compliance with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the Town; for payment of applicable taxes; and obtaining and keeping in force all applicable permits and approvals. Engineer will not discriminate against any employee or applicant for employment because of race, color, religion, age, sex (including pregnancy, sexual orientation, or gender identity), disability, national origin, or genetic information (including family medical history). Engineer will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, age, sex, disability, national origin, or genetic information. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Engineer agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the equal opportunity laws. Engineer shall be in compliance with the applicable provisions of the Americans with Disabilities Act of 1990, as enacted and from time to time amended, and any other applicable federal, State, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested by the Town at any time during the term of this Agreement or renewal thereof.

14. **Governmental Immunity/TABOR.** Nothing herein shall be interpreted as a waiver of governmental immunity, to which the Town would otherwise be entitled under § 24-10-101, et seq., C.R.S., as amended. This contract and all financial obligations of the Town hereunder are also contingent upon annual budgeting by the Town Board of Trustees, in its sole discretion, and it shall not be construed as a multi-year financial obligation within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision. In the event of non-appropriation, Engineer shall complete any projects for which the Town budgeted and appropriated funds in the prior fiscal year, and following such completion and payment to the Engineer, the Agreement shall terminate.

15. **Employees, Subcontractors and Assignees.** The providing of professional services required under paragraph 1 of this Agreement shall be the responsibility of Engineer. Engineer may employ or subcontract with additional persons to assist in the performance of this Agreement; however, Engineer will submit any proposed subcontractor and the description of its services to the Town for approval; and, the Engineer shall cease using any subcontractor to perform services under this Agreement upon the Town's request, if the Town reasonably finds the subcontractor's work unsatisfactory. Supervision and payment of any such persons shall be the sole and exclusive responsibility of Engineer. The Town will not work directly with subcontractors. Notwithstanding the foregoing, however, this Agreement shall not be assigned by Engineer to a third party without the prior express written consent of the Town.

16. **Negotiation and Drafting of Agreement.** The parties agree and acknowledge that both parties have participated in the negotiation and drafting of this Agreement and no presumption shall exist in favor of either party hereto. This Agreement shall not be construed against either party merely because of said party's drafting of this Agreement.

17. **Agreement Administration and Notice.** For purposes of administering this Agreement, the Town Manager shall represent the Town in carrying out the purposes and intent of this Agreement. The Town Manager shall meet with Mr. Bair, every six months or as requested by the Town Manager or Mayor to review Engineer’s performance under this Agreement. Any notices required to be given pursuant to this Agreement shall be delivered as follows:

To the Town:

Mary Bachran, Mayor
Town of Paonia
214 Grand Ave
Paonia, CO 81428

To the Engineer:

Brandyn Bair, PE, Principal
Schmueser Gordon Meyer, Inc.
118 West 6th Street, Suite 200
Glenwood Springs, CO 81601

18. **Entire Agreement.** This Agreement shall be binding upon the parties hereto, their successors and assigns. This contract and the documents incorporated herein by reference constitute the entire Agreement between the parties and may be altered, amended or repealed only by duly executed written Agreement.

19. **Authority to Bind.** Each of the persons signing below on behalf of any party hereby represents and warrants that such person is signing with full and complete authority to bind the party on whose behalf of whom such person is signing, to each and every term of this Agreement.

20. **No Third Party Beneficiaries.** It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Town and Engineer. Nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than the Town or Engineer receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

TOWN OF PAONIA:

By: _____
Mary Bachran, Mayor (date)

ENGINEER:

SCHMUESER GORDON MEYER INC.
a Colorado corporation

By:  _____ 1/9/2023
Brandyn Bair, Principal (Date)

EXHIBIT A

SCOPE OF WORK

SERVICES MAY INCLUDE but are not limited to the following: consultations, field investigations, analyses, feasibility studies, preliminary engineering reports, grant application assistance, permitting, public presentations, architectural/engineering drawings and design, construction documents, bidding/construction administration, surveying, and mapping.

Project types may include but are not limited to the following: water/wastewater treatment, water/sewer line extensions, site preparation, environmental assessments, transportation, GIS, preparations of maps, and general civil engineering.

The Town may utilize the services of other engineering firms for special projects that are outside the normal scope of services or expertise offered by Engineer.

EXHIBIT B
FEE SCHEDULE



Fee Schedule January 2023
Hourly Rate

PRINCIPAL ENGINEER.....	\$224.00
SENIOR ENGINEER III.....	\$206.00
SENIOR ENGINEER II.....	\$193.00
SENIOR ENGINEER I.....	\$180.00
ENGINEER IV.....	\$165.00
ENGINEER III.....	\$151.00
ENGINEER II.....	\$130.00
ENGINEER I.....	\$112.00
SENIOR PROJECT MANAGER.....	\$164.00
PROJECT MANAGER.....	\$152.00
PRINCIPAL CONSULTANT.....	\$224.00
SENIOR CONSULTANT II.....	\$186.00
SENIOR CONSULTANT I.....	\$158.00
CONSULTANT III.....	\$136.00
CONSULTANT II.....	\$119.00
CONSULTANT I.....	\$107.00
TECHNICIAN III.....	\$92.00
TECHNICIAN II.....	\$78.00
TECHNICIAN I.....	\$66.00
CLERICAL.....	\$84.00
SENIOR CADD/GIS.....	\$152.00
CADD/GIS III.....	\$131.00
CADD/GIS II.....	\$119.00
CADD/GIS I.....	\$97.00
CONSTRUCTION MANAGER.....	\$144.00
CONSTRUCTION TECHNICIAN II.....	\$131.00
CONSTRUCTION TECHNICIAN I.....	\$119.00
SURVEY MANAGER.....	\$180.00
LAND SURVEYOR.....	\$151.00
SURVEY PROJECT MANAGER.....	\$130.00
SURVEY TECHNICIAN.....	\$108.00
FIELD SURVEY (1-Man Crew).....	\$172.00
FIELD SURVEY (2-Man Crew).....	\$229.00
SUE FIELD PROJECT MANAGER.....	\$198.00
SUE FIELD TECHNICIAN.....	\$137.00
EXPERT TESTIMONY.....	\$365.00

REIMBURSABLES

<u>Equipment</u>	<u>Rate</u>
Vehicle Mileage.....	Current IRS Standard Mileage Rate
ATV / Snowmobile.....	\$125.00/day
UTV.....	\$250.00/day
Flow Tote.....	\$125.00/day

Reproduction

Black & White Plots.....	\$ 5.50/sheet
Mylar Plots.....	\$19.00/sheet
Color Plots.....	\$30.00/sheet
Photocopies.....	\$ 0.25/page

Miscellaneous

10% will be added to all direct expenses, including FedEx, special delivery and courier charges, special consultants, subcontractors, laboratory tests, airfare, lodging, meals, car rental, telephone, outside printing expense, etc. **Interest of 1.5% per month will be charged for invoices past 30 days.**

AGENDA SUMMARY FORM



Finance: Weber & Smith
 Parks: Knutson & Stelter
 Streets: Valentine & Markle
 Water/Sewer/Trash/AWC: Weber & Markle
 Personnel: Smith & Valentine
 Public Safety: Knutson & Stelter
 Paonia Tree Board: Trustee Valentine

Summary:

Vote:	Trustee Knutson	Trustee Markle	Trustee Smith
Trustee Stelter	Trustee Valentine	Trustee Weber	Mayor Bachran (Tie)

Parks Committee
12/20/22

Present: Rick Stelter (Trustee Town of Paonia), Dave Knutson (Trustee Town of Paonia), Max Heepke, Marion Hillary, Ben Graves

Paonia in Motion: Max representing the Pool, Parks, and Recreation District proposed that a GOCO grant be sought to upgrade Town Park including the skate park, Gazebo, restrooms, and Ellen Smith Center. Lenore Cambria will be meeting with Katie Smith of GOCO to scope size of grant, matching requirements, and projects covered. A follow up meeting was held at the PPR building with Sven Edstrom, Lenore Cambria, Ben Graves, Jay Canode, and Dave Knutson on 12/28. Discussion also included the Inspire Grant to build the trail from the River Park to the Library. Libby Collins from the Western Colorado Land Trust joined later to discuss land acquisition, access, and conveyances for further trail development down valley connecting Big Bs and Volunteer Park.

Marion Hillary attended to advocate for a dog park at Town Park which was suggested as part of the Paonia in Motion Plan. She intends to bring other advocates to future park meetings and Town Council meetings to help push this project forward. She noted how much social interaction happens for both dogs and humans.

Apple Valley Bike Trails: At the Creek Vista HOA Board meeting of December 6, Board Members expressed strong opposition to allowing bike use of the access coming out of the back of Apple Valley.

Public Safety Committee
12/20/22

Present: Rick Stelter, Dave Knutson, Chief Matt Laminger

Matt has signed off on the agreement for equipment procurement from the Defense Logistics Agency. If the PD chooses to get vehicles or equipment through this program, Board approval and a public notice of 30 days is required prior to the transaction.

Further discussion covered code enforcement, sidewalk clearing, and traffic enforcement.