

BOARD AGENDA Tuesday, June 23, 2020 214 Grand Avenue Audit Presentation 5:30 PM Regular Town Board Meeting 6:30 PM

*Agenda item order and procedures may be modified due to State, County, and Local Orders

Regarding COVID-19*

PLEASE WEAR A FACE COVERING UNLESS YOUR HEALTH MAY BE JEOPARDIZED BY DOING SO. SEATING IS LIMITED. IF THERE IS NOT AN OPEN CHAIR PLEASE REMAIN IN THE HALLWAY UNTIL THE ITEM YOU WISH TO SPEAK ON IS RECOGNIZED.

2019 Audit Presentation

<u>Roll Call</u> <u>Approval of Agenda</u> <u>Announcements</u>

Recognition of Visitors & Guests

- 1. 2019 Audit Acceptance for Submittal
- 2. Visitors & Guests

Staff Reports

3. Administrator's Report Town Attorney Public Works Police Report

Unfinished Business

- 4. Ordinance 2020-TBD Modification of Fences, Hedges and Walls
- 5. Public Hearing Spiegel Fence Variance
- 6. Ordinance 2020-TBD Regarding the Regulation and Licensing of Retail Marijuana Establishments
- 7. One Delta County Intergovernmental Agreement and Funding Approval
- 8. Jay Canode Paonia Skate Park Update and Sponsorship Proposal
- 9. Western Slope Conservation Center Draft Letter to BLM
- 10. Municipal Court Judge Appointment
- 11. GOCO Grant Parks Recreation, and Trails Master Plan Update and Steering Committee Approval
- 12. Delta County Collaboration Agreement Disbursement of Coronavirus Aid, Relief, and Economic Security Act Funds to County and Local Governments
- 13. Continuation of Waiving Certain Utility Fees During Declaration of Local Disaster Specific to Coronavirus
- 14. Discussion Regarding Officer Appointments

Consent Agenda

15.

Regular Minutes: May 26, 2020 Special Minutes: June 4, 2020 Liquor License Renewal: Paonia Liquors, LLC dba Paonia Liquors

Disbursements

16. Treasurer's Report

17. Disbursements

Mayor's Report <u>18.</u> Mayor's Report

Committee Reports

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

Adjournment

20. Adjournment

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

I. RULES OF PROCEDURE

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

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

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

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

- (a) Roll Call (5 minutes)
- (b) Approval of Agenda (5 minutes)
- (c) Announcements (5 minutes)

(d) Recognition of Visitors and Guests (10 minutes)

- (e) Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)
- (f) Mayor's Report (10 minutes)
- (g) Staff Reports: (15 minutes)
 - (1) Town Administrator's Report
 - (2) Public Works Reports
 - (3) Police Report
 - (4) Treasurer Report
- (h) Unfinished Business (45 minutes)
- (i) New Business (45 minutes)
- (j) Disbursements (15 minutes)
- (k) Committee Reports (15 minutes)
- (l) Adjournment

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

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

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

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

Section 8. Public Comment. After discussion of an agenda item by the Board of Trustees has concluded, the Mayor shall open the floor for comment from members of the public, who shall be allowed the opportunity to comment or ask questions on the agenda item. Each member of the public wishing to address the Town Board shall be recognized by the presiding officer before speaking. Members of the public shall speak from the podium, stating their name, the address of their residence and any group they are representing prior to making comment or asking a question. Comments shall be directed to the Mayor or presiding officer, not to an individual Trustee or Town employee. Comments or questions should be confined to the agenda item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks. Section 9. Unacceptable Behavior. Disruptive behavior shall result in expulsion from the meeting.

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

II. CONSENT AGENDA

Section 1. Use of Consent Agenda. The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request. Section 2. General Guidelines. Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

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

III. EXECUTIVE SESSION

Section 1. An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed "in as much detail as possible without compromising the purpose for which the executive session is authorized." In the even 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 contexts 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.



Presentation of the 2019 Financial Statements

Summary:

Acceptance to follow at regular meeting.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

TOWN OF PAONIA, COLORADO

FINANCIAL STATEMENTS AND REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS

December 31, 2019

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INDEPENDENT AUDITOR'S REPORT

June 19, 2020

To the Board of Trustees Town of Paonia, Colorado

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Paonia, Colorado, as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Paonia, Colorado, as of December 31, 2019, and the respective changes in financial position and, where applicable, cash flows thereof for the

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Board of Trustees Town of Paonia, Colorado

year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3–10 and 46–51 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures to or provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Paonia, Colorado's basic financial statements. The combining and individual nonmajor fund financial statements, the budget to actual schedules for the non-major governmental funds and the proprietary funds, and the Highway Finance Report are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements, the budget to actual schedules for the non-major governmental funds and the proprietary funds, and the Highway Finance Report are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The Old Pension Plan information on page 66 has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

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TOWN OF PAONIA, COLORADO MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) For the Year Ended December 31, 2019

As management of the Town of Paonia, we offer readers of the Town of Paonia Financial Statements this narrative overview and analysis of the financial activities and performance of the Town of Paonia for Fiscal Year ended December 31, 2019.

INTRODUCTION

The Town operates under a Mayor - Town Board form of government with a contract Town Administrator. The Town Board provides strategic leadership, goal setting and policy-making authority, and employs the Town Administrator who is responsible for the day-to-day management, financial and technical support to ensure equitable, efficient and effective implementation of government services to our citizens. As of August 2019, the board elected to create a dual role of Town Administrator/Town Clerk until the new Board is seated and determines further action regarding the two roles.

The Town provides a full range of public services, including a Police Department, Municipal Utilities (water, wastewater, and trash), Infrastructure (drainage, streets, public buildings, airport, and sidewalks), and Cultural and Recreational programs (parks and recreation activities).

Other governmental services are provided through various agencies and special districts that include: fire protection through the Paonia Volunteer Fire Department (Delta County FPD#2); North Fork EMS; the North Fork Pool, Parks and Recreation District; the Paonia Public Library, a branch office of the Delta County Library District; and two Cemetery Districts.

HIGHLIGHTS AND NOTABLE FINANCIAL STATEMENT COMPARISONS OF 2018 TO 2019:

- 1. Change in cash position has increased from 2018 to 2019 for Governmental Activities and Business-Type Activities for a total of \$2,504,457, with a total increase of \$277,098.
- 2. Change in net capital fixed assets has increased from 2018 to 2019 for Governmental Activities and Business-Type Activities for a total of \$15,917,570, with a total increase of \$126,018.
- Long-Term Liabilities for Governmental Activities and Business-Type Activities decreased by \$205,840.
- 4. Governmental Funds Tax revenue increased from 2018 to 2019 totaling \$855,104, with a total increase of \$185,810.
- 5. Governmental Funds Intergovernmental revenue increased from 2018 to 2019 by \$35,630.
- 6. Governmental Funds Other revenue increased from 2018 to 2019 by \$81,427.
- 7. Governmental Funds Expenditures increased by \$24,636.
- 8. Governmental Funds Fund Balance increased by \$284,640.
- 9. Enterprise Funds revenue decreased from 2018 to 2019 by a total of \$4,090.
- 10. Enterprise Funds expenditures decreased from 2018 to 2019 by a total of \$286,170.
- 11. Enterprise Funds Net Position increased in 2019 by \$64,836.

For the Fiscal Year Adopted 2019 Budget, the Town Board for the Town of Paonia focused on several minor projects which are highlighted below including the current status:

 Acquire an Intern to assist with the update of the Master Plan. An intern was put in place 6/10/19 and the master planning process started with two public meetings that were held in 2019 regarding Housing, Utilities, Economic Development, Transportation and Community Sustainability. 2. Annexation

Investigation and preliminary actions were taken toward several road annexations but have been continued to 2020.

- Signage Project The town donated \$2,500 for the signage program.
- Host 2019 Rural Philanthropy Days The town successfully hosted 2019 Philanthropy Days with 391 participants.
- Building Code Update Building Code update started and will be sent to the Planning Committee for review in 2020.
- 6. Purchase marijuana enforcement equipment A drone was purchased with grant funds in 2019.
- Victims Advocate The town assumed the responsibility to ensure that the advocates are provided cell phones @ \$70.00 per month.
- School Resource Officer The town promoted Taffine Patterson to SRO for the 2019 school year. This has been a successful program.
- Arbor Day/Tree City USA The Town of Paonia has celebrated Arbor Day the last several years and has maintained its status in 2019 as a designated Tree City USA.
- 10. Tree Board

The tree board has been established and is meeting regularly.

11. Poulos Park

The Town started the Poulos Park upgrade using the AARP Grant Funds for the first phase.

- 12. Parks Recreation and Trails Master Plan This grant was not received until 2020.
- 13. 3% Impact fee

The 3% impact fee was implemented in 2019 for water, sewer, and trash.

- 14. Sewer line replacement/Storm drain addition at 2nd and Clark Engineering was completed and construction began in 2019 totaling \$215,654.84. The project was completed in February 2020, except for the road work.
- 15. Space to Create continued planning phase. The planning phase continued through 2019.
- 16. Town Hall Repairs Audio and visual equipment for Council Meetings was installed.
- 17. (2) PD Vehicles(2) 2018 Chevy Equinox were purchased from Hellman Motor and outfitted.
- Replace Electric Car The Electric Car was replaced from WENCO.
- 19. Street improvements

Street overlays were done on 2nd, 6th, and Orchard Avenue.

- 20. Water repair & maintenance priorities:
 - a. 1MG Tank
 - 1MG Tank was placed online in 2019.
 - b. 3rd Street Loop This project was postponed.
 - c. 300 Orchard

This project was postponed.

 d. 2MG Tank lining The 2MG tank liner was postponed for 2019 but will be inspected in 2020.

- 21. Sewer repairs & maintenance priorities
 - a. Auto trash cleaner This project was postponed.
 - b. Manhole lining This project was postponed.
 - c. Slip lining
 - This project was postponed.
 - d. Aerators The purchase/replacement for new aerators was postponed. The Town did repair existing aerators.

Other projects completed that were not in the original 2019 budget but became a priority during the year:

- 22. Purchase of a new Trash Truck totaling \$176,460.00.
- Miner Statue/ Park Entrance revitalization started in 2018 spending \$37,357.68 continued in 2019 with the memorial wall installation spending an additional \$22,408.00. The balance of \$5,050.00 is due in 2020.
- 24. EHS Center Roof replacement was engineered, and construction began.
- 25. V-Pan at 1st & Dorris Ave and between North Fork and Orchard on 3rd were improved.
- 26. A handrailing was installed at the Minnesota Bridge.
- 27. Minor sidewalk improvements were completed on 3rd & Box Elder and 4th & Onarga which included tree removal.
- 28. Water equipment (Leak Detector and Line Locator) was purchased in 2019.
- 29. Spring line repairs totaling \$ 54,227.11.
- 30. Meter replacement project continued totaling \$34,243.74.
- 31. Water plant improvements totaled \$24,798.47.
- 32. 2019 Water Issue totaled \$48,053.50 not including man hours and donations.

OVERVIEW OF THE FISCAL YEAR 2019 FINANCIAL STATEMENTS

By way of introduction and definition to the Town of Paonia basic financial statements, the Town's financial statements are comprised of three components:

- I. Governmental Financial Statements
- 2. Fund Financial Statements
- 3. Notes to the Financial Statements

This report also contains required and other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements: The *Government-wide Financial Statements* are designed to provide readers with a broad overview of the Town's finances in a manner similar to a private-sector business.

The "Statement of Net Position" presents information on all of the Town of Paonia assets and liabilities, with the difference between the two reported as *net assets*. Trends, increases and decreases, in net assets may serve as a useful indicator of whether the financial position of the Town of Paonia is improving or deteriorating.

The "Statement of Activities" presents information showing how the government's net assets

changed during the most recent Fiscal Year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.

Both of the government-wide financial statements distinguish functions of the Town of Paonia that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*enterprise business-type activities*).

The Governmental-wide Financial Statement include only the Town of Paonia itself (known as the primary government) as there are **no component units** of the Town.

The Governmental Funds of the Town of Paonia include the:

1. **General Fund:** The General Fund is the Town's major operating fund. All revenues, by law or administrative control, that are not in otherwise designated funds are deposited in the General Fund.

The General Fund is used to provide for Administration, Building Permits, Public Safety, Streets, and Parks and Recreation services. The primary sources of revenues for the General Fund are:

- 1. Sales taxes (Town and Delta County),
- 2. Property taxes,
- 3. Franchise Taxes and
- 4. Intergovernmental revenues specifically Highway Users Tax.
- Conservation Trust Fund: The Conservation Trust Fund is used to account for monies received by the Town from the State of Colorado lottery proceeds. These funds are restricted for use in the acquisition, development and maintenance of new park and conservation sites or for capital improvements and maintenance of any existing public site for recreational purposes.
- 3. Sales Tax Capital Improvement Fund: The Sales Tax Capital Improvement Fund is funded by 1% of the 3% Town Sales Tax and used to account for capital projects and purchases.
- 4. **Street Capital Improvement Fund**: The Street Capital Improvement fund was added in 2018 and is funded by 3% impact fees paid by the Water, Sewer and Trash Funds and is to be used for capital improvements (reconstruction and paving) to the roads.
- 5. **Bridge Fund**: The Bridge Fund is deferred revenue which was received from Delta County in January 2010 for the total of \$800,000 which by contract is amortized at \$40,000/year.
- 6. **Sidewalk Fund:** The Sidewalk Fund is funded through utility billing by a \$3.00 fee assessed monthly on in-Town properties only to be used to repair and replace existing sidewalks.
- 7. **Space-to-Create Fund**: In 2017, the Town received a grant from the Boettcher Foundation of \$35,000 to begin Space-to-Create project. Space-to-Create will advance a feasibility

analysis of creative sector workforce space in the Town of Paonia. The initiative began with a preliminary feasibility study and community engagement work, followed by an arts market survey. In addition in 2018, the Town received a \$25,000 REDI Grant from DOLA for the feasibility study, a \$17,500 DOLA Grant for the Market Survey, a \$50,000 Grant from Colorado Creative Industries (CCI) for the ongoing development of the Space-to-Create project and a \$915.00 contribution from the public. In 2019, the Town was requested to return \$45,000 to the Colorado Creative Industries (CCI) as the Town was not going to be able to spend those funds on pre-development in 2019.

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives.

Governmental Funds are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the Fiscal Year. Such information may be useful in evaluating a government's near-term financing requirements.

In particular, **Unassigned Fund Balance** may serve as a useful measure of a government's net resources available for spending at the end of the Fiscal Year. Governmental fund statements are presented separately for revenue, expenditures, and changes in fund balances for the General Fund, Sales Tax Capital Improvement Fund, Street Capital Improvement Fund, Conservation Trust Fund, Sidewalk Fund and the Space to Create Fund. The General Fund and Sales Tax Capital Improvement Fund are considered major funds of the Town.

Individual fund data for each of these five major governmental funds are provided in the form of "**Combining Statements**" elsewhere in this report.

It is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions.

The Enterprise Funds (business-type activities) of the Town of Paonia include the:

Water Fund: The Town operates two water treatment facilities. The upper system, also known as the 2.0 Million Gallon (2MG) Water Treatment Plant (WTP) services primarily the out-of-town customers, water companies and the northeast end of Town. The lower system, also known as the 1.0 Million Gallon (1MG) Water Treatment Plant or commonly referred to as the "Clock Plant" services mostly Town proper. The primary sources of revenue are charges for service. This fund is used to account for the revenues and expenses associated with the operations and maintenance of the water treatment and delivery (distribution) system. Also, to be included in the charges for services or any rate consideration for this fund are the repayment of loans for the water treatment facilities and monies for capital re-investment to these systems.

1. **Grant Project Fund:** The Grant Project Fund is funded by refundable grants designated to specific projects plus Town matching funds. This fund is a "pass through fund" specifically for the tracking of grants awarded. This fund is combined with the water fund as a sub-fund in the current year.

Sewer Fund: The Town operates a Wastewater Treatment Plant (WWTP) and sanitary sewer collection system. The primary sources of revenue are charges for service. This fund is used to account for the revenues and expenses associated with the operations and maintenance of the wastewater treatment plant and collections system. Also, to be included in the charges for services or any rate consideration for this fund are the repayment of loans for the wastewater treatment plant facility and monies for capital re-investment to this system.

1. **Grant Project Fund:** The Grant Project Fund is funded by refundable grants designated to specific projects plus Town matching funds. This fund is a "pass through fund" specifically for the tracking of grants awarded. This fund is combined with the sewer fund as a sub-fund in the current year.

Sanitation (Trash) Fund: The Trash Fund is used to account for revenues and expenses associated with the collection and disposal of trash for In-Town residents and businesses. Charges for the service are the only revenue source for this activity.

The Enterprise Funds are used to report the same functions presented as **business-type activities** in the government-wide financial statements. The Town of Paonia uses Enterprise Funds to account for its Water, Sewer and Trash Funds, all of which are considered to be major funds of the Town of Paonia.

Notes to the Financial Statements provide additional information that is essential for a full understanding of the data provided in the government-wide and fund financial statements.

Other information: is in addition to the basic financial statements and accompanying notes. This report also presents certain *"Required Supplementary Information"* concerning the Town of Paonia budgetary comparison schedules.



FINANCIAL ANALYSIS FOR THE TOWN OF PAONIA AS A WHOLE



As noted earlier, the Town of Paonia uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

The 2019 Fund Balances are as follows:

	2019	2018	2017	2016	2015
General Fund	507,079	336,284	220,337	178,787	94,900
Sales Tax Capital Improvement Fund	338,150	296,990	354,942	338,969	270,325
Street Capital Improvement Fund	90,775	19,416	0	0	0
Conservation Trust Fund	1,317	0	18,905	14,941	10,902
Grant Project Fund	0	0	0	0	781,095
Sidewalk Fund	19,763	3,659	18,498	888	17,798
Space To Create Fund	13,124	29,219	37,410	0	0
Governmental Funds	970,208	685,568	650,092	533,585	1,175,020

The General Fund is the chief operating fund to the Town of Paonia. At the end of 2019, **Unassigned Fund Balance** of the General Fund is \$321,226.

The committed Bridge reserve is \$144,168 plus the Unearned revenue of \$440,000, totals \$584,168.

The restricted fund for the Airport Capital Improvement totals \$44,892 at the end of 2019.

Available Resources of the Enterprise Funds at the end of the Fiscal Year 2019 is as follows:

	2019	2018	2017	2016	2015
Water Fund	166,873	105,507	1,203,966	822,179	686,079
Sewer Fund	374,079	555,190	1,056,096	302,498	424,684
Trash Fund	112,419	248,637	208,538	256,376	162,291

CAPITAL ASSET AND DEBT ADMINSTRATION

Capital Assets are the Town of Paonia investments in capital assets for its governmental

and business-type activities as of December 31, 2019, which for this fiscal year amounts to \$15,917,570 (Net of Accumulated Depreciation). This investment in capital assets includes land, buildings, construction in progress, improvements other than buildings, infrastructure, and equipment.

Major capital asset events during Fiscal Year 2019 included the a new Trash Truck (\$176,460.), Clark Sewer/Storm Drain project (\$215,654.85), Water Spring line improvements (\$54,227.11), Remote Meter Project (\$34,243.74), Water Plant improvements (\$24,798.47), (2) Police Vehicles Chevy Equinox (\$50,000.), EHS Center Roof replacement (\$43,440.), Miner Wall (\$22,408.), and Poulos Park Improvements (\$15,589.36).

Long-Term Debt includes the Sewer Plant, the 1MG Water Plant and the 2MG Water Plant and the improvements to the Distribution System. The Town's total bond and other indebtedness as of December 31, 2019 was \$4,120,059. The Town of Paonia has no General Obligation debt.

ECONOMIC FACTORS AND RATES

The Town of Paonia and Delta County are primarily agriculturally based economies. Given the still uncertain economic environment, the Town of Paonia Fiscal Year 2019 Budget maintained operating expenditures in line (balanced, not exceeding) with sources of revenues by re-evaluating services, reducing costs, and performing modest capital improvements such as the sidewalk construction project by utilizing funds maintained in reserve.

The Town increased water rates in February 2017 by 2% per base unit and sewer rates in May 2017 \$3.00 per base unit in order for the funds to remain financially solvent. Solid Waste (Trash) rates were increased \$1.00 per base unit in 2018. In 2019, there were no rate increases to Water, Sewer or Trash.

There are no other known facts, decisions or conditions that are expected to have an effect on the Town's financial position or results of operations such as rate increase, increases in service areas, etc.

REQUEST FOR INFORMATION

This financial report is designed to provide a general overview of the Town of Paonia finances for all those with an interest in the Town government's finances. Questions concerning any of the information provided in this report or request for additional information should be addressed to Finance Director, Cindy Jones, Town of Paonia, 214 Grand Avenue, PO Box 460, Paonia, CO 81428 and Telephone: (970) 527-4101.

Respectfully Presented By:

Corinne Ferguson, Town Administrator/Town Clerk Ross King, Town Treasurer Cindy Jones, Finance Director BASIC FINANCIAL STATEMENTS

STATEMENT OF NET POSITION

December 31, 2019

Assets	Governmental Activities	Business- Type Activities	Total
Pooled cash and investments	\$ 804,319	\$ 483,509	\$ 1,287,828
Restricted cash and investments (Notes 5 and 10)	584,168	\$ 483,509 632,461	
Property taxes receivable	and a second	052,401	1,216,629
Accounts receivable, net	133,063 12,681	100.084	133,063
Grants receivable	12,001	109,984	122,665
	62 527	9,878	9,878
Due from other governments Inventories	62,527	116 214	62,527
	-	116,314	116,314
Capital assets (Note 12)	246 491	024.167	1 000 (20
Nondepreciable	246,481	834,157	1,080,638
Depreciable, net of accumulated depreciation	2,886,145	11,950,787	14,836,932
Total Assets	4,729,384	14,137,090	18,866,474
Deferred outflows of resources			
FPPA pension (Note 8)	110,994	-	110,994
Liabilities			
Accounts payable	34,240	54,484	88,724
Accrued payroll liabilities	19,247	. –	19,247
Accrued interest payable	80-1	11,830	11,830
Unearned other revenue	440,000	-	440,000
FPPA net pension liability (Note 8)	23,648	-	23,648
Noncurrent liabilities:			
Due within one year (Note 6)	17,973	178,990	196,963
Due in more than one year (Note 6)		3,941,068	3,941,068
Total Liabilities	535,108	4,186,372	4,721,480
Deferred inflows of resources			
FPPA pension (Note 8)	1,160	-	1,160
Deferred property tax revenue	133,063		133,063
Total Deferred Inflows of Resources	134,223	- 4	134,223
Net position			
Net investment in capital assets	3,132,626	8,664,886	11,797,512
Restricted for:			
Emergencies (Note 3)	41,685	-	41,685
Airport capital improvements (Note 11)	44,892		44,892
Water utility maintenance (Note 6)	5 - 5	208,080	208,080
Debt service (Notes 6 and 10)	-	632,461	632,461
Unrestricted	951,845	445,291	1,397,136
Total Net Position	\$ 4,171,048	\$ 9,950,718	\$ 14,121,766

The accompanying notes are an integral part of this statement.

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STATEMENT OF ACTIVITIES

					Progra	m Revenues				Net (Expense) Revenue Changes in Net Positi			
		Expenses	С	harges for Services	Gr	perating rants and ntributions	Gr	Capital ants and atributions		overnmental Activities	В	usiness-type Activities	Total
Function/Programs													
Government Activities													
General government	\$	319,313	\$	42,462	\$	-	\$	35,000	\$	(241,851)	\$	-	\$ (241,851)
Public safety		337,646		51,461		18,859		-		(267,326)		-	(267,326)
Public works		151,866		30,773		46,504		2 - 1		(74,589)		-	(74,589)
Culture and recreation	-	178,190		-		63,696		12,453	-	(102,041)	12	-	(102,041)
Total government activities	_	987,015		124,696	. <u> </u>	129,059		47,453		(685,807)		-	(685,807)
Business-type Activities													
Water operations		834,629		819,925		<u>(4</u> 3)		120		1 <u>-</u> 1		(14,704)	(14,704)
Sewer operations		551,604		470,802		-		25,997		-		(54,805)	(54,805)
Trash	_	186,873		217,726	-			-	-	1-1	<u>.</u>	30,853	30,853
Total business-type activities		1,573,106		1,508,453	:			25,997	8	it a i,	<u></u>	(38,656)	(38,656)
Total primary government	\$	2,560,121	\$	1,633,149	\$	129,059	\$	73,450		(685,807)		(38,656)	(724,463)
					Gener	al Revenues	:						
					Prop	erty taxes				101,557			101,557
					Spec	ific ownersh	ip taxe	s		18,678		12	18,678
					Sales	taxes				724,941			724,941
					Franc	chise taxes				58,971		-	58,971
					Misc	ellaneous				45,744		-	45,744
					Seve	rance tax				10,721		-	10,721
					Mine	ral leasing				6,580		-	6,580
						stment earning				24,171		14,737	38,908
						on sale of a	sset			-		105,500	105,500
					Trans					16,745		(16,745)	 2
					Total g	eneral reven	ues			1,008,108	23 83	103,492	1,111,600

The accompanying notes are an integral part of this statement.

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Total change in net position

Beginning net position

322,301

3,848,747

4,171,048

\$

\$

64,836

9,950,718 \$

9,885,882

387,137

13,734,629

14,121,766

BALANCE SHEET- GOVERNMENTAL FUNDS

December 31, 2019

		General Fund	C	ales Tax Capital provement Fund	N	Total Ionmajor Funds	_	Total
Assets								g 74
Pooled cash and investments	\$	300,403	\$	321,970	\$	181,946	\$	804,319
Restricted cash and investments		584,168				-		584,168
Taxes receivable		133,063		C		-		133,063
Due from other governments		46,347		16,180		- 2		62,527
Due from other funds		59,575		-		-		59,575
Accounts receivable	1017	10,073	<u>.</u>	23 5 0		2,608	· ·	12,681
Total assets		1,133,629	1 ₂	338,150		184,554		1,656,333
Liabilities								
Accounts payable		34,240		0.5		-		34,240
Accrued payroll liabilities		19,247		-		-		19,247
Due to other funds		<u>.</u>		-		59,575		59,575
Unearned revenue bridge agreement		440,000		1.5				440,000
Total liabilities		493,487	2	0		59,575	-	553,062
Deferred Inflows of Resources								
Deferred property taxes		133,063	3	15			_	133,063
Fund Balance								
Restricted								
Reserve for emergencies		41,685		8 		-		41,685
Conservation		-		-		1,317		1,317
Airport capital improvements				44,892				44,892
Committed								
Bridge reserve		144,168				-		144,168
Capital acquisition		-		293,258				293,258
Sidewalk improvement				-		19,763		19,763
Street improvement		-		-		90,775		90,775
Space to create				1. 		13,124		13,124
Unassigned	<u></u>	321,226	r			-		321,226
Total fund balance	\$	507,079	\$	338,150	\$	124,979	\$	970,208

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RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE STATEMENT OF NET POSITION

December 31, 2019

Amounts reported for governmental activities on the statement of net assets are different because:	
Total fund balance - governmental funds	\$ 970,208
Capital assets used in governmental activities are no current financial resources and therefore, are not reported in the funds Governmental capital assets	\$ 5,107,962
Less: Accumulated depreciation	(1,975,336) 3,132,626
Net pension assets are not current assets available to cover current year expenditures and, therefore, are not reported as assets in the governmental funds.	(23,648)
Deferred outflows of resources related to pensions are applicable to future periods and, therefore, are not reported in the funds. Deferred outflows of resources are related to the difference between expected and actual experience, changes of assumptions and the difference between contributions and proportionate share of contributions to the plan.	110,994
Deferred inflows of resources related to pensions are applicable in future periods and, therefore, are not reported in the funds. Deferred inflows of resources are related to the difference between expected and actual experience, the difference between projected and actual earnings on pension plan investments and change in proportionate share of total contributions to the plan.	(1,160)
Long-term liabilities that pertain to governmental funds are not due and payable in the current period and, therefore, are not reported as fund liabilities. All liabilities, both current and long-term are reported in the statement of net position. Balance at year-end are: Compensated absences	(17,973)
Total governmental activities net assets	\$ 4,171,047

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES GOVERNMENTAL FUNDS

		General Fund		Sales Tax Capital Improvement Fund		Ionmajor Fund		Total
Revenues								
Taxes	\$	639,595	\$	180,778	\$	34,731	\$	855,104
Fees and fines		60,130				30,772		90,902
Licenses and permits		42,190		0-0		-		42,190
Intergovernmental		146,179		9.40		12,454		158,633
Interest income		23,975		-		-		23,975
Miscellaneous		113,942		7,650	ŝ.	196	61	121,788
Total revenues		1,026,011		188,428		78,153		1,292,592
Expenditures								
Current								
General government		225,531		11 .		28,737		254,268
Public safety		321,449				-		321,449
Public works		144,187				7,682		151,869
Culture and recreation		152,046		9 4 0		6,900		158,946
Capital outlay		12,003	-	119,176		6,986	2. 	138,165
Total expenditures		855,216		119,176	7	50,305	-	1,024,697
Revenues in excess (deficiency)								
of expenditures		170,795		69,252		27,848		267,895
Other financing sources (uses)								
Transfers in (out)		143		(28,092)		44,837		16,745
Total other financing sources (uses)		-		(28,092)	2	44,837		16,745
Revenues and other sources in excess (deficiency)								
of expenditures and other (uses)		170,795		41,160		72,685		284,640
Fund balance, beginning		336,284	<u>.</u>	296,990	8	52,294	<u></u>	685,568
Fund balance, ending	\$	507,079	\$	338,150	\$	124,979	\$	970,208

Year Ended December 31, 2019

Town of Paonia

RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE TO THE STATEMENT OF ACTIVITIES

December 31, 2019						
Amounts reported for governmental activities on the statement of net assets are different because:						
Net change in fund balances - total governmental funds		\$	284,640			
Amounts reported for governmental activities in the statement of activities are different because:						
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital outlays exceeded depreciation in the current period. Capital assets current additions	182,795 (157,165)		25 (20			
Excess of capital outlay over depreciation			25,630			
Pension benefits reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in government funds. This is the change in net pension liability.			9,001			
Payments of compensated absences are reported as expenditures in the governmental funds when actually paid. However, on the government-wide statement of activities compensated absences are expensed as they are accrued. Changes in the compensated absences liability are a reconciling item.			3,030			
Changes in Net Position of Governmental Funds		\$	322,301			

STATEMENT OF NET POSITION ENTERPRISE FUNDS

December 31, 2019

	Water	Sewer	Trash	Total		
Assets						
Current Assets						
Pooled cash and investments	\$ 18,896	\$ 366,769	\$ 97,844	\$ 483,509		
Restricted cash and investments	·	632,461	-	632,461		
Accounts receivable, net	61,786	29,995	18,203	109,984		
Grants receivable	-	9,878	1.71	9,878		
Inventories	110,030	6,284		116,314		
Total current assets	190,712	1,045,387	116,047	1,352,146		
Capital Assets						
Land and improvements	269,777	564,380	-	834,157		
Utility system	11,643,375	5,321,495		16,964,870		
Equipment and furniture	201,814	99,060	289,018	589,892		
Less accumulated depreciation	(3,841,468)	(1,644,067)	(118,440)	(5,603,975)		
Net capital assets	8,273,498	4,340,868	170,578	12,784,944		
Total Assets	8,464,210	5,386,255	286,625	14,137,090		
Liabilities						
Current Liabilities						
Accounts payable	12,009	38,847	3,628	54,484		
Accrued interest payable	11,830	H	-	11,830		
Current portion of long-term debt	148,544	30,446	<u></u>	178,990		
Total current liabilities	172,383	69,293	3,628	245,304		
Long-term Liabilities						
Notes payable	2,407,793	1,533,275	. <u> </u>	3,941,068		
Total long-term liabilities	2,407,793	1,533,275	. <u> </u>	3,941,068		
Total liabilities	2,580,176	1,602,568	3,628	4,186,372		
Net Position						
Net investment in capital assets	5,717,161	2,777,147	170,578	8,664,886		
Restricted for debt service		632,461	-	632,461		
Restricted for water maintenance	208,080	120	-	208,080		
Unrestricted	(41,207)	374,079	112,419	445,291		
Total net position	\$ 5,884,034	\$ 3,783,687	\$ 282,997	\$ 9,950,718		

The accompanying notes are an integral part of this statement.

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STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION ENTERPRISE FUNDS

	Water			Sewer		Trash	Total		
Operating Revenues	1,195					80000000000000000000000000000000000000	80.14 ⁻		
Charges for services	\$	819,925	\$	470,802	\$	217,726	\$	1,508,453	
Total operating revenues		819,925		470,802		217,726		1,508,453	
Operating Expenses									
Personnel expenses		248,397		157,995		109,271		515,663	
Contractual services		-		-		34,842		34,842	
Professional fees		13,079		62,782		3,525		79,386	
Utilities		29,321		36,273		2,451		68,045	
Repairs and maintenance		132,108		110,829		12,035		254,972	
Other supplies and expense		48,701		30,951		14,888		94,540	
Insurance claims and expense		20,586		6,995		3,979		31,560	
Depreciation		311,327	s 	102,115		5,882		419,324	
Total operating expenses	0.	803,519	<u>k.</u>	507,940		186,873		1,498,332	
Net income (loss) from operations		16,406		(37,138)		30,853		10,121	
Nonoperating Revenues (Expenses)									
Grants				25,997		27.0		25,997	
Interest income				14,737		2702		14,737	
Interest expense		(31,110)		(43,664)				(74,774)	
Total non-operating revenues (expenses)	-	(31,110)	s 	(2,930)	×	i= 1		(34,040)	
Net income (loss)before capital contributions									
and transfers		(14,704)		(40,068)		30,853		(23,919)	
Capital contributions - tap fees		57,000		48,500		-		105,500	
Transfers in (out)		(16,128)	8	(4,124)	_	3,507		(16,745)	
Change in net position		26,168		4,308		34,360		64,836	
Net position, beginning		5,857,866		3,779,379		248,637		9,885,882	
Net position, ending	\$	5,884,034	\$	3,783,687	\$	282,997	\$	9,950,718	

Year Ended December 31, 2019

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STATEMENT OF CASH FLOWS ENTERPRISE FUNDS

	82 <u></u>	Water		Sewer		Trash	10	Total
Cash flows from operating activities:		0100000-00000-0			NUMBER OF	50 	22	m soonaaraataataa
Charges for sales and services	\$	887,618	\$	525,563	\$	218,677	\$	1,631,858
Payments to employees		(248,397)		(157,995)		(109,271)		(515,663)
Payments to suppliers	1	(212,004)		(248,874)		(71,262)		(532,140)
Net cash provided by operating activities		427,217		118,694		38,144		584,055
Cash flows from non-capital financing activities:								
Due (to) from other funds		(316,540)		<u></u>		<u> </u>		(316,540)
Transfers from (to) other funds		(16,128)	2	(4,124)		3,507		(16,745)
Net cash provided (used) by								
non-capital financing activities		(332,668)		(4,124)		3,507		(333,285)
Cash flows from capital and related financing activities								
Grant revenues		239,603		16,119		1.50 C		255,722
Acquisition of capital assets		(127,585)		(215,647)		(176,460)		(519,692)
Principal paid on loans and leases		(148,545)		(57,296)				(205,841)
Interest expense		(39,126)		(43,664)		-		(82,790)
Proceeds from tap fees			8	48,500		-		48,500
Net cash provided (used) by								
capital and related financing activities		(75,653)		(251,988)		(176,460)		(504,101)
Cash flows from investing activities								
Investment income	-	. •	11	14,737			<u>.</u>	14,737
Net cash provided (used) by investing activities	0	-		14,737		-0	10	14,737
Net increase (decrease) in cash and cash equivalents		18,896		(122,681)		(134,809)		(238,594)
Cash at beginning of year	8 <u></u>	-	. <u> </u>	1,121,911		232,653	<u> </u>	1,354,564
Cash at end of year	\$	18,896	\$	999,230	\$	97,844	\$	1,115,970

STATEMENT OF CASH FLOWS ENTERPRISE FUNDS

		Water		Sewer		Trash		Total	
Reconciliation of operating income (loss) to net cash provided by operating activities:			2				<u>.</u>		
Operating income (loss)	\$	73,400	\$	(37,138)	\$	30,853	\$	67,115	
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:									
Depreciation and amortization		311,327		102,115		5,882		419,324	
(Increase) decrease in accounts receivable		10,699		19,671		951		31,32	
Increase (decrease) in accounts payable		9,641		35,090		458		45,18	
Increase (decrease) in inventory	8. 	22,150	%. 	(1,044)		-		21,10	
Total adjustments	a <u></u>	353,817		155,832		7,291		516,94	
Net cash provided by operating activities	\$	427,217	\$	118,694	\$	38,144	\$	584,05	
Reconcliation of cash flow statement to statement of net position									
Cash	\$	18,896	\$	366,769	\$	97.844	\$	483,50	
Restricted cash and investments	•	-		632,461		-		632,46	
	\$	18,896	\$	999,230	\$	97,844	\$	1,115,97	

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Town of Paonia, Colorado (the Town), have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles.

The Town's significant accounting policies are described below:

Financial Reporting Entity

The Town is a statutory municipality with a mayor – council form of government with six trustees and one separately elected mayor serving as elected Town Board of Trustees (the Town Board) members. The Town administrator is an appointed positions of the Town. As required by GAAP, these financial statements present the Town's (the primary government) financial position. The Town has no oversight responsibility for any other governmental entity since no other entities are considered to be controlled by or dependent on the Town. Control or dependence is determined on the basis of budget adoption, taxing authority, funding and appointment of the respective government body.

Basis of Presentation

Government-wide Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the activities of the Town. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes, charges for services and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on user charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include 1) charges to those who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Fund Financial Statements

The accounts of the Town are organized on the basis of funds and account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures or expenses, as

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

All governmental funds are accounted for on a flow of current financial resources basis. Balance sheets for these funds generally include only current assets and current liabilities. Reported fund balances are considered a measure of available, spendable resources. Operating statements for these funds present a summary of available, spendable resources and expenditures for the period.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

The Town reports the following major governmental funds:

- *The General Fund* is the Town's primary operating fund. It accounts for all financial resources of the Town, except those required to be accounted for in another fund.
- The Sales Tax Capital Improvement Fund, which accounts for the Town's additional sales tax that is to be used for capital improvements

The following funds are considered nonmajor governmental funds:

- *The Conservation Trust Fund,* which accounts for State of Colorado lottery funds to be used for parks and recreation services and capital investment.
- *The Street Capital Improvement Fund,* which accounts for funds committed by the Board of Trustees to be used or street construction from Highways Users tax and impact fees.
- *The Sidewalk Fund*, which accounts for the Town's sidewalk fees that are to be used for sidewalk repairs and maintenance.
- *The Space to Create Fund*, which accounts for the Town's revenues that are to be used to fund a feasibility analysis of creative sector workforce space in the Town.

Enterprise funds account for operations that are financed and operated in a manner similar to private business enterprises, where the intent is that the costs of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges. Enterprise funds are considered major funds because of community interests in the activities and sources of funding supporting these operations.

The Town reports the following major enterprise fund business-type activities:

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

• *Water, Sewer and Trash Funds,* which account for all operations of the Town's water, sewer and refuse services. They are primarily financed by user charges.

Measurement Focus & Basis of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the enterprise fund financial statements. Revenues are recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

The modified accrual basis of accounting is used by all governmental funds. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they become both measurable and available). "Measurable" means the amount of the transaction can be determined, and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. For the Town, "available" means collected within 60 days of year end. Expenditures are recorded when the related fund liability is incurred. Exceptions to this general rule include principal and interest on general long-term debt, which is recognized when due, and compensated absences, which are recognized when the obligations are expected to be liquidated with expendable available resources.

Those revenues susceptible to accrual are interest revenue and charges for services. Entitlement revenues are not susceptible to accrual because, generally, they are not measurable until received. Grant revenues are recognized as expenditures are made.

Cash and Cash Equivalents

For purposes of the statement of cash flows of the enterprise funds, cash and cash equivalents consist of operating and restricted cash and highly liquid securities with an initial maturity of three months or less.

Fair Value Measurement

The Town adopted GASB Statement No. 72, Fair Value Measurement and Application, which generally requires state and local governments to measure assets and liabilities at fair value. GASB's goal is to enhance comparability of governmental financial statements by requiring fair value measurement for certain assets and liabilities using a consistent definition and accepted valuation techniques. This standard expands fair value disclosure to provide comprehensive information for financial statement users about the impact of fair value measurements on a government's financial position. The Town's investments consist of external investment pools and certificates of deposit.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

Inventory

Inventory is valued at the lower of cost (first-in, first-out) or market.

Capital Assets

Capital assets, which include property, equipment and infrastructure assets, are reported in the applicable governmental or business-type activities columns in the government-wide financial statements and in the proprietary fund financial statements. Capitalized assets are defined by the Town as assets that have a useful life of one or more years and for which the initial individual value equals or exceeds \$5,000.

All purchased assets are valued at cost where historical records are available and \cdot at estimated historical costs where no historical records exist. Donated assets are valued at their acquisition value on the date received. The cost of normal maintenance and repairs that does not add to the value of an asset or materially extend asset life is not capitalized.

Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

Asset Class	Useful Life
Building and other improvements	25 - 40 years
Water and sewer systems	15 - 40 years
Furniture and equipment	5 - 10 years
Infrastructure	15 - 40 years

Public domain assets consisting of roads, bridges, curbs and gutters, streets and sidewalks, drainage systems and lighting systems are examples of infrastructure assets. Infrastructure assets are distinguished from other capitalized assets as their useful lives often extend beyond most other capital assets, and they are stationary in nature. General infrastructure assets are those associated with or arising from governmental activities.

Interfund Transactions

Interfund receivables and payables arise from interfund transactions and are recorded by all funds affected in the period in which transactions are executed. At year end, outstanding balances between funds are reported as "due to/from other funds." Nonrecurring or non-routine permanent transfers of equity are reported as residual equity transfers. All other interfund transfers are reported as operating transfers. Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

Deferred Outflows/Inflows of Resources

Deferred Outflows of Resources

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Town reports deferred property tax revenue, which arises under both the full accrual (government-wide financial statement) and the modified accrual (fund financial statement) bases of accounting that qualified for reporting in this category. Accordingly, the deferred property taxes are reported in both the statement of net position and in the balance sheet of governmental funds. These future revenues are deferred and recognized as an inflow of resources in the period that the amounts become available (calendar year 2019).

Deferred Inflows of Resources

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until that time.

Long-Term Liabilities

In the government-wide financial statements and enterprise fund types in the fund financial statements, longterm debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities or enterprise fund-type statement of net position. The long-term compensated absences are serviced from revenues of the General Fund from future appropriations.

Net Position

Net position represents the difference between assets, deferred outflows of resources, liabilities and deferred inflows of resources. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvement of those assets.

Net position is reported as restricted when there are limitations imposed on its use either through the enabling legislation adopted by the Town or through external restrictions imposed by creditors, grantors or laws or regulations of other governments. All other net position is reported as unrestricted. The Town applies restricted resources first when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

Police Officers Pension Plan

Eligible police officers of the Town are provided with pensions through the Statewide Defined Benefit Plan (SWDBP), a cost-sharing multi-employer defined benefit pension plan administered by the Fire & Police Pension Association of Colorado (FPPA). For the purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pension and pension expense, information about the fiduciary net position of the SWDBP plan and additions to/deductions from fiduciary net position have been determined on the same basis as they are reported by FPPA. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Fund Balances

In the fund financial statements, governmental funds report the following classification of fund balance:

- Nonspendable Fund Balance: amounts that are not in spendable form (such as inventory) or are required to be maintained intact;
- Restricted Fund Balance: amounts constrained to specific purposes by their providers (such as grantors, bondholders and higher levels of government) through constitutional provisions or by enabling legislation;
- Committed Fund Balance: amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest level action to remove or change the constraint. The Town Council is the Town's highest decision making authority and commits fund balance through resolution during the budget process;
- Assigned Fund Balance: amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority (the Town Administrator has been given this authority by the governing body) and
- Unassigned Fund Balance: amounts that are available for any purpose; positive amounts are reported only in the General Fund.

When an expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available, the Town considers restricted funds to have been spent first. When an expenditure is incurred for which committed, assigned or unassigned fund balances are available, the Town considers amounts to have been spent first out of committed funds, then assigned funds and finally unassigned funds, as needed, unless the Town Council has provided otherwise in its commitment or assignment actions.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

Property Tax

Property taxes for the current year are levied and attach as a lien on property the following January 1. They are payable in full by April 30 or in two equal installments due February 28 and June 15. Property taxes levied in the current year and collected in the following year are reported as a receivable and as deferred inflows of resources at December 31.

Use of Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

NOTE 2 – RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The governmental funds balance sheet includes a reconciliation between the total fund balances of the governmental funds, and the net position of the governmental activities as reported in the government-wide statement of net position. Additionally, the governmental fund statement of revenues, expenditures and changes in fund balances includes a reconciliation between net change in fund balances - total governmental funds and changes in net position of governmental activities as reported in the government-wide statement of activities.

These reconciliations detail items that require adjustment to convert from the current resources measurement and modified accrual basis for governmental fund statements to the economic resources measurement and full accrual basis used for government-wide statements. However, certain items having no effect on measurement and basis of accounting were eliminated from the governmental fund statements during the consolidation of governmental activities.

NOTE 3 – TAX, SPENDING, AND DEBT LIMITATIONS

Colorado voters passed an amendment to the State Constitution, Article X, Section 20 (the Amendment), which has several limitations, including revenue raising, spending abilities and other specific requirements of state and local governments, excluding "enterprises." The Town's voters on November 8, 1994 approved a ballot measure to permit the Town to collect, retain and expend the full proceeds of the Town's sales tax and nonfederal grants.

The Amendment is complex and subject to judicial interpretation. The Town believes it is in compliance with the requirements of the Amendment.
NOTES TO FINANCIAL STATEMENTS

December 31, 2019

The Amendment requires that an emergency reserve be maintained at 3% of fiscal year spending. A portion of the General Fund's fund balance is classified as restricted for emergencies as required by the Amendment. The amount restricted at December 31, 2019 was \$29,500.

NOTE 4 - BUDGETS

The Town adheres to the following procedures in establishing budgetary data reflected in the financial statements:

- By mid-August of each year, the Town Administrator, as the Budget Officer, gives public notice of the budget calendar for the next fiscal year. The Town Administrator asks that all Town departments, boards, commissions or citizens submit, within 30 days from the notice, any request for funds under the budget being prepared. The Town Administrator, with assistance from the Town Finance Officer, then prepares a proposed budget for the ensuing fiscal year and submits it to the Town Board no later than 45 days prior to any date required by state law for the certification to Delta County (the County) of the tax levy.
- The budget provides a complete financial plan of all Town funds and activities for the ensuing fiscal year indicating anticipated revenues, proposed operating and capital expenditures, a provision for contingencies and anticipated net surplus or deficit for the ensuing fiscal year.
- A public hearing on the proposed budget is held by the Town Board by no later than early December.
- The Town Board adopts the budget by resolution on or before the final day established by law for the certification of the ensuing year's tax levy to the County. Adoption of the budget by the Town Board shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.
- If, during the fiscal year, the Town Administrator and the Town Finance Officer determine that
 there are expenses in excess of those estimated in the budget, the Town Board by resolution may
 make supplemental appropriations for the year up to the amount of such excess. To meet an
 emergency affecting public property, health, peace or safety, the Town Board may make
 emergency appropriations. If, at any time during the fiscal year, it appears probable to the Town
 Administrator and Town Finance Officer that the revenues available will be insufficient to meet
 the amount appropriated, the Town Administrator reports to the Town Board, indicating the
 estimated amount of deficit, any remedial action already taken and a recommendation as to any
 other steps to be taken. At any time during the fiscal year, the Town Administrator, as Budget
 Officer, may transfer part or all of any unencumbered appropriation balance within a department.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

- Budget appropriations lapse at the end of each year.
- Expenditures may not exceed appropriations at the fund level. Budget amounts included in the financial statements are based on the final amended budget.
- Budgets for governmental funds are adopted on a basis consistent with GAAP, except for longterm receivables and advances and capital lease financing, which are budgeted when liquidated rather than when the receivable/liability is incurred. Budgets for enterprise funds are adopted on a basis consistent with the spending measurement focus of the governmental funds.

NOTE 5 – DEPOSITS AND INVESTMENTS

Cash Deposits

The Town maintains a cash pool that is used by all of the Town's funds.

The composition of the Town's cash and investments is as follows:

Cash and investments	
Cash on hand	\$ 225
Cash with County Treasurer	2,286
Bank deposits	244,736
Certificates of deposit	452,376
Colotrust	 1,804,834
Total	\$ 2,504,457
Cash and investments in the statement of net position	
Pooled cash and investments	\$ 1,287,828
Restricted cash and investments	 1,216,629
Total	\$ 2,504,457

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution or held in trust for all the uninsured public deposits as a group.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

The market value of the collateral must be at least equal to 102% of the aggregate uninsured deposits. Collateral in the pool is considered to be equal to depository insurance pursuant to definitions listed in GASB Statement No. 40.

At December 31, 2019, the bank balance of the Town's deposits was \$769,948, of which \$250,000 was covered by federal depository insurance and \$519,948 was collateralized under PDPA.

Investments

Colorado statutes specify investment instruments meeting defined rating and risk criteria in which local government entities may invest. Authorized investments include obligations of the United States and certain U.S. government agency securities, certain international agency securities, general obligation and revenue bonds of U.S. local government entities, bankers' acceptances of certain banks, commercial paper, local government investment pools, and written repurchase agreements collateralized by certain authorized securities, certain money market funds and guaranteed investment contracts. The Town's investment policy follows Colorado statutes.

Interest Rate Risk - The Town does not have a formal policy limiting investment maturities which would help manage its exposure to fair value losses from increasing interest rates other than the five-year policy established by state statute.

Credit Risk - Credit risk is the risk that the issuer or other counterparty to an investment will not fulfill its obligations. It is the Town's policy to limit its investments to U.S. Treasury obligations, certain U.S. government agencies securities, commercial paper, local government investment pools, repurchase agreements and money market funds.

Custodial Credit Risk - For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the Town will not be able to recover the value of its investment or collateral securities that are in the possession of an outside party. The Town follows Colorado State Statutes for investing. The Town's investment policy does not specifically address this risk.

The Town's investment maturities at December 31, 2019 are as follows:

Investment by Type	Rating	120	Less than One Year	 e ot Year	Total
Certificates of Deposit COLOTRUST	Unrated	\$	452,376 1,804,834	\$ -	\$ 452,376 1,804,834
Total		\$	2,257,210	\$ -	\$2,257,210

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

The Town invested \$1,804,834 in the Colorado Government Liquid Asset Trust (COLOTRUST). COLOTRUST is an investment vehicle established by state statute for local government entities in Colorado to pool surplus funds for investment purposes. The State Securities Commission administers and enforces all state statutes governing public investment pools. The investment is an external investment pool that reports at the fair value per share of the pool's underlying portfolio. The unit of account is each share held, and the value of the position is the fair value of the pool's share price multiplied by the number of shares held. For pricing and redeeming shares, COLOTRUST maintains a stable net asset value (NAV) of \$1 per share, which approximates fair value. The government-investor does not "look through" the pool to report a pro rata share of the pool's investments, receivables and payables. All COLOTRUST investments are reported at NAV and do not have any unfunded commitments, redemption restrictions or redemption notice periods. COLOTRUST offers shares in two portfolios, COLOTRUST PRIME and COLOTRUST PLUS+, which are both rated AAAm by Standard & Poor's. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper and repurchase agreements collateralized by certain obligations of U.S. government agencies. Financial statements and information about the pool for COLOTRUST may be obtained through its website at www.colotrust.com . COLOTRUST may, without the necessity of a formal meeting of their Board, temporarily suspend the right of redemption or postpone the date of payment for redeemed shares under certain specific conditions described in their trust indenture and during any financial emergency when it is not reasonably practicable because of substantial losses which might be incurred.

Certificates of deposits held by the Town are considered to have a Level 1 valuation within the fair value hierarchy required under GASB 72.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

NOTE 6 - LONG-TERM LIABILITIES

Long-term liability activity for the year ended December 31, 2019, was as follows:

		Balance 1ary 1, 2019	Add	itions	Re	eductions		Balance mber 31, 2019	1000	ne Within ne Year
Government-wide Activities	S	20,982	\$		\$	3,009	\$	17,973	\$	17,973
Compensated absences	•	20,982	Ф	-	Ð	5,009	<u> </u>	17,975	Э	17,975
Total	\$	20,982	\$		\$	3,009	\$	17,973	\$	17,973
Business-type Activities										
RUS Loan	\$	1,621,018	\$		\$	57,296	\$	1,563,722	\$	38,290
Loan - WPA		2,462,084		-		127,807		2,334,277		128,838
Premium - WPA		19,780		178		1,211		18,569		1,211
Loan - CWRPDA	. <u> </u>	223,017			83. 57	19,526		203,491		19,869
Total	\$	4,325,899	\$		\$	205,840	\$	4,120,059	\$	188,208

RUS Loan Payable

The Town has an obligation to the U.S. Department of Agriculture's Rural Utilities Service (RUS), bearing interest at 4.375%. The bonds are payable in semi-annual installments of \$50,521, including interest, and are collateralized by the sewer system's pledged revenues through 2046, which is approximately \$3,250,000. Pledged revenues received amounted to \$101,042 during the year. The proportion of the pledged revenue to total sewer revenue is not estimable because annual total fees collected fluctuate. The purpose of the bonds was for construction improvements to the wastewater treatment plant and collection system. Principal and interest payments for the years following December 31, 2019 are as follows:

NOTES TO FINANCIAL STATEMENTS

RUS Loan Payable						
	Principal In		Interest		Total	
2020	\$	38,290	\$	62,752	\$	101,042
2021		34,065		66,977		101,042
2022		35,586		65,456		101,042
2023		37,174		63,868		101,042
2024		38,833		62,209		101,042
2025 - 2029		221,769		283,441		505,210
2030 - 2034		275,887		229,323		505,210
2035 - 2039		343,210		162,000		505,210
2040 - 2044		426,962		78,248		505,210
2045 - 2046	á. 	111,945	1	4,208		116,153
Total	\$	1,563,721	\$	1,078,482	\$	2,642,203

December 31, 2019

This loan requires a debt service reserve. See Note 10 for more information on this requirement.

CWRPDA Loan

The Town has a loan agreement with the Colorado Water Resources and Power Development Authority (CWRPDA), which originally enabled the Town to borrow up to \$448,200 at 1.75% interest annually, with payments of \$23,343 per year. The purpose of the loan was for upgrades to the lower water treatment plant. The project was completed in 2011, and the Town is no longer able to draw on the loan agreement. The Town pledged its net revenue from the operation of the water utility for repayment of the loan in the amount of approximately \$338,000 through 2029. Pledged revenues received during 2019 were \$23,343. The proportion of the pledged revenue to total related revenues is not estimable because annual total fees collected fluctuate. The Town is required to provide rates and charges in order to maintain coverage of 110% of the debt service due on the governmental agency bond coming due in each calendar year.

As of December 31, 2019, the Town borrowed \$395,969, of which the Town has made principal payments of \$192,478. Principal and interest payments for the years following December 31, 2019 are as follows:

NOTES TO FINANCIAL STATEMENTS

	Princi		Interest			Total		
2020	\$	19,869	\$	3,475	\$	23,344		
2021		20,218		3,125		23,343		
2022		20,573		2,770		23,343		
2023		20,935		2,408		23,343		
2024		21,303		2,040		23,343		
2025 - 2029		100,593		4,452		105,045		
Total	\$	203,491	\$	18,270	\$	221,761		

December 31, 2019

WPA Loan

The Town has a Water Power Authority (WPA) loan agreement with CWRPDA for \$2,996,494 at 1.75% interest annually, with twice yearly payments ranging from about \$83,000 to \$91,000. The purpose of the loan is for improvements and the expansion of the existing water treatment facilities and distribution system. The Town pledged its net revenue from the operation of the water utility for repayment of the loan in the amount of approximately \$3,707,000 through 2035. Pledge revenues received during 2019 were \$146,907. The proportion of the pledged revenue to total related revenues is not estimable because annual total fees collected fluctuate. The Town is required to provide rates and charges in order to maintain coverage of 110% of the debt service due on the governmental agency bond coming due in each calendar year.

The loan balance includes a premium of \$25,431, which will be amortized over the life of the loan on a straightline basis. Yearly amortization will be \$1,211. The remaining premium balance is \$18,569 as of December 31, 2019.

The agreement states that the Town must maintain an operation and maintenance reserve in an amount equal to three months of operating expense, excluding depreciation of the water utility system, as set forth in the annual budget. At no time should the budget reserve be greater than \$1,250,000. As of December 31, 2019, the Town's budgeted reserve was \$210,250.

Principal and interest payments for the years following December 31, 2019 are as follows:

NOTES TO FINANCIAL STATEMENTS

		Principal	Interest		Total	
2019	\$	128,838	\$	18,050	\$	146,888
2020		129,869		17,000		146,869
2021		130,900		15,950		146,850
2022		132,276		14,900		147,176
2023		133,651		13,850		147,501
2024 - 2028		702,177		53,500		755,677
2029 - 2033		800,743		24,950		825,693
2034 - 2035	-	175,823		1,300		177,123
Total	\$	2,334,277	\$	159,500	\$	2,493,777

December 31, 2019

Line of Credit

The Town had a \$200,000 working-capital line of credit with an interest rate of 1.55% and a maturity date of July 2020. As of December 31, 2019, there was \$0.00 outstanding balance on the line of credit.

NOTE 7 – EMPLOYEE BENEFIT PLANS

Defined Contribution Pension Plan

The Town provides pension benefits for all its employees through a defined contribution plan through Mutual of Omaha. In May 2014, the Town changed its 401(b) plan through Dreyfus Company to a defined contribution 457(b) plan through Mutual of Omaha.

The Town contributes 5%, and there are no matching requirements for the employees. Total contributions in 2019, 2018 and 2017 were \$22,322, \$17,778, and \$18,363 respectively. The employees are 100% vested at all times and are eligible for the plan after the probation period. The Board of Trustees authorizes benefit terms and has the authority to amend those terms.

SWDBP for Police Officers

Plan Description

Eligible police officers of the Town are provided with pensions through the Statewide Defined Benefit Plan, a cost-sharing multi-employer defined benefit pension plan administered by FPPA. FPPA issues a publicly available comprehensive annual financial report that can be obtained on FPPA's website at http://www.fppaco.org.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

Benefits Provided

The Statewide Defined Benefit Plan (SWDB plan) provides retirement and disability, annual increases, and death benefits for members or their beneficiaries. A member is eligible for a normal retirement pension once the member has completed 25 years of credited service and has attained the age of 55.

The annual normal retirement benefit is 2% of the average of the member's highest 3 years' base salary for each year of credited service up to 10 years, plus 2.5% for each year of service thereafter. The benefit earned prior to January 1, 2007 for members of affiliated Social Security employers will be reduced by the amount of Social Security income payable to the member annually. Effective January 1, 2007, members currently covered under Social Security will receive half the benefit when compared to SWDB plan. Benefits paid to retired members are evaluated and may be predetermined every October 1. The amount of any increase is based on the Board's discretion and can range from 0% to the highest of 3% or the Consumer Price Index (CPI).

A member is eligible for an early retirement after completion of 30 years of service or attainment of age 50 with at least five years of credited service. The early retirement benefit equals the normal retirement benefit reduced on an actuarially equivalent basis. Upon termination, an employee may elect to have member contributions, along with 5% as interest, returned as a lump sum distribution. Alternatively, a member with at least 5 years of accredited service may leave contributions with the Plan and remain eligible for a retirement pension at age 55 equal to 2% of the member's average highest 3 years' base salary for each year of credited service up to 10 years, plus 2.5% for each year of service thereafter.

Contributions

Contribution rates for the SWDB plan are established by state statute. Employer contribution rates can only be amended by state statute. Member contribution rates can be amended by state statute or election of the membership.

Members of SWDB plan and their employers are contributing at the rate of 10% and 8%, respectively, of base salary for a total contribution rate of 18% in 2018. In 2014, the members elected to increase the member contribution rate to SWDB plan beginning in 2015. Member contribution rates will increase 0.5% annually through 2022 to a total of 12% of base salary. Employer contributions will remain at 8%, resulting in a combined contribution rate of 20% in 2022.

Contributions from members and employers or departments reentering the system are established by resolution and approved by the FPPA Board of Directors. The reentry group has a combined contribution rate of 22% of base salary in 2018. It is a local decision as to whether the member or employer pays the additional 4% contribution. Per the 2014 member election, the reentry group could also have their required member contribution rate increase 0.5% annually beginning in 2015 through 2022, for a total combined member and employer contribution rate of 24% in 2022.

The contribution rate for members and employers of affiliated Social Security employers is 5% and 4%, respectively, of base salary for a total contribution rate of 9% in 2018. Per the 2014 member election, members

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

of the affiliate Social Security group will have their required contribution rate increase 0.25% annually beginning in 2015 through 2022 to a total of 6% of base salary. Employer contributions will remain at 4% resulting in a combined contribution rate of 10% in 2022.

Employer contributions are recognized by SWDB plan in the period in which the compensation becomes payable to the member, and the Town is statutorily committed to pay the contributions to SWDB plan. Employer contributions recognized by SWDB plan from the Town were \$13,679 for the year ended December 31, 2019.

Pension Liability, Pension Expense, Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At December 31, 2019, the Town reported a liability of \$23,648 for its proportionate share of the net pension liability. The net pension liability was measured as of December 31, 2018, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of January 1, 2019. The Town's proportion of the net pension liability was based on Town contributions to the SWDB plan for the calendar year 2018 relative to the total contributions of participating employers to the SWDB plan.

At December 31, 2018, the Town's proportionate share was 0.019%, which was an increase of 0.0005% from its proportion measured as of December 31, 2018.

For the year ended December 31, 2019, the Town recognized a reduction of pension expense of \$56,299. At December 31, 2019, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Ou	eferred ttflows of esources	Infle	ferred ows of ources
Difference between expected and actual experience	\$	30,387	\$	253
Changes of assumptions		22,903		80 6
Net difference between projected and actual earning on pension plan investments		18,603		-
Change in proportion		25,422		907
Town contributions subsequent to the measurement date	n <u></u>	13,679	8	
Total	\$	110,994	\$	1,160

The SWDB plan reported \$13,679 as deferred outflows of resources related to pensions resulting from Town contributions subsequent to the measurement date will be recognized as an increase in net pension asset in the year ended December 31, 2020.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31,	Recognized in on Expense
2020	\$ 17,245
2021	13,361
2022	11,921
2033	17,331
2034	10,314
Thereafter	 25,983
Total	\$ 96,155

Actuarial Assumptions

The actuarial valuations for the SWDB were used to determine the total pension liability and the actuarially determined contributions for the fiscal year ending December 31, 2018. The valuations used the following actuarial assumptions and other inputs:

	Total Pension Liability	Actuarial Determined Contributions
Actuarial Valuation Date	January 1, 2019	January 1, 2018
Actuarial Method	Entry Age Normal	Entry Age Normal
Amortization Method	N/A	Level % of Payroll, Open
Amortization Period	N/A	30 Years
Long-term Investment Rate of Return*	7.00%	7.50%
Projected Salary Increases	4.25% - 11.25%	4.0% - 14.0%
Cost of Living Adjustments (COLA)	0.00%	0.00%
*Includes inflation at 2.5%		

For determining the total pension liability, the post-retirement mortality tables for non-disabled retirees uses the 2006 central rates from the RP-2014 Annuitant Mortality Tables projected to 2018 using the MP-2017 projection scales, and then projected prospectively using the ultimate rates of the scale for all years. The pre-retirement off-duty mortality tables are adjusted to 50% of the RP-2014 mortality tables for active employees. The on-duty mortality rate is 0.00015.

For determining the actuarial determined contributions, the post-retirement mortality tables for non-disabled retirees is a blend of the Annuitant and Employee RP-2014 generational mortality tables with blue collar

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

adjustment projected with Scale BB. The pre-retirement off-duty mortality tables are adjusted to 55% of the RP-2014 mortality tables for active employees. The on-duty mortality rate is 0.00020.

At least every five years the FPPA's Board of Directors, in accordance with best practices, reviews its economic and demographic actuarial assumptions. At its July 2018 meeting, the Board of Directors reviewed and approved recommended changes to the actuarial assumptions. The recommendations were made by the FPPA's actuaries, Gabriel, Roeder, Smith & Co., based upon their analysis of past experience and the expectation of the future. The assumption changes were effective actuarial valuations beginning January 1, 2019 and were used in the roll forward calculation of total pension liability as of December 31, 2018. Actuarial assumptions effective for actuarial valuation prior to January 1, 2019 were used in the determination of the actuarially determined contributions as of December 31, 2018. The actuarial assumptions impact actuarial factors are used.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates of return by the target asset allocation percentage and by adding expected inflation (assumed 2.5 percent). Best estimates of arithmetic real rates of return for each major asset class included in the Fund's target asset allocation as of December 31, 2018 are summarized in the following table:

		Long Term Expected
Asset Class	Target Allocation	Rate of Return
Global Equity	37.00%	8.03%
Equity Long/Short	9.00%	6.45%
Private Markets	24.00%	10.00%
Fixed Income	15.00%	2.90%
Absolute Return	9.00%	5.08%
Managed Futures	4.00%	5.35%
Cash	2.00%	2.52%
Total	100.00%	

Discount Rate

The discount rate used to measure the total pension liability was 7.00%. The projection of cash flows used to determine the discount rate assumed that contributions from participating employers will be made based on the actuarially determined rates based on the Board's funding policy, which establishes the contractually required rates under Colorado statutes. Based on those assumptions, the SWDB plan fiduciary net position was projected to be available to make all the projected future benefit payments of current plan members. Therefore,

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension asset.

Projected benefit payments are required to be discounted to their actuarial present values using a single discount rate that reflects (1) a long-term expected rate of return on pension plan investments (to the extent that the plan's fiduciary net position is projected to be sufficient to pay benefits) and (2) tax-exempt municipal bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the plan's projected fiduciary net position is not sufficient to pay benefits).

For the purpose of the valuation, the expected rate of return on pension plan investments is 7.00%, the municipal bond rate is 3.71% (based on the weekly rate closest to but not later than the measurement date of the "state and local bonds" rate from Federal Reserve statistical release ((H.15)); and the resulting single discount rate is 7.00%.

Sensitivity of the Town's Proportionate Share of the Net Pension Liability (Asset) to Changes in the Discount Rate.

Regarding the sensitivity of the net pension liability (asset) to changes in the Single Discount Rate, the following presents the plan's net pension liability, calculated using a Single Discount Rate of 7.00%, as well as what the plan's net pension liability (asset) would be if it were calculated using a single discount rate that is one percent lower or one percent higher:

1% Decr	ease (6.00%)	Discoun	t Rate (7.00%)	1% Inc	rease (8.00%)
\$	91,707	\$	(23,649)	\$	(32,804)

Pension Plan Fiduciary Net Position

Detailed information about SWDB plan's fiduciary net position is available in FPPA's comprehensive annual financial report, which can be obtained at http://www.fppaco.org.

Other Post-Employment Benefit Plan - Statewide Death and Disability Defined Benefit Plan

Plan Description

The Town's full-time police officers participate in FPPA's Statewide Death and Disability Plan (the Plan), a cost-sharing multiple-employer defined benefit plan. The plan was established in 1980 pursuant to Colorado Revised Statutes and can only be amended through such statutes. Contributions to the Plan are used solely for the payment of death and disability benefits.

Benefits

If a member dies prior to retirement, the surviving spouse is entitled to a benefit equal to 40% of the member's monthly base salary. Dependent children are also entitled to benefits according to an established scale. Benefit entitlement continues until death or remarriage of the spouse and death, marriage or other termination of dependency of children.

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

A member who becomes disabled prior to retirement shall be eligible for disability benefits. The benefit is 70% of base salary for cases of total disability and 50% for cases of occupational disability, reduced by the amount of certain other benefits received.

Benefits paid to members are evaluated and may be re-determined on October 1 of each year. Any increase in the level of benefits cannot exceed the lesser of the increase in the CPI or 3%.

Contributions

Prior to 1997, the Plan was primarily funded by the State of Colorado, whose contributions were established by Colorado statute. The state made a one-time contribution in 1997 of \$39,000,000 to fund the past and future service costs for all firefighters and police officers hired prior to January 1, 1997. No further state contributions are anticipated. Members hired on or after January 1, 1997 contribute a percentage of the payroll based on actuarial experience. This percentage was 8% for 2019, 8% for 2018 and 8% for 2017. The Town contributed \$4,912, \$3,460, and \$8,531 to the Plan during 2019, 2018 and 2017, respectively.

NOTE 8 – RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees and natural disasters.

The Town is a member of the Colorado Intergovernmental Risk Sharing Agency (CIRSA), a public entity risk pool currently operating as a common risk management and insurance program for property/casualty and workers' compensation coverage. CIRSA is to be self-sustaining through member premiums and reinsures through commercial companies for claims in excess of certain limits for each insured event. CIRSA members are subject to a supplemental assessment in the event of a deficiency. Claims have not exceeded coverage in the previous three years.

NOTE 9 – RESTRICTED CASH

The Town has restricted cash in the Sewer Fund of \$632,461 for the RUS loan. The RUS loan documents require that \$842 per each month be designated into restricted cash until the sum of \$101,040 is reached. At June 30, there is \$106,067 including earned interest. The remaining \$526,395 is land sale proceeds that can only be spent on sewer projects per a USDA grant agreement.

As of December 31, 2019, the Town has restricted cash in the governmental activities of \$584,168 related to the Samuel Wade Road and Bridge (the Bridge). In January 2010, the Town entered into an intergovernmental agreement with the County. The Town has agreed to accept ownership of the Bridge in "as is" condition in exchange for \$800,000 from the County to be used only for transportation-related expenditures. The Town, in exchange, shall be responsible to maintain this section of the Bridge. If at any point there is noncompliance with the agreement terms, the title of the Bridge will revert back to the County, and the Town will be

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

responsible for return of the funds based on allocated use over the 20-year term of the agreement. The likelihood of noncompliance is considered remote.

NOTE 10 – COMMITMENTS

The Town has reserved monies received for out-of-town taps to be used for water storage facilities or studies.

In September 2009, the Town entered into an agreement with the County for the ownership, maintenance and management of the North Folk Valley Airport. Per the agreement, the Town owns 75% of the airport, and therefore, any future capital improvements will be 75% funded by the Town. The Town currently has one representative on the board and does not have control over the decisions of the board; accordingly, this arrangement does not constitute a joint venture or qualify for component unit reporting. The County assumes responsibility for the operations and maintenance of the airport. The agreement was amended in February 2014 to include how the proceeds from the wireless communication facility at the airport are to be divided. Per the agreement, any proceeds will be divided 75% to the Town and 25% to the County. The Town must hold its 75% share as a reserve for the Town's contributions to future capital improvements. As of December 31, 2019, the Town has a reserve for airport capital improvements of \$44,892.

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NOTES TO FINANCIAL STATEMENTS

December 31, 2019

NOTE 11 - CAPITAL ASSETS

	Jan	Balance wary 1, 2019	1	Additions	Di	sposals	Tran	sfers		Balance mber 31, 2019
Governmental Activities	·						200			
Capital assets not being										
depreciated										
Land	\$	246,481	\$	-	\$	-	\$			246,481
Total Capital Assets, Not										
Being Depreciated	-	246,481	<u>.</u>		<u>e</u>	-	*	-	-	246,481
Capital assets being depreciated										
Buildings		690,992		0.08		-				690,992
Improvements, other than										
buildings		424,792		81,435		8-83				506,227
Infrastructure		2,791,599		37,926		-		2 		2,829,525
Equipment		794,186	12	63,451	1.0	(22,900)			1.0	834,737
Total Capital Assets Being										
Depreciated		4,701,569	-	182,812	i j	(22,900)		-	<u>.</u>	4,861,481
Less accumulated depreciation;										
Buildings		(344,660)		(18,996)		-		(-		(363,656)
Improvements		(266,631)		(15,259)		. 				(281,890)
Infrastructure		(640,960)		(78,398)		-		-		(719,358)
Equipment		(588,822)		(44,510)		22,900		. .		(610,432)
Total Accumulated										
Depreciation	12	(1,841,073)	1.2	(157,163)		22,900		-	12	(1,975,336)
Capital assets depreciated, net		2,860,496	12	25,649	72	-		200		2,886,145
Total Governmental Activities										
Capital Assets	\$	3,106,977	\$	25,649	\$		\$	-	\$	3,132,626

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NOTES TO FINANCIAL STATEMENTS

Decem	ber	31.	2019
Decent	0.01	~ .,	

Business-type Activities	Balance January 1, 2019			Additions	dditions Disposals		Transfers		Balance December 31, 2019	
Capital assets not being										
depreciated										
Land and water rights	\$	834,157	\$		\$	-	\$	1.00	\$	834,157
Total Capital Assets, Not										
Being Depreciated	20	834,157	10		-	-	09	-	10	834,157
Capital assets being depreciated										
Distributions system		3,992,444		88,471		-		5.7		4,080,915
Collection system		529,476		215,655				100		745,131
Vehicles and equipment		399,124		190,768		-		2 (589,892
Treatment plant		12,114,026		24,798		-		20 - 0		12,138,824
Less: Accumulated depreciation		(5,184,651)		(419,324)	64	-		19 4 1	64	(5,603,975)
Total Capital Assets Being										
Depreciated, Net	-	11,850,419	2	100,368	2	-		-	-	11,950,787
Total Business-type Activities										
Capital Assets	\$	12,684,576	\$	100,368	\$	-	\$	-	\$	12,784,944

Deprecation charged to governmental activities by department is as follows:

General government	\$ 43,478
Public safety	12,008
Public works	82,444
Culture and recreation	 19,233
Total	\$ 157,163

NOTE 12 - INTERFUND BALANCES AND TRANSFERS

The composition of interfund balances at December 31, 2019 is as follows:

Receivable Fund	Payable Fund	 Amount		
General	Space to Create	59,575		
Total		\$ 59,575		

The outstanding balances between funds result mainly from the time lag between the dates that (1) interfund goods and services are provided or reimbursable expenditures occur, (2) transactions are recorded in the

NOTES TO FINANCIAL STATEMENTS

December 31, 2019

accounting system and (3) payments between funds are made. The purposes of the interfund transactions were to finance capital projects. All interfund balances are expected to be collected within one year.

Interfund transfers are used to report revenues from the fund that is required to collect them to the fund that is required to expend them as unrestricted revenues collected to finance various programs and capital purchases accounted for in other funds in accordance with budgetary authorizations.

Street Capital Fund	Tra	nsfers In	Transfers Out		
	\$	44,837	\$	-	
Sales Tax Fund				28,092	
Water Fund		8,091		24,219	
Sewer Fund		-		4,124	
Trash Fund		10,000	- 20	6,493	
	\$	62,928	\$	62,928	

NOTE 13 – CONTINGENT LIABILITIES

The Town is subject to various claims arising from events occurring in its ordinary operations. Town management believes that the disposition of these matters will not have a material adverse effect on the financial position of the Town.

The Town has received federal and state grants for specific purposes that are subject to review and audit by the grantor agencies or their designee. These audits could result in a request for reimbursement to the grantor agency for costs disallowed under terms of the grant. Based on prior experience, the Town believes such disallowances, if any, will be immaterial.

NOTE 14 – SUBSEQUENT EVENTS

On March 13, 2020, an emergency was declared for the COVID-19 pandemic. The State of Colorado subsequently declared a statewide emergency and enacted shutdown orders for significant portions of the economy beginning March 15, 2020. At the time of the issuance of these financial statements, the full economic impact of the events surrounding the pandemic are unknown, but are expected to be significant.

The Town issued Water and Sewer Revenue Refunding Bonds, Series 2020A on April 28, 2020.

REQUIRED SUPPLEMENTARY INFORMATION

SCHEDULE OF REVENUES BUDGET AND ACTUAL - GENERAL FUND

	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)	
levenues	Dudget	Daager	Tettati	(emavorable)	
Taxes					
General propoerty taxes	\$ 101,007	\$ 101,862	\$ 101,163	\$ (699	
Specific ownership taxes	16,700	18,678	18,678		
Sales tax - town	294,850	338,713	338,715	1	
Sales tax - county	102,000	120,348	120,349		
Franchise taxes	58,325	55,428	58,971	3,54	
Cigarette taxes	1,200	1,325	1,325		
Delinquent taxes	100	47	32	(1	
Interest on delinquent taxes	450	347	362	1	
Total taxes	574,632	636,748	639,595	2,84	
Licenses and permits					
Liquor licenses	4,500	3,450	3,450		
Building permits	56,925	28,225	28,222	(
Miscellaneous permits	1,500	2,800	2,800		
Special reviews	2,000	6,562	6,563		
VIN inspections	1,200	1,155	1,155		
Total licenses and permits	66,125	42,192	42,190	(
Intergovernmental					
State					
Highway users tax	48,150	52,709	56,024	3,31	
Motor vehicle fees	6,000	6,070	6,071	<u></u>	
Severance tax	7,050	10,721	10,721		
Mineral leasing	6,000	6,580	6,580		
Motor vehicle licenses	-		8 		
Culture and recreation	-	25,000	60,000	35,00	
Other governments					
Road and bridge	6,400	6,504	6,783	27	
Total intergovernmental revenue	73,600	107,584	146,179	38,59	
Fines and forfeitures					
Court fines	100	631	632		
Police fines	20,500	20,437	20,437		
PD Grant	9,500	38,274	18,859	(19,41	
Miscellaneous	21,200	787	20,202	19,41	
Total fines and forfeitures	51,300	60,129	60,130		
Investment income	15,300	23,974	23,975		
Miscellaneous	316,100	148,743	113,942	(34,80	
Total miscellaneous revenue	331,400	172,717	137,917	(34,80	
Total Revenues	\$ 1,097,057	\$ 1,019,370	\$ 1,026,011		

SCHEDULE OF EXPENDITURES BUDGET AND ACTUAL - GENERAL FUND

	Original	Final		Variance Favorable	
	Budget	Budget	Actual	(Unfavorable)	
Expenditures					
General Government	s -	\$ 7,150	\$ 7,150	\$ -	
Mayor and trustee Salaries and wages	• 43,387	\$ 7,150 30,259		5 -	
Employee benefits	45,587	9,051	30,259 7,249	1,802	
Contract labor	50,000	45,421	45,421	1,002	
Supplies	5,135	6,161	6,153	8	
Legal and professional fees	77,500	53,864	53,859	5	
Telephone	1,900	1,557	1,553	4	
Travel and meetings	7,000	3,860	3,856	4	
Insurance and bonds	6,125	7,039	7,036	3	
Utilities	5,400	5,405	5,400	5	
Cultural Events	5,000	17,288	5,000	12,288	
Publishing ads	3,200	3,515	3,511	4	
Dues and subscriptions	8,325	8,305	8,301	4	
Audit fees	6,500	5,170	5,170		
Postage	300	1,690	1,689	1	
Human services	5,800	3,765	6,263	(2,498)	
Town Hall expense	11,850	11,045	11,043	2	
Data processing	9,300	10,640	10,635	5	
Treasurer's fees	2,200	2,145	2,142	3	
Total general government	254,272	237,171	225,531	11,640	
Public Safety - Police Department					
Salaries and wages	260,204	194,460	194,458	2	
Judge	-	3,600	3,600	-	
Employee benefits	7,400	40,025	40,012	13	
Supplies	7,205	10,210	4,403	5,807	
Repairs and Maintenance	250	280	280	202 102	
Legal services	1,500	195	195		
Telephone	2,570	2,645	2,642	3	
Travel and meetings	3,500	3,605	3,605		
Insurance and bonds	15,346	16,540	16,536	4	
Utilities	2,000	2,070	2,066	4	
Vehicle expense	11,850	15,860	15,855	5	
Dues and subscriptions	4,375	3,235	3,235		
Miscellaneous	725	68,082	6,110	61,972	
Uniforms	-	-	-	-	
Publishing and ads	100	145	142	3	
Officer's training	-	-	-	-	
Juvenile diversion	1 <u></u>	1220	-		
Data processing	7,375	9,720	9,719	1	
FPPA	17.)	18,595	18,591	4	
Total public safety	324,400	389,267	321,449	67,818	

SCHEDULE OF EXPENDITURES BUDGET AND ACTUAL - GENERAL FUND

Year	Ended	December	31,	2019	
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				Variance
	Original	Final		Favorable
	Budget	Budget	Actual	(Unfavorable)
Expenditures (continued from previous page)		92102		n da da da
Public Works				
Salaries and wages	46,509	37,590	37,588	2
Employee benefits	3,700	11,975	11,952	23
Supplies	1,050	608	606	2
Repairs and maintenance	17,335	45,815	33,812	12,003
Legal and engineering	5,000	1,845	1,845	-
Telephone	160	465	460	5
Insurance and bonds	5,200	5,600	5,593	7
Utilities	21,000	20,610	20,606	4
Snow removal	17,700	20,095	20,095	0.74
Street lighting			1.7	0.76
Vehicle expense	9,200	7,885	7,884	1
Miscellaneous	2,525	18,593	12	18,581
Shop expense	4,000	3,735	3,734	1
Total public works	133,379	174,816	144,187	30,629
		19.	10	
Culture and Recreation				
Salaries and wages	33,811	26,720	26,718	2
Employee benefits	475	9,135	9,122	13
Supplies	4,950	4,280	4,070	210
Repairs and maintenance	314,470	104,320	12,506	91,814
Legal fees	500	280	1. 1.	280
Telephone	100	390	389	1
Miscellaneous	4,500	23,571	3,084	20,487
Insurance bonds	3,500	3,930	3,929	1
Utilities	7,200	7,575	7,574	1
Park improvements			interve in	-
Contract services	2,000	2,225	2,148	77
Capital outlay	13,000	34,620	81,437	(46,817)
Vehicle expense	500	1,070	1,069	1
Total culture and recreation	385,006	218,116	152,046	66,070
Other Expenditures				
Capital Outlay	-		12,003	(12,003)
	-		12,003	(12,003)
Total Expenditures	1,097,057	1,019,370	855,216	164,154
Net change in fund balance	\$ -	\$ -	\$ 170,795	\$ 170,795

SCHEDULE OF TOWN'S PROPORTIONATE SHARE OF THE NET PENSION ASSET (LIABILITY) - FPPA STATEWIDE DEFINED BENEFIT PLAN

Tear Endea Decem	loci 51, 2010 (iii	eusurentent D	(utc)		
	2018	2017	2016	2015	2014
Town's portion of the net pension asset (liability)	0.0187%	0.0182%	0.0162%	0.0239%	0.0432%
Town's proportionate share of the net pension asset (liability)	\$ (23,649)	\$ 26,228	\$ (5,871)	\$ 421	\$ 48,715
Town's covered payroll	\$ 170,612	\$ 125,516	\$ 107,806	\$ 103,306	\$ 198,701
Town's proportionate share of the net pension asset (liability) as a percentage of its covered payroll	13.86%	20.90%	5.45%	0.41%	24.52%
Plan fiduciary net position as a percentage of the total pension asset	95.20%	106.30%	98.21%	100.10%	106.80%

Year Ended December 31, 2018 (Measurement Date)

NOTES TO SCHEDULE

This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, the Town is presenting information for those years for which information is available.

SCHEDULE OF TOWN'S CONTRIBUTIONS TO THE PENSION PLAN FPPA STATEWIDE DEFINED BENEFIT PLAN

Year H	Ended Decemb	er 31, 20)19			
	2	2019	2018	2017	2016	2015
Contractually required contributions Contributions in relation to the contractually required contribution		13,649 13,649	\$ 10,024 10,024	\$ 10,442 10,442	\$ 6,946 6,946	\$ 8,910 8,910
Contribution (excess) deficiency	\$	-	\$-	\$-	\$ -	\$ -
Town's covered payroll	1	70,612	125,296	125,516	107,806	103,306
Contributions as a percentage of covered payroll		8.00%	8.00%	8.32%	6.44%	8.62%

NOTES TO SCHEDULE

1) This schedule is presented to illustrate the requirement to show information for 10 years. However, until a full 10-year trend is compiled, the Town is presenting information for those years for which information is available.

NOTES TO REQUIRED SUPPLEMENTARY INFORMATION

December 31, 2019

RSI NOTE A – BUDGETARY INFORMATION

Budgets for governmental funds are adopted on a basis consistent with GAAP, except for longterm receivables and advances and capital lease financing, which are budgeted when liquidated rather than when the receivable/liability is incurred. Budgets for enterprise funds are adopted on a basis consistent with the spending measurement focus of the governmental funds. SUPPLEMENTARY INFORMATION

COMBINING BALANCE SHEET - NONMAJOR GOVERNMENTAL FUNDS

		I	Decemb	per 31, 201	9					
	175 C		Steet CapitalConservationImprovementTrustSidewalkFundFundFund				pace to Create Fund	Gov	Total on-Major vernmental Funds	
Asset	¢	00 775	¢	1 217	¢	17.155	¢	70 (00	¢	101.046
Pooled cash Accounts receivable	\$	90,775	\$	1,317	\$	17,155 2,608	\$	72,699	\$	181,946 2,608
Total assets		90,775		1,317		19,763		72,699		184,554
Liabilities										
Due to other funds				-		-		59,575		59,575
Total liabilities		-		-		-		59,575		59,575
Fund Balance Committed										
Conservation		-		1,317				-		1,317
Sidewalk improvements		141		-		19,763				19,763
Street improvements		90,775		-		. .		-		90,775
Space to create		-		-		-	5. 	13,124	2	13,124
Total fund balance	\$	90,775	\$	1,317	\$	19,763	\$	13,124	\$	124,979

COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES NONMAJOR GOVERNMENTAL FUNDS

Year	Ended	December	31	2019
1 Car	Lucu	December	21	. 2019

	C Imp	Street Capital rovement Fund	Conservation Trust Fund		Sidewalk Fund		Space to Create Fund		Gov	Total on-Major rernmental Funds
Revenues										
Taxes	\$	26,522	\$	8,209	\$	-	\$	-	\$	34,731
Fees and fines		-		-		30,772		-		30,772
Intergovernmental				-		-		12,454		12,454
Miscellaneous		-		8	3	(73) (73)		188	1	196
Total revenues		26,522		8,217		30,772		12,642		78,153
Expenditures										
Current										
General government		-		-		3 - 51		28,737		28,737
Public works				-		7,682		-		7,682
Culture and recreation		-		6,900		1		-		6,900
Capital projects		11 2 1		2 <u>0</u> 3		6,986		-	0.0	6,986
Total expenditures		-		6,900		14,668		28,737	2	50,305
Revenues in excess (deficiency)										
of expenditures		26,522		1,317		16,104		(16,095)		27,848
Other Financing Sources (Uses)										
Transfers in		44,837		-	-	-		-		44,837
Total other financing sources (uses)		44,837		-		-		-	-	44,837
Revenues and other sources in excess (deficiency)										
of expenditures and other sources (uses)		71,359		1,317		16,104		(16,095)		72,685
Fund balance, beginning		19,416		9 - 0	? <u></u>	3,659		29,219		52,294
Fund balance, ending	\$	90,775	\$	1,317	\$	19,763	\$	13,124	\$	124,979

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - SALES TAX CAPITAL IMPROVEMENT FUND

		Original Budget	2 2	Final Budget	Actual	Variance Favorable (Unfavorable)	
Revenues							
Sales tax	\$	145,600	\$	180,777	\$ 180,778	\$	1
Miscellaneous		7,650		7,650	 7,650		22
Total revenues	<u>81</u>	153,250		188,427	 188,428		1
Expenditures							
Capital outlay		145,600		188,427	119,176		69,251
Total expenditures		145,600	8	188,427	119,176		69,251
Other financing uses							
Transfers (out)		14	5	<u></u>	 (28,092)		(28,092)
Net change in fund balance	\$	7,650	\$		\$ 41,160	\$	41,160

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - SPACE TO CREATE FUND

	Original Budget					Actual	Variance Favorable (Unfavorable)	
Revenues	-		18	19	24 C	24		
Grants	\$	150,000	\$	-	\$	-	\$	-
Intergovernmental		8-8		12,453		12,454		1
Miscellaneous		12		188		188		-
Total revenues		150,000	7 <u></u>	12,641		12,642	8 <u></u>	1
Expenditures		107 200		20.741		20 727		
General government	-	197,300	-	28,741		28,737	() — — — — — — — — — — — — — — — — — — —	4
Total expenditures		197,300	84	28,741		28,737	0 <u> </u>	4
Net change in fund balance	\$	(47,300)	\$	(16,100)	\$	(16,095)	\$	5

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - SIDEWALK FUND

D		Driginal Budget	1	Final Budget	<u> </u>	Actual	Variance Favorable (Unfavorable)		
Revenues Sidewalk revenue	\$	35,400	\$	30,773	\$	30,772	\$	(1)	
Expenditures									
Legal services		500		50		-		(50)	
Repairs and maintenance		34,800		30,673		7,682		22,991	
Publishing and ads		100		50		-		50	
Capital outlay		-1		5 -		6,986		(6,986)	
Total expenditures		35,400		30,773	-	14,668		16,005	
Net change in fund balance	\$	<u>-</u>	\$	12	\$	16,104	\$	16,004	

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - CONSERVATION TRUST FUND

	riginal udget		Final udget	A	Actual	Variance Favorable (Unfavorable)		
Revenues								
Lottery	\$ 8,000	\$	8,208	\$	8,209	\$	1	
Interest income	 15	÷	8	<u>105</u>	8	3	1-3	
Total revenues	 8,015	-	8,216	103 201	8,217	1	1	
Expenditures Parks	 8,015		8,216	2	6,900	6 	1,316	
Revenues in excess (deficiency) of expenditures	 1 -	×2	-		1,317	ş <u>.</u>	1,317	
Net change in fund balance	\$ -	\$	-,	\$	1,317	\$	1,317	

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL - STREET CAPITAL IMPROVEMENT FUND

	Original Budget		Final Budget			Actual	Variance Favorable (Unfavorable)	
Revenues	¢	5 000	¢	2 602	¢	2 601	\$	(1)
Highway users tax Sales tax	\$	5,000 16,750	\$	3,682 22,840	\$	3,681 22,841	2	(1) 1
Total revenues		21,750		26,522		26,522		-
Expenditures		-975-0 2000 2003						vota-a vd antoni
Capital outlay	2	64,975		71,358			2	71,358
Total expenditures		64,975	10	71,358		-	<u>.</u>	71,358
Revenues in excess (deficiency) of expenditures	s <u> </u>	(43,225)	-	(44,836)		26,522	M	71,358
Other Financing Sources (Uses) Transfers in	. <u> </u>	43,225		44,836	2 <u>3</u> 10	44,837		1
Net change to fund balance	\$	-	\$	-	\$	71,359	\$	71,359

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN NET POSITION BUDGET AND ACTUAL - WATER FUND

	1 ca	Ellaca Decel	noer	51, 2017				
		Original Budget	2/	Final Budget	<u> </u>	Actual	Fa	/ariance avorable favorable)
Revenues								
Water charges	\$	765,200	\$	761,739	\$	761,739	\$	1.77
Water taps		21,000		57,000		57,000		()
Sales and service		800		4,982		4,982		5 - 0
Water tank		2,500		4,964		4,964		6140
Standby tap fees		45,000		45,485		45,485		-
Penalties		5,500		1,255		1,255		8.00
Rents		1,000	-	1,500	- 12	1,500	8	1-C_
Total revenues	N	841,000	21	876,925	2.48	876,925		640
Expenditures		1	191	×.	2.24	A.	S.	
Salaries and wages		246,179		178,705		178,701		4
Employee benefits		5,200		49,545		49,536		9
John Norris retirement		15,120		20,160		20,160		640
Supplies		19,850		17,490		17,485		5
Legal and engineering		30,600		1,800		1,799		1
Repairs and maintenance		181,795		172,925		123,640		49,285
Professional fees		13,000		11,280		11,280		
Telephone		3,800		4,135		4,130		5
Postage		4,000		3,870		3,867		3
Travel and meetings		3,500		1,230		1,129		101
Insurance and bonds		20,000		68,760		20,586		48,174
Utilities		23,000		27,500		25,191		2,309
Vehicle expense		10,000		8,470		8,468		2
Dues and subscriptions		200		1,855		1,835		20
Shop expense		4,500		3,580		3,578		2
Miscellaneous		10,350		10,045		10,286		(241)
Fees and permits		11,000		10,630		10,521		109
WPA loan		191,250		164,330		164,326		4
Drinking water revolving funds		23,350		23,350		23,343		7
Capital projects		20,000		,				15 11
Depreciation expense		-		309,752		311,327		(1,575)
Debt service, debt principal		-		-		(156,559)		156,559
Total expenditures	(d)	816,694	-	1,089,412		834,629	3 <u>-</u>	254,783
Other Financing Sources (Uses)		010,074	2	1,009,412	-	054,025	-	234,703
Transfers (out)		(24,306)		(24,225)		(16,128)		8,097
Total other financing sources (uses)	<u>.</u>		-		-			8,097
Total other manenig sources (uses)		(24,306)		(24,225)	-	(16,128)	8	8,097
Change in net position		-		(236,712)		26,168		262,880
Beginning net position, GAAP basis		5,857,866		5,857,866		5,857,866		-
Ending net position, GAAP basis	\$	5,857,866	\$	5,621,154	: . 	5,884,034	\$	262,880
Adjustments for capital assets and debt			2 j			(5,717,161)		10 A
Available working capital					\$	166,873		

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN NET POSITION BUDGET AND ACTUAL - SEWER FUND

		Original Budget	Final Budget		Actual	F	^r ariance avorable favorable)
Revenues							
Sewer charges	\$	468,900	\$ 470,801	\$	470,802	\$	1
Sewer taps		15,000	48,500		48,500		2
Grants		8-0	35,996		25,997		(9,999
Interest		11,500	 14,736		14,737		1
Total revenues		495,400	 570,033	ал. С	560,036		(9,997
Expenditures							
Salaries and wages		161,625	127,455		127,452		3
Employee benefits		1,700	30,555		30,543		12
Supplies		36,900	9,540		9,532		8
Repairs and maintenance		65,675	78,620		77,575		1,045
Professional fees		13,550	60,965		62,782		(1,817
Telephone		1,675	1,540		1,538		2
Postage		2,750	2,270		2,268		2
Travel and meetings		2,000	- 1		-		
Insurance and bonds		6,800	6,995		6,995		1
Utilities		37,000	34,740		34,735		4
Vehicle expense		8,500	6,500		6,496		4
Fees and permits		11,200	6,440		6,437		4
Debt service payments		102,500	50,000		43,664		6,330
Gauging station		3,900	2,621		2,621		
Depreciation			102,115		102,115		
Capital outlay		8-1	245,000		26,758		218,242
Miscellaneous		26,300	 10,095		10,093		2
Total expenditures		482,075	775,451		551,604		223,847
Other Financing Sources (Uses)							
Transfers (out)		(13,325)	 (14,125)		(4,124)		10,001
Total other financing sources (uses)		(13,325)	 (14,125)	0	(4,124)	-	10,001
Change in net position		13,325	(205,418)		4,308		213,850
Beginning net position, GAAP basis		3,779,379	3,779,379		3,779,379		
Ending net position, GAAP basis	\$	3,792,704	\$ 3,573,961		3,783,687	\$	213,850
Adjustments for capital assets and deb	ot		,		(3,409,608)		
Available working capital				\$	374,079		

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN NET POSITION BUDGET AND ACTUAL - TRASH FUND

D		Original Budget	19-11-11-11-11-11-11-11-11-11-11-11-11-1	Final Budget		Actual	Variance Favorable (Unfavorable)		
Revenues	¢	210 700	¢	217 726	¢	217 726	¢		
Garbage charges	\$	210,700	\$	217,726	\$	217,726	\$		
Expenditures									
Salaries and wages		107,670		84,965		84,960		5	
Employee benefits		7,800		24,317		24,311		6	
Supplies		1,800		1,471		1,470		1	
Repairs and maintenance		125		-		-		-11	
Legal and engineering		4,500		3,525		3,525		-	
Telephone		125		480		479		1	
Postage		1,000		1,241		1,241		-1	
Insurance and bonds		4,500		3,980		3,979		1	
Utilities		3,250		1,975		1,972		3	
Vehicle expense		13,800		12,035		12,035		-	
Landfill fees		34,355		34,842		34,842		-	
Miscellaneous		25,575		12,190		12,177		13	
Depreciation				5,882		5,882			
Capital outlay		-		176,460				176,460	
Total expenditures		204,500	-	363,363		186,873		176,490	
Other Financing Sources (Uses)									
Transfers in		_		10,000		10,000		- 10	
Transfers (out)		(6,200)		(6,495)		(6,493)		2	
Total other financing sources (uses)		(6,200)) 	3,505		3,507		2	
Total other maneng sources (ases)		(0,200)	(0,000		0,001			
Change in net position		-		(142,132)		34,360		176,492	
Beginning net position, GAAP basis		248,637	10	248,637		248,637		-	
Ending net position, GAAP basis	\$	248,637	\$	106,505		282,997	\$	176,492	
Adjustments for capital assets		8	12			170,578	32		
Available working capital					\$	112,419			
Steps for printing your content and returning to 'Edit Mode

- 1. Click Ctrl + A on a Windows machine or Command + A on a Mac to select all data.
- Right-click your mouse and select Print.
 Confirm that print settings are correct make sure "selection only" isn't checked.
- 4. Print hard copy or to PDF.
- 5. Click "Edit Mode" to return to modifying your data.
- 6. Remember to click "Save" to save any changes.

ANNUAL HIGHWAY FINANCE REPORT - CY19

Email address: finance@townofpaonia.com City/County: Paonia

II - RECEIPTS FOR ROAD AND STREET PURPOSES

2. General Fund Appropriations:	\$ 40,000.00
3. Other local imposts: from A.3. Total' below)	\$ 414,283.72
4. Miscellaneous local receipts: from A.4. Total below)	\$ 33,289.11
5. Transfers from toll facilities	\$ 0.00
6. Proceeds of sale of bonds and notes	
a. Bonds - Original Issues:	\$ 0.00
b. Bonds - Refunding Issues:	\$ 0.00
c. Notes:	\$ 0.00
SubTotal:	\$ 487,572.83
. Private Contributions	\$ 0.00

Please no commas or dollar signs for the input A.3. Other local imposts		
a. Property Taxes and Assessments	\$	0.00
b. Other Local Imposts		
1. Sales Taxes:	\$	288,998.03
2. Infrastructure and Impact Fees:	\$	106,607.38
3. Liens:	\$	0.00
4. Licenses:	\$	0.00
5. Specific Ownership and/or Other:	\$	18,678.31
Total: (a + b) carried to 'Other local imposts' above)	\$	414,283.72
A.4. Miscellaneous local receipts Please no commas or dollar signs for the input		
a. Interest on Investments:	\$	11,065.26
b. Traffic fines & Penalities:	\$	21,068.85
c. Parking Garage Fees:	\$	0.00
d. Parking Meter Fees:	Ş	0.00
e. Sale of Surplus Property:	\$	0.00
f. Charges for Services:	\$	1,155.00
g. Other Misc. Receipts:	\$	0.00
h. Other:	\$	0.00
Total: (a through h) carried to 'Misc local receipts' above)	\$	33,289.11
C. Receipts from State Government Please no commas or dollar signs for the input		
 Highway User Taxes: Other State funds: 	\$	60,934.45
c. Motor Vehicle Registrations: d. Other (Specify):	\$	6,071.40
Comments: Road & Bridge	Ş	6,504.12
e. Other (Specify): Comments: undefined	Ş	0.00
Total: (1+3c,d,e)	\$	73,509.97
D. Receipts from Federal Government Please no commas or dollar signs for the input 2. Other Federal Agencies		
a. Forest Service:	\$	0.00
b. FEMA:	\$	0.00
c. HUD:	\$	0.00
d. Federal Transit Administration:	\$	0.00
e. U.S. Corp of Engineers	\$	0.00
f. Other Federal:	\$	0.00
Total: @a-f)	5	0.00

III - DISBURSEMENTS FOR ROAD AND STREET PURPOSES

Please no commas or dollar signs for the input

A. Local highway disbursements			
1. Capital outlay: (from A.1.d. Total Capital Outlay' below)		\$	1,845.00
2. Maintenance:		\$	134,248.96
3. Road and street services			
a. Traffic control operations:		\$	0.00
b. Snow and ice removal:		\$	20,094.88
c. Other:		\$	0.00
4. General administration & miscellaneous		\$	0.00
5. Highway law enforcement and safety		\$	76,292.81
	Total: (A. 1-5)	\$	232,481.65
Please no commas or dollar signs for the input			
B. Debt service on local obligations			
1. Bonds			
a. Interest		\$	0.00
b. Redemption		\$	0.00
2. Notes			
a. Interest		\$	0.00
b. Redemption		\$	0.00
	SubTotal: (1+2)	\$	0.00
Please no commas or dollar signs for the input			
C. Payments to State for Highways:		\$	0.00
D. Payments to Toll Facilities:		\$	0.00
	Total Disbursements: (A+B+C+D)	\$	232,481.65
	Iotal Disbursements: (A+B+C+D)	5	232,401.0

Please no commas or dollar signs for the input

III - DISBURSEMENTS FOR ROAD AND STREET PURPOSES - (Detail)

		NATIONAL AY SYSTEM	FF NATIONAL IWAY SYSTEM		C. TOTAL
A.1. Capital Outlay					
a. Right-Of-Way Costs:	\$	0.00	\$ 0.00	\$	0.00
b. Engineering Costs: c. Construction	\$	0.00	\$ 0.00	\$	0.00
1. New Facilities:	\$	0.00	\$ 0.00	Ş	0.00
2. Capacity Improvements:	\$	0.00	\$ 0.00	\$	0.00
3. System Preservation:	\$	0.00	\$ 1,845.00	\$	1,845.00
4. System Enhancement:	\$	0.00	\$ 0.00	\$	0.00
5. Total Construction:				\$	1,845.00
d. Total Capital Outlay: (Lines A.1.a	1.b. + 1.c.5)			\$	1,845.00

		signs for the NING DEBT		UNT ISSUED	RED	EMPTIONS	C	LOSING DEBT
A. Bonds (Total)	\$	0.00	\$	0.00	\$	0.00	\$	0.00
1. Bonds (Refunding Portion)			s	0.00	s	0.00	\$	0.00
B. Notes (Total):	\$	0.00	\$	0.00	Ş	0.00	\$	0.00
/ - LOCAL ROAD Please no commas o A. Beginning	or dollar :	signs for the					E. R	econciliation
Balance	B. Tota	l Receipts	Disburs	sements	D. Endi	ing Balance		
	\$	561,082.80	\$	232,481.65	\$	749,515.25	\$	0.00
\$ 420,914.10 Notes & Comments:	\$		\$				\$	0.00
\$ 420,914.10 Notes & Comments:	\$		\$	232,481.65	Ş			0.00
\$ 420,914.10 Notes & Comments: undefined	\$	561,082.80	8	232,481.65 Please ente	\$ er your na	749,515.25	ones	0.00
\$ 420,914.10 Notes & Comments: undefined	\$	561,082.80	number v	232,481.65 Please ente vhere you ma	\$ er your na	749,515.25 ame: Cindy Jo	ones	0.00

FORM FHWA-536e(Version 6.0) · CY19

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OTHER SUPPLEMENTARY INFORMATION (UNAUDITED)

Town of Paonia, Colorado

OLD PENSION PLAN

For the Year Ended December 31, 2019

The Town has a closed pension plan with one former employee included in the estimated liability. The last actuarial valuation performed on the plan was December 31, 2012, using future projected cash flow discounted by a yield curve rate utilizing expected mortality rates. The actuarial assumptions included a 3.5% interest rate. The Town is contributing annually an amount equal to the required contribution determined by the actuarial valuation. The Town pays the required yearly contribution of \$20,160 out of the Water Fund. Based on the actuarial valuation and the yearly payments made, the estimated remaining liability due on the plan is \$154,978.

AGENDA SUMMARY FORM

Aman Ro	oll Call		
PAONIA			
Summary:			
Notes:			
Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

AGENDA SUMMARY FORM

PAONIA Ag	genda Approval		
Summary:			
Notes:			
Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran

AGENDA SUMMARY FORM

PAONIA COOLLOORADOO	nnouncements		
Summary:			
Notes:			
Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran



2019 Audit Acceptance for Submittal

Summary:

Chadwick, Steinkirchner, Davis & Co CPA presented the 2019 audit and answered questions from the Board prior to the regular meeting. This is the Board opportunity to hear from the public and accept the audit as presented for submittal to the state by June 30th.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

	Visitors & Guests		
Summary:			
Notes:			
Possible Motions:			
Motion by:		vote:	
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:

Pu	lministrator's Report Iblic Works Ilice Report		
Summary:			
Notes:			
VW – verbal warning WW – written warning CIT - citation CAA – clear adult arres UTL – unable to locate UNF - unfounded	st		
Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck: :	Trustee Pattison:	Mayor Bachran:

Paonia Police Department

Law Incident Table, by Date and Time

Date Occurred:	06/01/20				
Time 09:13:29 12:56:06 19:17:20 22:53:22	<u>Nature</u> Certified Vin TrafficAccident Traffic Stop CITIZEN ASSIST	<u>Address</u> GRAND AVE., PPD, Paonia, CO 100 Block GRAND AVE., Paonia, CO 400 BLOCK North FORK AVE, Paonia, CO 4TH ST, Paonia, CO	<u>Agency</u> PPD PPD PPD PPD PPD	<u>Loctn</u> PPD PPD PPD	<u>Dsp</u> CIT VW
Total Incid	lents for this Date: 4				
Date Occurred:	06/02/20				
<u>Time</u> 10:12:41 23:00:44 Total Incid	<u>Nature</u> VIN INSPECTION Noise Complaint lents for this Date: 2	<u>Address</u> GRAND AVE., PPD, Paonia, CO 700 Block of 4th St., Paonia, CO	<u>Agency</u> PPD PPD	<u>Loctn</u> PPD PPD	<u>Dsp</u> UTL
Date Occurred:	06/03/20				
Time 11:50:12 14:30:15 16:09:06 16:52:55 22:33:53 Total Incid	Nature Information VIN INSPECTION MARIJUANA MARIJUANA WELFARE CHECK dents for this Date: 5	Address MAIN AVE, Paonia, CO OAK AVE., Paonia, CO NIAGARA AVE, Paonia, CO MAIN AVE, Paonia, CO ORCHARD AVE, Paonia, CO	Agency PPD PPD PPD PPD PPD PPD	Loctn PPD PPD PPD PPD PPD PPD	<u>Dsp</u> WW
Date Occurred:	06/04/20				
<u>Time</u> 12:24:55 17:49:16 18:28:49 19:00:06 19:19:20 Total Incic	Nature Disturbance Certified Vin VIN INSPECTION Juvenile Prob CIVIL PROBLEM dents for this Date: 5	<u>Address</u> MAIN AVE, Paonia, CO GRAND AVE; PPD, Paonia, CO 214 GRAND AVE; PPD, Paonia, CO PAN AMERICAN AVENUE, Paonia, CO GRAND AVE, Paonia, CO	Agency PPD PPD PPD PPD PPD	Loctn PPD PPD PPD PPD PPD	<u>Dsp</u> UNF
Date Occurred:	06/05/20				
<u>Time</u> 08:00:45 15:57:06	<u>Nature</u> CIVIL PROBLEM Traffic Stop	<u>Address</u> 2ND ST, Paonia, CO PPD 300 BLOCK 5TH STREET, Paonia, CO	<mark>Agency</mark> PPD	<u>Loctn</u> PPD PPD	<u>Dsp</u>

<u>Time</u> 16:46:33	<u>Nature</u> 911/hangup	<u>Address</u> 2ND ST., Paonia, CO	Agency PPD	Loctn PPD	<u>Dsp</u> UNF
Total Incid	dents for this Date: 3				
Date Occurred:	06/06/20				
Time 08:49:46 10:51:04 12:47:47 12:49:28	<u>Nature</u> ALARM FIRE FIRE Information	<u>Address</u> GRAND AVE, Paonia, CO DORRIS AVE, Paonia, CO BLOCK OF 5TH St., Paonia, CO 100 BLOCK 1ST St., Paonia, CO	Agency PPD PPD PPD PPD PPD	Loctn PPD PPD DIST3 PPD	<u>Dsp</u>
14:27:49 16:35:38	CITIZEN ASSIST MARIJUANA	700 BLOCK OF 4TH St., Paonia, CO 4TH St, Paonia, CO	PPD PPD	PPD PPD	CIT
lotal Incid	dents for this Date: 6				
Date Occurred:	06/07/20				
<u>Time</u> 18:39:45 Total Incid	<u>Nature</u> 911/hangup dents for this Date: 1	<u>Address</u> MEADOWBROOK BLVD, Paonia, CO PP	Agency D	<u>Loctn</u> PPD	<u>Dsp</u>
90199090190000000000000000000000000000					
Date Occurred:	06/08/20				
<u>Time</u> 15:40:28 22:17:45 Total Incid	<u>Nature</u> SEX OFFENSE Medical/transfe dents for this Date: 2	<u>Address</u> MAIN AVE, Paonia, CO DELTA AVE, Paonia, CO	<u>Agency</u> PPD PPD	<u>Loctn</u> PPD PPD	<u>Dsp</u>
Date Occurred:	06/09/20				
<u>Time</u> 16:32:21 17:44:14 Total Incid	<u>Nature</u> Information MARIJUANA dents for this Date: 2	<u>Address</u> MAIN AVE, Paonia, CO DORRIS AVE, Paonia, CO	<u>Agency</u> PPD PPD	<u>Loctn</u> PPD PPD	<u>Dsp</u> WW
Date Occurred:	06/10/20				
<u>Time</u> 12:58:03 15:08:26 Total Incid	<u>Nature</u> AGENCY ASSIST SUSPICIOUS dents for this Date: 2	<u>Address</u> 200 BLOCK OF GRAND AVE, Paonia, CO NIAGARA AVE, Paonia, CO	<u>Agency</u> PPD PPD	<u>Loctn</u> PPD PPD	<u>Dsp</u>
Date Occurred:	06/11/20				
<u>Time</u> 15:47:02	Nature Code Enforce	<u>Address</u> NIAGARA AVE, Paonia, CO	<u>Agency</u> PPD	<u>Loctn</u> PPD	<u>Dsp</u> WW

3.

<u>Time</u> 21:24:46 Total Incid	<u>Nature</u> AGENCY ASSIST ents for this Date: 2	<u>Address</u> PRICE RD, Paonia, CO	Agency PPD	Loctn DIST3	<u>Dsp</u>
Date Occurred:	06/12/20				
Time	Nature	Address	Agency	Loctn	Dsp
08:06:28	Code Enforce	MINNESOTA AVE, Paonia, CO	PPD	PPD	WW
08:16:54	Code Enforce	SECOND STREET, Paonia, CO	PPD	PPD	WW
08:30:55	Code Enforce	MAIN AVE, Paonia, CO	PPD	PPD	WW
08:45:42	Code Enforce	BOX ELDER AVE, Paonia, CO	PPD	PPD	WW
08:54:45	Code Enforce	BOX ELDER AVE, Paonia, CO	PPD	PPD	WW
09:09:52	Code Enforce	NORTH FORK AVE, Paonia, CO	PPD	PPD	WW
09:20:04	Code Enforce	ORCHARD AVE, Paonia, CO	PPD	PPD	WW
09:25:39	Code Enforce	Fourth Street, Paonia, CO	PPD	PPD	WW
09:35:42	Code Enforce	4TH ST, Paonia, CO	PPD	PPD	WW
09:38:26	Code Enforce	DELTA AVE, Paonia, CO	PPD	PPD	WW
09:49:17	Code Enforce	Second Street, Paonia, CO	PPD	PPD	WW
09:53:27	Code Enforce	ONARGA AVE, Paonia, CO	PPD	PPD	WW
09:57:05	Code Enforce	ONARGA AVE, Paonia, CO	PPD	PPD	WW
12:52:03	Information	MAIN AVE, Paonia, CO	PPD	PPD	
14:42:53	Traffic Stop	200 BLOCK OF GRAND AVE, Paonia, CO	PPD	DIST3	CIT
14:54:58	Traffic Stop	100 BLOCK OF 3RD St, Paonia, CO	PPD	PPD	CIT
15:28:21	CRIM MISCHIEF	4TH ST, Paonia, CO	PPD	PPD	
16:28:30	AGENCY ASSIST	HIGHWAY 133,MM15, Paonia, CO	PPD		
Total Incid	ents for this Date: 18				

Date Occurred: 06/14/20

Time	Nature	Address	Agency	Loctn	Dsp
14:00:23	Traffic Stop	BLOCK GRAND AVE, Paonia, CO	PPD	PPD	CIT
16:48:08	AGENCY ASSIST	FOOTHILLS RD & LAMBORN MESA RD,	PPD	DIST3	
		Paonia, CO			
18:46:52	Noise Complaint	MAIN AVE, Paonia, CO	PPD	PPD	
Total Inci	dents for this Date: 3				

Date Occurred: 06/15/20

<u>Time</u>	<u>Nature</u>	<u>Address</u>	Agency	<u>Loctn</u>	<u>Dsp</u>
08:35:09	SUSPICIOUS	4TH ST;, PAONIA, Paonia, CO	PPD	PPD	
09:58:16 10:05:05 15:08:17 18:22:04	Code Enforce Code Enforce VIN INSPECTION CIVIL PROBLEM	Second Street, Paonia, CO ONARGA AVE, Paonia, CO GRAND AVE, Paonia, CO 2ND ST; , Paonia, CO	PPD PPD PPD PPD	PPD PPD PPD PPD	ww ww

Total Incidents for this Date: 5

Total reported: 60

CIT-5, VW-1, WW-18, UTL-1, UNF-2

Report Includes:

All dates between `00:00:01 06/01/20` and `00:00:01 06/16/20`, All agencies matching `PPD`, All disposition's, All natures, All location codes, All cities

rplwlitr.x1

Corinne Ferguson

From: Sent: Subject: Enlighten <donotreply@enphaseenergy.com> Monday, June 8, 2020 7:52 PM Monthly Energy Production Report for Paonia Town Hall

🖯 Enlighten

Monthly Energy Production Report for Paonia Town Hall

Enphase Energy maximizes your solar energy production and keeps you informed about your system. Your monthly energy report shows how your system performed and how much you contributed to offsetting the global carbon footprint.

For more details on these production results, please visit your Enphase® system.

Week	Peak Power	Energy Produced
05/01/2020 - 05/07/2020	3.85 kW	206 kWh
05/08/2020 - 05/14/2020	3.88 kW	196 kWh
05/15/2020 - 05/21/2020	3.94 kW	204 kWh
05/22/2020 - 05/28/2020	3.74 kW	200 kWh
05/29/2020 - 05/31/2020	3.76 kW	77.6 kWh
	May 2020 Total:	885 kWh
	Previous Month Total:	821 kWh
	Year to Date:	3.29 MWh

Your Carbon Offset for this month: 1,348 lbs

You have offset the equivalent of: 16 Trees



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This is an automated system notification from Enphase Energy Inc., 1420 N. McDowell Blvd., Petaluma, CA 94954, USA.

⊖ ENPHASE.

3.

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Ordinance 2020-TBD Modification of Municipal Code Regarding Fences, Hedges, and Walls Within the Town of Paonia

Summary:

Included with the packet is the draft ordinance modifying regulations for fences within the Town. This item has been on the agenda for discussion several times, with the most recent tabled to permit in-person opportunity for comment.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

ORDINANCE NO. 2020-TBD

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AMENDING CHAPTER 18, ARTICLE 9, SECTION 10 OF THE TOWN OF PAONIA MUNICIPAL CODE

RECITALS:

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

WHEREAS, pursuant to C.R.S. § 31-23-301, the Town has the power to regulate buildings and other structures for the purposes of promoting health, safety, and the general welfare of the community; and

WHEREAS, the Board of Trustees determines that it is in the best interest of the community and the public health, safety and welfare of the citizens of the Town to amend the Town Code to add this provision to the Municipal Code.

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

Section 1. Legislative Findings.

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

Section 2. Amendment of Town Code.

Sec. 18-9-10 shall be repealed and amended to the Town Code as follows:

All fences, hedges, and walls (combined "**fence**(s)) are subject to the applicable sections of the International Building Code version as adopted by the Town.

- (1) Prior to the installation of a new fence the property owner or their agent shall file for a fence review with the Town Building Official, Town Clerk or designee and shall pay the appropriate review fee as may be set by the Town Board of Trustees via resolution. The purpose of the Town requiring a fence review application and fee is to allow the Town Building Official, Town Clerk, or designee to inspect the proposed fence plan to confirm that it meets the provisions of the Town Code, and that the fence will not encroach on a public right-of-way.
- (2) No fence may extend beyond or across a property line unless it is done with the joint agreement of the abutting property owners. It shall be the responsibility of the property owner to locate all property lines.

4.

- (3) No fence shall encroach upon a public right-of-way or a public sidewalk.
- (4) No barbed wire, sharp-pointed or electrically charged fence shall be permitted in the Town.
- (5) The Town requires a maximum height of 4 feet for fences from the required setback line as determined by Chapter 16-3 (zoning schedule of requirements) to the front property line and a maximum height of 6 feet for fences in all other yard areas on the property. The height shall be measured at the finished grade on the side of the fence nearest the street or abutting property.
- (6) On corner lots, no fence exceeding forty-eight (48) inches in height shall be placed in a triangular area formed by three (3) points as established by:
 - a. The intersection of the property lines at the corner (Point A); and
 - b. Points B and C measured thirty (30) feet along the property lines from Point A.
 - c. A shorter height may be required to assure corner sight triangles at intersecting streets and alleys.
- (7) The Town Administrator may grant a permit for fences and walls that exceed the maximum height upon application in specific cases and subject to compliance with the following standards:

1. The proposed fence or wall shall not adversely affect traffic safety or appropriate use of adjacent property.

2. Any section of an over-height fence or wall in the Primary Street setback shall be less than 50 percent solid over its entire area.

3. The fence or wall is necessary to provide security, privacy, or protection from traffic impacts such as noise or lights.

4. The fence shall not detract from the safety or pedestrian character of the rightof-way.

(8) Any person requesting a variance from these code provisions shall apply for the same in accordance with Sec. 18-10-40 of the Town Code.

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. Repeal of Prior Ordinances.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. Ordinance Effect.

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

Section 6. Effective Date.

This Ordinance shall take effect thirty days after publication.

INTRODUCED, READ AND REFERRED for second read before the Board of Trustees of the Town of Paonia, Colorado, on the ____ day of ____ 2020.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this____ day of ____ 2020.

TOWN OF PAONIA, COLORADO, A MUNICIPAL CORPORATION

By: _____ MARY BACHRAN, Mayor

ATTEST:

J. CORINNE FERGUSON, Town Clerk

4.



Spiegel Fence Variance

Summary: Deborah Spiegel applied for a variance to the current fence ordinance April 30, 2020. The application review was completed May 1, 2020 and referred to the Planning Commission. After preliminary review with Ms. Spiegel and review of the application, attached documents, and the Paonia Municipal Code, it is my recommendation the planning commission grant Ms. Spiegel's variance request and recommend final approval by the Board of Trustees.

While there is no clear guidance within the municipal code for the Planning Commission or Board of Trustees to make the determination to approve or deny a variance, there is clear guidance for review of a denial by the Zoning Board of Adjustments. If you use the guidelines of the ZBA for the review you will find that Ms. Spiegel meets the criteria for approval. The municipal code Article 15 Section 16-15-10 states the following:

..... a variance from such strict application so as to relieve such difficulties or hardship; provided, however, that:

(1) The variance granted is the minimum necessary to alleviate such practical difficulties or undue hardship upon the owner of said property.

(2) Such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the general plan or this Chapter.

(3) The circumstances found to constitute a hardship were not created by the appellant, are not due to or the result of general conditions in the district and cannot be practically corrected.

It is my opinion that the request, which extends the proposed fence 6 inches outside of compliance under the current ordinance, and falls within the permitted area of the modified fence ordinance which is under review of the Board of Trustees, meets the criteria necessary to grant a variance and after preliminary review with Ms. Spiegel and review of the application, attached documents, and the Paonia Municipal Code, it is my recommendation the planning commission grant Ms. Spiegel's variance request and recommend final approval by the Board of Trustees.

	Barb Heck:	Karen Budinger:	Monica Foguth:
Lucy Hunter:	Mary Bachran:		

SPECIAL REVIEW/VARIANCE APPLICATION

NameDeborah SpiegelApplication DateApril 30,2020Property Address 255 OrchardP&Z Hearing Date22.2020

Telephone Number

Council Hearing Date 123-2020

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

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

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

The special review application shall include the following:

- The site plan showing the location of all buildings, structures and other improvements to be placed on the real property. A building envelope may be used in lieu of showing the exact building or structure location to allow for minor variations in the location.
- A legal description of the property, which may require a survey. Printed
- A list of the names and addresses of all property owners within 200 ft. of the property.
- $\mathbb{N} \to \mathbb{A}$ All off-street parking and loading areas.

- NA → The location of all ways for ingress and egress to all buildings, and parking areas.
 - Service and refuse collection areas.
 - Major screening proposals.
 - The size, shape, height and character of all signs.
 - ----- The area and location of all open space and recreation areas.
 - --- The location and type of outdoor lighting.
- The character and type of landscaping to be provided. The landscaping shall be indicated in tabular form showing the type of plant material, minimum size and quantity. The approximate location of landscaping shall be indicated on the site plan.
 - The anticipated timetable for completion. If the project is to be completed in phases, then the data for completion of each phase shall be indicated.
 - All owners and lien-holders of the property shall sign the following agreement that will be placed on the original special review site plan.

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

I. Site Plan

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

II. Project Summary

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

a. Reason for Special Review/Variance <u>Need additional</u> <u>height on my fence for safety reasons due to having a sweet but large</u> <u>dog. She is currently on a cable with no fence. People who walk by</u> don't know she is on a cable and it scares them sometimes, although she is super sweet. I'd like to offer her access to my yard free of the cable and free of other dogs and people just coming in her space. I also don't want stray dogs coming onto my property and a fence would keep them out. There is no backyard because of the way the house was positioned on the property. So I want to install a transparent fence to provide this yard for my dog and and to keep visibility for cars and kids. See attached photo of dog by a 3 foot fence.

- b. Current Zoning of Property <u>R1</u>
 c. What land boundary changes are necessary?

- h. Anticipated traffic flow and volume?_____
- i. Detail the Safety and Disabled Access accommodations? na
- j. Detail the possible environmental impact; such as noise, lighting glare, pollutants, etc. ______ none

Comments: I am asking for a variance on fence height for my corner. The plan is to use cattle guard fence panels which are 52 inches tall, 98% transparent wire panels, mounted in a post and rail frame, This provides a highly transparent fence so approaching traffic or pedestrians will be visible. This provides no visual obstruction because the top rail is higher than a driver's line of sight. We will keep any greenery trimmed to allow for continued visibility. The street I am on is not a through street and only has a few houses on it, so very low traffic. My yard does not meet a standard layout with a front and back yard. I appreciate the town's willingness to work with me to come up with a safe corner fence to meet all safety requirements for myself and the townspeople and provide a safe place for my dog to be outside .. Attaching photos and will send other documents

III. <u>Public Notice Requirements</u>

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

IV. Acknowledgement to Pay Fees

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

FEES PAID HEREUNDER ARE NON-REFUNDABLE UPON SIGNING

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

SIGNED	Deborah Spiegel		
PRINTED NAME	Deborah Spiegel	DATE:	4/30/2020
Clerks Acceptance	5/12020 DA	ate Je	<u>ا</u> د

NOTICE OF PUBLIC HEARING

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Planning Commission will hold a public meeting on Monday, June 22, 2020 beginning at 5:00PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:

> Variance Request for Deborah Spiegel Fence Height 255 Orchard Avenue Paonia CO 81428

In compliance with the Municipal Code of the Town of Paonia, Colorado, the Board of Trustees will hold a public meeting on Tuesday, June 23, 2020 on or after 6:30PM location to be determined due to COVID-19 Gathering regulations, Paonia, Colorado to consider the Planning Commission recommendation for:

> Variance Request for Deborah Spiegel Fence Height 255 Orchard Avenue Paonia CO 81428

If you are unable to attend but wish to comment, comments can be made at Paonia Town Hall: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or paonia@townofpaonia.com until June 17, 2020.





June 2020

I have been waiting to put up a fence in my yard at 255 Orchard, the green house on the corner of 3rd and Orchard, for a long time.



As you can see from this photo of our dog by a short fence, a 3 foot fence would not work for us.



Disappointingly, last year the fence height for corner properties was lowered to 3 feet, which makes it even a more difficult hardship for us..

We are requesting a higher fence.

My house does not have a typical "backyard". There is no "back" to my property. The house was built in the 50s before any land development regulations were put into place. As it is situated on the property it was not built with a backyard as such. This pre-existing situation creates a hardship now in terms of being able to provide my dog with an adequate enclosure. We want to enclose the entire yard with a 4.5 foot clear view fence.





(As you can see, this side has a landscaped flower garden facing 3rd street)



The fence will go along 3rd street, turn right at the property line between my house and the yellow house, and when even with the corner of their house, it will have a gate from my fence to their house, allowing the neighbors to access the strip of property next to their house. They have agreed to this and have submitted a copy of their agreement.



The fence will go on my side of the drainage ditch and parallel to it, between my house and the house next door on Orchard, up the side of my driveway to their existing fence. We will put a big gate from the fence to our garage



The fence will go from the front stairs to the sidewalk.



I live on a dead end street with 3 other families, so the traffic is minimal to non-existent.

The fence will be set back from the road so the cars will have visibility when driving.

The fence I plan to install will be transparent, so there will be visibility for drivers and kids..

My dog will be contained and free to run in our own yard.



I want to use hog panels framed in wood. The panels are 50 inches tall, and the wood on top will add a few more inches.

We, as the residence and owners of 707 3rd street, Paonia, Co give Deborah Spiegel permission to attach a gate across the property line from her fence on the 255 Orchard property. With the condition of continued access to that area of our property through the new gate. We do reserve the right for either party to remove said gate if either party sells or intends to sell their property or if required to insure their property.

Zane and Kaja Bowman

5/21/20 5/21/2020 Raja B

108
Corinne Ferguson

From:	David Noe <dcnoe@hotmail.com></dcnoe@hotmail.com>
Sent:	Thursday, June 18, 2020 9:42 PM
To:	Corinne Ferguson
Subject:	Public comment on fence proposal for Deborah Spiegel

Hi Corinne,

I am Deborah Spiegel's next-door neighbor and would like to weigh in with my support for her proposed project and design to fence her yard at 255 Orchard Avenue, Paonia.

The design is a good one and is necessary, as they have a very large dog. I have no problem with the proposed height of the fencing, at approx. 4-1/2 feet. It seems appropriate and not too high for its purpose. Its open design, using hog-wire panels, allows for plenty of visibility.

Thank you for the opportunity to write on this matter.

David C. Noe

e, Paonia



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Ordinance 2020-TBD – Retail Marijuana Licensing and Establishments – Discussion Only

Summary: The Board has directed staff to work with the Governmental Affairs Committee to present draft regulations for the licensing of retail marijuana – should the Board opt-in with a ballot question in the November election.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
	T D	T D U	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

DRAFT ORDINANCE NO. 2020-##

AN ORDINANCE OF THE TOWN OF PAONIA, COLORADO CONCERNING THE REGULATION AND LICENSING OF RETAIL MARIJUANA ESTABLISHMENTS

WHEREAS, Section 16 of Article XVIII of the Colorado Constitution, also commonly known as Amendment 64 of 2012, authorizes a system of state licensing for businesses engaging in the cultivation, testing, manufacturing and retail sale of marijuana, collectively referred to as "marijuana establishments" by the Constitution.

WHEREAS, Subsection 16(5)(f) of Article XVIII allows localities within their respective jurisdictions: to prohibit state licensing of marijuana establishments; to regulate the time, place and manner in which marijuana establishments may operate; and to limit the total number of marijuana establishments. The authority of localities to prohibit or regulate marijuana establishments within their respective jurisdictions, including the authority to engage in local licensing of marijuana establishments, is also reflected in various provisions of the Colorado Retail Code, Article 43.4 of Title 12, C.R.S.; and

WHEREAS, at the regular Election held on November 3, 2020, the voters of Paonia determined that the Town of Paonia should allow retail marijuana establishments within the Town, subject to zoning restrictions set forth in the Municipal Code and the licensing and other limitations, restrictions and regulations provided for in this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, as follows:

<u>Section 1.</u> Chapter 6 of the Paonia Municipal Code is hereby amended to add a new Article 4, to read as follows:

ARTICLE 4

PAONIA RETAIL MARIJUANA CODE

S	ec	ti	0	n	s	
					-	

6-4-10	Purpose and legislative intent
6-4-20	Defined terms
6-4-30	Effective date; applicability
6-4-40	Local licensing authority
6-4-50	Relationship to Colorado Retail Marijuana Code; other laws
6-4-60	Unlawful acts
6-4-70	Classes of licensing authorized
6-4-80	Screening and response to state license applications
6-4-90	Licensing requirements—provisions applicable to all licenses
6-4-100	Location restrictions
6-4-110	Signs and advertising

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6.

6-4-120	Denial for good cause
6-4-130	Transfer of ownership
6-4-140	Change of location; modification of premises
6-4-150	Term of licenses; renewals
6-4-160	Suspension or revocation of license
6-4-170	Operating fees
6-4-180	Public nuisance

6-4-10 Purpose and legislative intent. The purpose of this Chapter 6 is to exercise the authority of the Town of Paonia to allow state-licensed marijuana establishments to exist in Paonia in accordance with the applicable state laws and regulations as well as the additional local licensing requirements and other restrictions set forth herein. This Chapter is adopted pursuant to the aforesaid constitutional and statutory authority, as well as the Town's plenary authority as a statutory town to adopt and enforce ordinances under its police power in order to preserve the public health, safety and general welfare and its authority to regulate businesses.

6-4-20 Defined terms.

The definitions set forth in Subsection 16 (2) of Article XVIII of the Colorado Constitution as well as the Colorado Marijuana Code, C.R.S. § 44-10-101, et. seq.., as amended, shall apply equally to this Chapter 6. In addition, the following terms shall have the meanings respectively assigned to them:

A. "Alcohol or drug treatment facility" means any facility located within a medical office or hospital that has as its primary purpose the counseling of and/or the providing of medical services to patients who suffer from addictions to alcohol or drugs.

B. "Child care center" means a facility maintained for the care of children under the age of sixteen (16), including, but not limited to, day camps, nursery schools, day care, preschools and playschools. Such facility shall be licensed by the Colorado Department of Human Services.

C. "Colorado Marijuana Code" means Title 44, Article 1 of the Colorado Revised Statutes, as amended, including all Rules promulgated pursuant to the Colorado Retail Marijuana Code as set forth in the Colorado Code of Regulations Department of Revenue 1 CCR 212-3-1 et. seq.

D. "Retail marijuana establishment" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing facility, or a retail marijuana testing facility.

E. "Retail marijuana store" means an entity licensed to purchase marijuana from marijuana cultivation facilities and marijuana and marijuana products from marijuana product manufacturing facilities and to sell marijuana and marijuana products to consumers.

F. "School" means a public or private elementary, middle, junior high, or high school. (Note: "preschools" are included in the Town's definition of "childcare center").

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6.

G. "Land Development Regulations (LDR)" means the land development regulations as adopted and updated periodically by the Town of Paonia.

6-4-30 Effective date; applicability.

This Article 4 shall be effective after midnight on December 31, 2020, and shall govern all applications submitted to the state licensing authority for licensing of any retail marijuana establishment in the Town under the Colorado Marijuana Code on and after that date.

6-4-40 Local licensing authority.

A. The Board of Trustees is hereby designated to act as the local licensing authority for the Town in regard to retail marijuana establishments. Under any and all circumstances in which state law requires communication to the Town by the state licensing authority or any other state agency in regard to the licensing of retail marijuana establishments by the state, or in which state law requires any review or approval by the Town of any action taken by the state licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be exercised by the Board.

B. Under no circumstances shall the Board of Trustees receive or act upon any application for local licensing of a retail marijuana establishment in circumstances where the state has failed to act in accordance with Section 16 of Article XVIII of the Colorado Constitution, it being the intent of this Article that no retail marijuana establishment may lawfully exist in the Town of Paonia absent the issuance of a state license and full regulatory oversight of the retail marijuana establishment by the state, as well as the Town. Accordingly, the Board shall not receive or act upon any application for licensing submitted independently and in lieu of state licensing if the state fails to act within ninety (90) days on any specific application for licensing of a retail marijuana establishment in accordance with paragraph 16(5)(g)(III) of Article XVIII of the Colorado Constitution.

C. Any decision made by the local licensing authority to grant or deny a license, to revoke or suspend a license, or to renew or not renew a license shall be a final decision and may be appealed to the district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure.

6-4-50 Relationship to Colorado Retail Marijuana Code; other laws.

Except as otherwise specifically provided herein, this Article 4 incorporates the requirements and procedures set forth in the Colorado Marijuana Code. In the event of any conflict between the provisions of this Article 4 and the provisions of the Colorado Marijuana Code or any other applicable state or local law, the more restrictive provision shall control, except that the location requirements and restrictions set forth in Section 6-4-100 shall apply in all situations of conflict between such provisions and the provisions of state law or regulation regarding matters where the exercise of discretion by local jurisdictions is granted by the constitution or laws of the State of Colorado.

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6-4-60 Unlawful acts.

A. It shall be unlawful for any person to operate any retail marijuana establishment in the Town without a license duly issued therefor by the state licensing authority under the Colorado Marijuana Code and compliance with any and all applicable state laws.

B. It shall be unlawful for any person to operate any retail marijuana establishment in the Town without a license duly issued therefor by the Board of Trustees under this Article 4 and compliance with any and all applicable Town laws.

C. It shall be unlawful for any person to engage in any form of business or commerce involving the cultivation, processing, manufacturing, storage, sale, distribution or consumption of marijuana other than those forms of businesses and commerce that are expressly contemplated by Sections 14 and 16 of Article XVIII of the Colorado Constitution and/or the Colorado Marijuana Code.

D. It shall be unlawful for any licensed retail marijuana establishment to sell, serve, distribute or initiate the transport of retail marijuana or retail marijuana products at any time other than between the hours of 8:00 a.m. and 7:00 p m. daily.

6-4-70 Classes of licensing authorized.

For the purpose of regulating the cultivation, manufacture, testing, distribution, offering for sale, and sale of retail marijuana, the Board of Trustees, at the Board's discretion, upon application in the prescribed form made to the Board, may issue and grant to the applicant a local license from any of the following classes, and the Town hereby authorizes the issuance of the licenses of the following classes by the state licensing authority within the Town, subject to the provisions, limitations and restrictions set forth in this Article 4:

Retail marijuana store.

6-4-80 Screening and response to state license applications.

A. Upon receipt of notice from the state licensing authority of any application for a license under the Colorado Marijuana Code, the Town Clerk shall:

1. Determine, in consultation with the Town Administrator, or his/her designee, whether or not the location proposed for licensing complies with any and all applicable zoning and land use laws of the Town, and any and all restrictions on location of retail marijuana establishments set forth in this Article 4. If the Town makes an initial determination that the proposed license would be in violation of any zoning law or other restriction on location set forth in the Town's laws, the Town shall, no later than forty-five (45) days from the date the application was originally received by the state licensing authority, notify the state licensing authority and the applicant for state licensing in writing that the application is disapproved by the Town. The failure of the Town to make such a determination

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Commented [BJN1]: Maybe this is a regulation and not an ordinance based on issues raised by businesses

where the initial review of a state license application shall not preclude the Town from later determining that proposed license is in violation of Town's zoning laws or any other restriction on location set forth in Town laws, and disapprove the issuance of a state or Town license on this basis.

2. For any application that is not disapproved as provided in paragraph 1 of this Subsection A, the Town shall notify the state licensing authority and the applicant for state licensing in writing that the Town's further consideration of the application is subject to a local licensing process, and that the Town's ultimate decision to approve or disapprove the issuance of the state license for a retail marijuana establishment proposed to be located in the Town of Paonia will be subject to the completion of the local licensing process, as set forth in this Article 4, after which the Town will notify the state licensing authority in writing of whether or not the retail marijuana establishment proposed in the application has or has not been approved by the Town.

6-4-90 Licensing requirements—provisions applicable to all licenses.

A. Criteria for licensing. The Board of Trustees shall consider and act upon all local license applications in accordance with the standards and procedures set forth in this Article 4. The Board may deny any application for a license that is not in full compliance with the Colorado Marijuana Code, this Article 4, and any other applicable state or Town law or regulation. The Board also shall deny any application that contains any false or incomplete information.

B. Application forms and supplemental materials. All applications for local licensing shall be made upon forms provided by the Town and shall include such supplemental materials as required by the Colorado Marijuana Code and rules adopted pursuant thereto, including by way of example: proof of possession of the licensed premises, disclosures related to ownership of the proposed business, fingerprints of the applicants, building plans, and security plans. To the extent any of the foregoing supplemental materials have been included with the applicant's state license application and forwarded to the Town by the state licensing authority, the Town Clerk may rely upon the information forwarded from the state without requiring re-submittal of the same materials in conjunction with the local license application. The Town may, at the Town's discretion, require additional documentation associated with the application as may be necessary to enforce the requirements of the Colorado Marijuana Code and this Article 4.

C. Tax bond. Before the Board of Trustees issues a Town license to an applicant for a retail marijuana establishment license, the applicant shall procure and file with the Town evidence of good and sufficient bond in the amount of five thousand dollars (\$5,000) with corporate surety thereon duly licensed to do business with the State of Colorado, approved as to form by the Town's Attorney, and conditioned that the applicant shall report and pay all Town sales and use taxes as provided by law. A corporate surety shall not be required to make payments to the Town claiming under such bond until a final determination of failure to pay taxes due to the Town has been made by the Finance Officer or a court of competent jurisdiction. All bonds required pursuant to this subsection shall be renewed at such times as the bondholder's license is renewed. The renewal may be accomplished through a continuation certificate issued by the

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surety. A cash bond in the amount of five thousand dollars (\$5,000) may be deposited with the Finance Officer in lieu of a surety bond.

D. Area maps. All applications for retail marijuana establishment licensing submitted pursuant to this Article 4 shall include an area map drawn to scale indicating land uses of other properties within one thousand (1,000) feet of each boundary of the lot or parcel upon which the applicant proposes a licensed premises. The map shall depict the proximity of the property to be used as the licensed premises to any school or childcare facility of the type referenced in Section 6-4-100.

E. Notice of applications to departments and agencies. Upon receipt of an application for any class of local retail marijuana establishment license, the Town Clerk shall give notice of the application to the Town Administrator, the Finance Officer, the Building Official, the Chief of the Paonia Police Department, the Chief of the Paonia Fire Protection District #2 and appropriate county or local health officials. Any applicant for a license under this Article 4 shall obtain any and all necessary permits, licenses and other regulatory approvals from the other affected Town departments and agencies prior to the issuance of a license under this Article 4. The Town also will consider any recommendations made by the Paonia Fire Protection District #2.

F. Background checks and determination of good character and state residency. Prior to the issuance of any local license, the Board of Trustees shall make a finding as to the good moral character of the applicant and compliance with state residency requirements in accordance with the standards and procedures set forth in the Colorado Marijuana Code. In so doing, the Board may incorporate into its findings any findings as to good character and residency previously made by the state licensing authority and rely upon such findings in making its determination. The Board shall not be required to perform a criminal background check if the state licensing authority has already performed a criminal background check on the applicant.

G. A license pursuant to this ordinance does not eliminate the need for the licensee to obtain other Town licenses and permits, including, but not limited to:

- 1. Any land use approval, if applicable;
- 2. State sales tax license; or
- 3. Building, mechanical, plumbing, electrical or fire permit(s).

6-4-100 Location restrictions

A. Permitted locations for sales. All retail marijuana establishment licenses shall be issued for a specific fixed location which shall be designated the licensed premises. Except as provided in Subsection D, all sales, deliveries and other transfers of marijuana and marijuana products by a licensee shall be made at or from the licensed premises.

B. Distance from schools. No retail marijuana establishment license shall be granted with respect to a proposed licensed premises that would be located within one thousand (1,000) feet of

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any school that existed at the time of the filing of a complete application for a retail marijuana establishment license with the Town Clerk.

C. Distance from certain childcare facilities. No retail marijuana establishment license shall be granted with respect to a proposed licensed premises that would be located within one thousand (1,000) feet of any licensed residential child care facility, as defined in Title 26 of the Colorado Revised Statutes, that existed at the time of the filing of a complete application for a retail marijuana establishment license with the Town.

D. No mobile facilities and restrictions regarding deliveries.

- 1. No retail marijuana establishment shall be located in a movable or mobile vehicle or structure.
- 2. No retail marijuana or marijuana product shall be delivered in the Town unless such delivery is by a retail marijuana establishment licensed by the state to another retail marijuana establishment licensed by the state and the Town and such delivery is specifically permitted by the Colorado I Marijuana Code.
- 3. All sales and distribution of retail marijuana and marijuana products by a licensed retail marijuana store shall occur only upon the licensed premises, and the licensee shall be strictly prohibited from delivering retail marijuana or marijuana products to any person at any other location.

E. Measurement of distance. Any distance specified in Subsection B or C of this section shall be computed by direct measurement from the nearest property line of the lot or parcel upon which a school or child care facility referenced in Subsection B or C is situated to the nearest property line of the land used or proposed for use as a licensed retail marijuana establishment, using a route of direct pedestrian access, measured as a person would walk safely and properly, without trespassing, with right angles at crossings and with the observance of traffic regulations and lights.

F. Places where retail marijuana establishments are prohibited. No licensed retail marijuana establishment shall be operated within the boundaries of any residential zone district of the Town as those boundaries exist at the time any complete application for any class of retail marijuana establishment license is filed with the Town Clerk. Retail marijuana stores shall only be operated within the boundaries of a C-1 or C-2 commercial zone district of the as those boundaries exist at the time any complete application is filed with the Town Clerk.

6-4-110 Signs and advertising.

A. Any person or premises licensed as a retail marijuana store shall comply with all Town ordinances regulating signs and advertising. In addition, no licensed retail marijuana store shall use any advertising material that is misleading, deceptive, or false, or that, as evidenced either by the content of the advertising material or by the medium or the manner in which the advertising is disseminated, is designed to appeal to minors.

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Commented [CF2]: How should we address potential changes in zones where it may be permissible other than C1C2? Possibly in Developing Resources or light industrial upon Special Review?

Commented [CF3]: GAPS Committee was interested in adding language similar to Eagle regarding population or annexation areas in 6-4-100 B. For purposes of this section, the terms "advertise," "advertising" or "advertisement" mean the act of drawing the public's attention to a retail marijuana store or retail marijuana products manufacturer in order to promote the sale of retail marijuana by the store or the manufacturer.

C. Except as otherwise provided in this Subsection C, it shall be unlawful for any person licensed under this Article or any other person to advertise any retail marijuana or retail marijuana product anywhere in the Town where the advertisement is visible to members of the public from any street, sidewalk, park or other public place, including advertising utilizing any of the following media: any billboard or other outdoor general advertising device as defined by the zoning code; any sign mounted on a vehicle, any hand-held or other portable sign; or any handbill, leaflet or flier directly handed to any person in a public place, left upon a motor vehicle, or posted upon any public or private property without the consent of the property owner. The prohibition set forth in this paragraph shall not apply to:

- Any sign located on the same zone lot as a retail marijuana store which exists solely for the purpose of identifying the location of the retail marijuana store and which otherwise complies with the Town's sign code, Chapter 18, Article 6 of the Town Municipal Code, and any other applicable Town laws and regulations; or
- 2. Any advertisement contained within a newspaper, magazine, or other periodical of general circulation within the Town;
- 3. Advertising which is purely incidental to sponsorship of a charitable event by a retail marijuana store or a retail marijuana products manufacturer; or

6-4-120 Denial for good cause.

A. The Board of Trustees shall have authority to refuse to issue or renew any retail marijuana establishment license for good cause, subject to judicial review. For purposes of this section, the term "good cause" means:

- The applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of the Colorado Marijuana Code or any rules and regulations promulgated pursuant thereto, or this Article 4 or any rules and regulations promulgated pursuant to this Chapter Six,, Article 4;
- Evidence that the issuance or renewal of the license will adversely impact the health, welfare or public safety of the immediate neighborhood in which the retail marijuana establishment is located or is proposed to be located; or
- Evidence that the licensee or applicant has failed to comply with any special terms or conditions that were placed upon the license pursuant to an order of the State Licensing Authority or an order of the Local Licensing Authority.

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Commented [BJN4]: To strike a balance between any free speech argument and any regulation from the state, I would suggest that we refer to the limitation under the code of regulations, 1 CCR 121-3-3-700, and that way we don't have an ordinance that may be outdated if the state regulations change B. Any decision of the Board of Trustees to approve or deny any license application shall be in writing, stating the reasons therefor.

6-4-130 Transfer of ownership. Transfer of ownership of any local license issued pursuant to this Article 4 shall be governed by the standards and procedures set forth in the Colorado Marijuana Code and any regulations adopted pursuant thereto, and the Board of Trustees shall administer transfers of local licenses in the same manner as the state licensing authority administers transfers of state licenses.

6-4-140 Change of location; modification of premises. Change of location of any license or any modification of the licensed premises shall be governed by the standards and procedures set forth in the Colorado Marijuana Code and any regulations adopted pursuant thereto, and the Board of Trustees shall administer applications to change location or modify premises in the same manner as the state licensing authority administers changes of location and modification of premises for state licenses. Any proposed modification and any new location to which an existing licensed business is transferred shall fully comply with the location requirements and the requirements for conformance with current zoning as set forth this Article 4.

6-4-150 Term of licenses; renewals. Any local license issued pursuant to this Article shall be valid for a period of one (1) year from the date of issuance. Any renewal of the license shall be governed by the standards and procedures set forth in the Colorado Marijuana Code and any regulations adopted pursuant thereto, and the Board of Trustees shall administer license renewals in the same manner as the state licensing authority administers renewals of state licenses.

6-4-160 Suspension or revocation of license.

A. A license may be suspended or revoked by the Board of Trustees for any of the following reasons:

- 1. Fraud, misrepresentation, or a false statement of material fact contained in the license application;
- A violation of any Town, State or Federal law or regulation, other than federal law or regulation concerning the production, transportation, possession, sale or distribution of marijuana that conflicts with Amendment 64;
- A violation of any of the terms and conditions of the license, including any special conditions of approval imposed upon the license;
- 4. A violation of any of the provisions set forth in this ordinance; or
- 5. Cessations of operation at the center for more than thirty (30) days.

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B. The Town shall notify the licensee of the issuance of a show cause order to suspend or revoke the license. Notice shall be given by mailing a copy, or served by the Paonia Police Department of the order to the licensee by registered mail to the address shown on the license. Notice is deemed to have been properly given upon mailing.

C. A hearing shall then be scheduled before the Board of Trustees within forty-five (45) days of the notice of the show cause order. Such hearing may be continued for good cause. The burden of proof at the hearing shall be on the Town.

D. If the Board of Trustees finds a preponderance of the evidence that the allegations in the show cause order are sustained, the Board of Trustees shall issue such order in writing to the licensee within ten (10) days.

E. Upon such findings, the Board of Trustees shall have the power to revoke, suspend, and/or place additional reasonable conditions on the license.

6-4-170 Operating fees. Operating fees for retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturers, and retail marijuana testing facilities are as follows:

A. Annual operating fee, per year: Five thousand dollars (\$5,000) for all classes of licenses, payable in advance on or before the date the license is issued or renewed, as the case may be.

B. Criminal background check fee, per person checked: Actual costs.

C. Transfer of ownership: Two hundred fifty dollars (\$250), plus cost of background check.

D. Transfer of location: Seven hundred fifty dollars (\$750).

E. Modification of premises: Five hundred dollars (\$500).

F. License application fee: as provided under the Colorado Marijuana Code.

All such fees shall be non-refundable.

6-4-180 Public nuisance.

A. The unlawful cultivation, manufacturing, sale, offer for sale, or distribution of retail marijuana without a license is hereby declared to be a nuisance which may be abated or otherwise dealt with in accordance with the provisions of the Paonia Municipal Code.

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One Delta County – Economic Development Participation & Intergovernmental Agreement

Summary:

Administrator recommendation to participate in the One Delta County Economic Alliance and authorize Mayor Mary Bachran to sign on behalf of the Board of Trustees. Administrator recommendation attached as well as the updated IGA. The IGA has been reviewed by Town Attorney Nerlin who notes no concern moving forward.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:



From the desk of Corinne Ferguson, Administrator/Clerk

06/18/2020

Trustees,

At the last meeting, the Board directed me to provide my recommendation and the updated intergovernmental agreement for Town participation in One Delta County Economic Alliance. Please consider this my formal recommendation that the Town of Paonia join with our county and neighboring municipalities as One Delta County.

As I stated at the last meeting, the initial presentation of the plan was given to the Board of Trustees November 12th, 2019. At that time, the Town was reeling from the election results and unclear with both the ODC mission as well as the Towns 2020 budget. Over the past seven months the ODC team has worked diligently – amidst all the chaos of 2020 – to formalize the ODC plan and mission.

While we still face uncertainty within our budget peri and post COVID-19, it is important to actively come to the table and participate in the effort to bolster and improve economic development county-wide, but more importantly – to be part of the entity that supports and assists the retention of businesses we have – who are facing extreme hardships. It is important that the Town of Paonia have a seat at the table and provide the evidence – through our active participation and funding - that we recognize our individuality as the Town of Paonia AND as an active member of the body that is Delta County. We look for Delta County and neighboring municipalities to hear us regarding matters that affect us. We should lead by that example.

The costs associated with year one of ODC to the Town of Paonia is \$1,122. After review of the budget with the Finance Director we find that while there is not one single line item within the general fund that should be reallocated to offset the cost, there are multiple line items where we can reduce expenditures and are projecting lower expenditures than budgeted for (lower electrical bill with updated system, general office supplies, etc).

ODC, which will absorb and replace DCED has a focused mission to bolster economic development for the county by implementing resources to assist new businesses as well as existing businesses – whether in crisis or ready to expand. Positive economic development in Delta County is positive economic development for Paonia and it is my recommendation that we join and be part of it.

Thank you for your time.

Corinne Ferguson

Town Administrator/Clerk

Town of Paonia

corinne@townofpaonia.com

INTERGOVERNMENTAL AGREEMENT TO SUPPORT ECONOMIC DEVELOPMENT BETWEEN

DELTA COUNTY, CITY OF DELTA, TOWNS OF CEDAREDGE, ORCHARD CITY, HOTCHKISS, PAONIA, and CRAWFORD

THIS AGREEMENT made and entered into this _____day of ___, 2020, by and between Delta County, the City of Delta, and the Towns of Cedaredge, Orchard City, Cedaredge, Hotchkiss, Paonia and Crawford, collectively referred to as "local governments."

WHEREAS, the local governments share a collective interest in economic development in Delta County, and have shared interest in ensuring that economic development in Delta County serve the needs of all communities, residents, and business; and

WHEREAS, the local governments have been working together in partnership with businesses and other economic development interests to create a new economic development alliance that will help achieve the goal of economic development for all of Delta County; and

WHEREAS, through the course of establishing the new economic development alliance, local governments have been tasked with funding the capacity of the new economic development alliance, and have agreed to provide such funding, and

WHEREAS, the local governments have agreed upon a formulaic share of anticipated costs for providing capacity, whereby the City of Delta and the Towns of Cedaredge, Orchard City, Hotchkiss, Paonia and Crawford will provide funds directly to Delta County with the intent that Delta County will hire a project manager to support the new economic development alliance.

NOW, THEREFORE, in consideration of their mutual rights and obligations as set forth below, the local governments agree as follows:

1. AUTHORITY FOR AGREEMENT.

a. This Intergovernmental Agreement is being entered into by the local governments pursuant to the authority granted to local governments in Colorado Revised Statute 29-1-203, which allows governments to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units.

2. TERM OF AGREEMENT, WITHDRAWAL OR DISSOLUTION.

- a. Subject to the provisions of Subparagraph 2. b, the term of this Agreement shall continue through December 31, 2022. This agreement may be extended by mutual agreement annually thereafter.
- b. The local governments acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective party and shall not constitute or give rise to a general obligation or other indebtedness of either party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado nor a mandatory charge or requirement against any party in any ensuing fiscal year beyond the current fiscal year.
- c. If the governing body of any party shall fail to budget and appropriate funds for its share of expenses, in accordance with Paragraph 3 hereof, then the local government that does not appropriate funds shall no longer be party to this agreement, and shall no longer be a voting member of the Board of Directors of the new economic development alliance.
- d. In the event any local government fails to appropriate funds for its share of expenses, in accordance with Section III , the remaining local governments shall adjust the formulaic share of the total anticipated annual costs between those local governments that choose to continue to participate in this agreement, or come to a mutually agreed upon split of any anticipated costs resulting from any local government ceasing to be party to this agreement.
- e. In the event the Town of Paonia allocates funds for fiscal year 2020 or any year thereafter, an amendment to this agreement shall be executed by all parties, and costs reapportioned in accordance with Paragraph 3.

3. APPORTIONMENT OF ECONOMIC DEVELOPMENT CAPACITY EXPENSES.

- a. All costs to cover the salary and benefits for a project manager to support the new economic development alliance shall be shared equitably by the local governments. The intent is to share the cost of this agreement in the same manner that the County's sales tax is shared with the municipalities. In year 2020 the County and City of Delta will commit to providing a higher percentage of the share of costs picking up a portion of each of the smaller local governments' share of expenses thereby allowing the smaller local governments to ease into the extra costs of participation. All costs and expenses for Fiscal Year 2020 for providing salary and benefits for a full-time project manager to support the new economic development alliance shall be shared as followed based on a projected expense of \$65,994, subject to change as mutually agreed upon:
 - Delta County: 62% or \$40,916
 - City of Delta: 28.6% or \$18,875
 - Orchard City: 3.6% or \$2,375
 - Cedaredge: 2.6% or \$1,716
 - Paonia: 1.7% or \$1,122
 - Hotchkiss: 1% or \$660
 - Crawford: .5% or \$330
- b. It is understood and agreed that this apportionment shall be re-evaluated during the fall of 2020 and each succeeding year and may be amended as agreed upon by all parties. It is further recognized that the cost of salary or benefits are subject to change. The goal is to share costs based on the following:

Year 2021: Delta County 62% of the total cost City of Delta: 23% of the total costs Orchard City: 5.46% of the total costs Cedaredge: 3.9% of the total costs Paonia: 2.54%

Hotchkiss: 1.5% of the total costs

Crawford: .75% of the total costs

Year 2022:

Delta County 60% of the total cost City of Delta: 21% of the total costs Orchard City: 7.3% of the total costs Cedaredge: 5.3% of the total costs Paonia: 3.4% Hotchkiss: 2.1% of the total costs Crawford: 1% of the total costs

4. Hiring, firing, management, and human resources responsibility.

- a. Delta County shall be responsible for all personnel liability for the project manager, including liability insurance, FICA expenses, workers' compensation, and all other employee benefits.
- b. Delta County shall be responsible for the management and mentorship of the project manager. The intent is for the project manager to report directly to the Community & Economic Development Director. The County Administrator may, at their discretion, choose to be the direct supervisor of the project manager.
- c. Prior to hiring the project manager, Delta County shall convene a hiring committee with representatives from each local government and the Board of Directors of the new economic development alliance. The committee shall assist in reviewing applications, selecting finalists, the interview process, and make recommendations to the County. The County shall consider this input in the final hiring decision.
- d. Delta County retains the rights as an employer to discipline the project manager including but not limited to termination of employment for lack of performance, violations of Delta County employee policies as outlined in the Delta County Employee Handbook, state law, or federal law.
- e. Delta County shall seek input from the new economic development alliance Board of Directors prior to completing any performance reviews and shall take input received into consideration when completing said performance review.
- f. Delta County shall notify the local governments within two weeks should disciplinary actions result

One Delta County IGA – 2020

in the termination of employment of the project manager. In compliance with state and federal laws, the specific details regarding termination shall not be provided given the confidentiality of personnel matters.

5. COMMITMENT TO SUPPORT ECONOMIC DEVELOPMENT ALLIANCE.

- a. The project manager hired by Delta County shall serve as staff for the economic development alliance Board of Directors including organizing meetings, board training and development, following up on tasks directed by the economic development alliance Board of Directors, and implementing the programs and services included in the economic development alliance annual work plan.
- b. The project manager shall be dedicated full time to One Delta County, but shall also work in partnership with the County's Tourism Cabinet and Coordinator to ensure cohesion in marketing and promotions of Delta County; the Chambers of Commerce, Region 10, local governments, and other economic development partners.
- c. The project manager shall represent Delta County and the economic development alliance on boards and commissions deemed appropriate by either Delta County or by the economic development alliance such as, but not limited to, the workforce board, regional economic development councils or committees, or community economic development committees.

6. ADOPTION OF AGREEMENT BY ORDINANCE AND LEGALLY BINDING STATUS.

a. This Agreement shall be deemed in force when the same has been adopted by ordinance or resolution of all the participating local governments.

AMENDMENTS.

a. This Agreement may be amended, modified, changed, or terminated in whole or in part only by a written agreement duly authorized and executed by each local government in the same manner as this Agreement.

8. SEVERABILITY.

a. Should any of the provisions of this Agreement be held to be invalid or unenforceable, then the balance of this Agreement shall be held to be in full force and effect as though the invalid portion was not included.

9. GOVERNING LAW.

a. This Agreement shall be governed by, and interpreted in accordance with, the laws of the State of Colorado, and venue for any action arising out of any dispute hereunder shall be in the Delta County District Court of the State of Colorado.

IN WITNESS WHEREOF, and intending to be legally bound hereby, in accordance with proper ordinance of each of the governing bodies of the municipalities, we have hereunto caused this instrument to be executed the day and year written above.

Delta County:

Chair

Attest:

County Clerk	
Town of Cedaredge:	
Mayor	
Attest:	
Town Clerk	
Town of Crawford:	
Mayor	
Attest:	
Town Clerk	
City of Delta:	
Mayor	
Attest:	
City Clerk	
Town of Hotchkiss:	
Mayor	
Attest:	
Town Clerk Town of Orchard City:	
Mayor	
Attest:	

Town Clerk

Town of Paonia:

Mayor

Attest:

Town Clerk



Paonia Skatepark Rehabilitation Project Update - Jay Canode

Summary:

Jay Canode requests the opportunity to present the Board with an update and request support for the ongoing effort to improve and upgrade the Paonia Skate Park.

Notes:

Possible Motions:			
Mation has	2 nd :		
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

North Fork Valley Skatepark Sponsorship Options

Mt Gunnision: \$10,000+ (1 Available)

Business or Individual name etched by waterjet at the head of steel skatepark entrance sculpture created by artist Ira Houseweart. Title will be most prominent visible sponsor on the sponsorship sculpture. Approximately 6"high by 24" across.

Mt Lamborn: \$5,000 (2 Available)

Business or Individual name etched by waterjet on our steel skatepark entrance sculpture created by artist Ira Houseweart. Titles will follow beneath Mt Gunnison Sponsorships and will be sized approximately 3" high by 12" across.

Mt Jumbo: \$2000 (3 Available)

Business or Individual name etched by waterjet on our steel skatepark entrance sculpture created by artist Ira Houseweart. Titles will follow beneath Mt Lamborn Sponsorships and will be sized 1.5" high 6" across.

Bedrockers: \$250 (20 available)

Business or Individual name etched by waterjet on our steel skatepark entrance sculpture created by artist Ira Houseweart. Titles will follow beneath Mt Lamborn Sponsorship and will be sized approximately .75" high by 3" across

8.

To: Whom it May Concern From: Town of Paonia Town Council RE: Letter of Support

Let it be known that the Town of Paonia and the Paonia Town Council fully supports, to the extent of its resources, the funding and construction of the North Fork Valley Skatepark to be constructed at Paonia Town Park. With the listing of a skatepark in the Town of Paonia's Master Plan we sit it fit to move forward and facilitate its construction and are acting as the managing entity for park construction. The town is in dire need of dedicated and diverse recreation space specifically for children and adolescents. The skatepark will provide not only a safe gathering space for young people but a place for them to challenge each other and express creativity through movement.

The Town of Paonia will be contributing to the North Fork Valley Skatepark in the following ways:

Sincerely,





Western Slope Conservation Center – Presentation of Draft Letter to Bureau of Land Management

Summary:

See packet attachments as provided.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

TOWN OF PAONIA REQUEST TO BE

PLACED ON AGENDA PO Box 460 Paonia, CO

81428 970/527-4101 paonia@townofpaonia.com

Here are things you need to know:

• You must contact the Town Administrator or Town Clerk prior to coming to the Board. Quite often the issue can be resolved by staff action.

• No charges or complaints against *individual* employees should be made. Such charges or complaints should be sent to the employee's Department Head in writing with your signature.

• Remarks that discriminate against anyone or adversely reflect upon the race, color, ancestry, religious creed, national origin, political affiliation, disability, sex, or marital status of any person are *out of order* and may end the speaker's privilege to address the Board.

• Defamatory, abusive remarks or profanity are *out of order* and will not be tolerated.

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

Name of person making presentation: _____Ben Katz_____

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

Is this a request for Board action? Yes No

Please provide a summary of your comments:

The Bureau of Land Management's Resource Management Plan was finalized in late April and will have major impacts on the public lands surrounding the Town of Paonia in regards to oil and gas development, outdoor recreation, and wildlife habitats. The Town has previously submitted comments and protests in regards to the plan and its impacts on the Town. I will provide an update on the final plan and ask the Town to submit a letter to the Bureau of Land Management further articulating the Town's position.

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

I have spoken with Mayor Mary Bachran about this issue and she was supportive of hearing WSCC's issues with the RMP.

Contact information:

 Name:
 Ben
 Katz_____

 Physical Address:
 204 Poplar, Paonia CO 81428_____

Mailing Address: _PO Box 1612, Paonia CO 81428_____

E-mail: __ben@theconservationcenter.org_____

Daytime Phone: ____

Office Use Only: Received:

_ Approved for Agenda:

Board Meeting Date:



June 19, 2020

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

RE: Bureau of Land Management's Uncompangre Field Office final Resource Management Plan

Dear Trustees for the Town of Paonia,

The Western Slope Conservation Center is a 600+ member organization that builds an active and aware community to protect and enhance the lands, air, water, and wildlife of the Lower Gunnison Watershed. The Conservation Center has a 40+ year history of working to ensure our public lands are well-managed with the highest level of protection they deserve. Thank you for the opportunity to address the town on concerns related to the Bureau of Land Management (BLM) Resource Management Plan (RMP) for the Uncompander Field Office (UFO).

The Town of Paonia has long been an advocate for a Resource Management Plan that protects our rural agricultural community, water resources, recreation destinations, and overall health & welfare. The Town of Paonia has been an important voice in this process for the last 10+ years, and we ask you to once again raise your concerns to the BLM and our state and federal elected officials.

On Friday, April 10th, in the midst of the Covid-19 public health crisis and on Easter and Passover holidays, the Bureau of Land Management released the final approved plan for the area. This plan will guide the management of BLM land surrounding the Town of Paonia for the next 15-20+ years. Unfortunately, the final RMP opens significant acreage of our public lands to oil & gas development, removes stipulations meant to safeguard our natural resources, water supplies, soils, and wildlife, and fails to adequately manage recreation opportunities on Jumbo Mountain.

In previous comment letters, the Town of Paonia supported protections in the North Fork Alternative (Alternative B1), a plan created by local stakeholders, community leaders, wineries, farmers, ranchers, businesses, and others in the North Fork Valley, to promote the responsible use of our natural resources. Disappointingly, the final RMP includes almost no recommendations from the North Fork Alternative or the Town's previous comment letters and protest, ignoring the input of our community in favor of increased resource extraction.

We hope you will submit a letter to the Department of the Interior addressing their continued dismissal of the Town of Paonia's concerns, request additional protection for the natural resources of the North Fork Valley, and ask for no future oil and gas lease sales for the North Fork Valley until a new plan is put in place that adequately protects our Town's resources. We hope this letter will echo the messages from our state and federal elected officials and ask the BLM to do a better job managing the public lands

9.



surrounding our town. Additionally, this letter will show the community that the Town Board is not done fighting for strong protections for our local economy and the public lands and resources that we all rely upon.

Thank you for your time and commitment to our community.

Sincerely,

Ben Katz Public Lands Program Director Western Slope Conservation Center



BLM Uncompanyer Field Office Approved Resource Management Plan High-Level Overview

Background on the RMP

The final plan, which the BLM began revising in 2010, is meant to guide all activities and development in the Uncompany Field Office planning area, which includes the North Fork Valley, for the next two decades.

Draft RMP (DRMP)/ Draft EIS (DEIS)

The communities of the North Fork Valley successfully waged a campaign to include the North Fork Alternative Plan (NFAP) in the Draft RMP. The NFAP was developed, drafted, and submitted to the BLM by local community members, businesses, farms & orchards, wineries, and conservation groups to provide a baseline of protection for the natural resources that make the North Fork Valley unique. The draft RMP was released on June 3rd, 2016 for public comment, and included four Alternatives, including the NFAP as Alternative B1. During the public commenting process, the BLM received over 52,000 comments

Proposed RMP (PRMP)/Final EIS (FEIS)

After the BLM has considered the comment received on the draft RMP/DEIS, the agency issued a proposed plan and FEIS on June 28th,



Figure 1-1: Uncompanyere RMP Planning Area

2019. The FEIS identifies changes from the Draft RMP, and provides a similar analysis of the proposed plan as in the Draft RMP, but with less of the comparative detail and analysis. The Proposed RMP also includes public comment received in Volume 4/Appendix R, or some summary of such, and the response to the issues raised from the BLM.

Approved RMP (ARMP)

Following the protest period and governor's consistency review, the BLM issued it's approved RMP on Friday, April 10, 2020. This coincided with the Easter and Passover holidays and was in the middle of the COVID-19 pandemic. It opens the entirety of the planning area to oil and gas leasing and development while removing or limiting critical protections to safeguard our local community's air, water, wilderness,



and wildlife. Despite making minor changes at the request of Governor Polis, the plan is dramatically out of step with the protections the Town of Paonia has requested for over a decade.

Fluid Mineral Leasing

The approved plan opens the entirety of the North Fork Valley up to oil and gas development. The final plan has approximately half the "No Surface Occupancy" (NSO) oil and gas stipulations as the draft plan from 2016 and approximately one-third as many as the Town requested in the North Fork Alternative Plan in their comment letter from 2016.

The approved plan opens up 95% of the planning area to oil & gas development, a total of 871,810 acres. The final plan has ~44,000 acres closed to leasing, compared to ~50,000 from the agency-preferred alternative (alternative D) in the draft RMP from 2016, and ~306,000 acres in the North Fork Alternative Plan (Alternative B.1) in the draft RMP from 2016, which the Town supported.

The approved plan makes one minor change from the proposed plan introduced in 2019. It allocates 136,080 acres as NSO compared to the 103,460 acres in the proposed plan in 2019. While the BLM tried to chalk this up as a concession and win for the North Fork Valley in their <u>press release</u>, these ~30,000 acres apply to the full field office, not just the North Fork. Moreover, the BLM's preferred alternative in the draft plan in 2016 under the Obama Administration set aside 238,140 acres as NSO and the North Fork Alternative Plan requested 404,690 acres of NSO, making 30,000 acres no more than a drop in the bucket.

Areas of Critical Environmental Concerns (ACECs)

The approved plan severely minimizes the total amount of Areas of Critical Environmental Concern (ACECs), meant to protect critical plant and wildlife habitats. The final plan has approximately half the number of acres of ACECs from the draft plan in 2016 and less than one-quarter of the amount requested in the North Fork Alternative Plan.

The approved plan establishes 30,190 acres of ACECs to protect critical and underrepresented ecosystems, which includes the Adobe Badlands north of Delta. The preferred alternative from 2016 planned 51,320 acres, and the North Fork Alternative Plan recommended 215,940 acres.

Lands with Wilderness Characteristics (LWCs)

The approved plan severely minimizes the number of acres of Lands with Wilderness Characteristics (LWCs) and changes the management requirements so that activities must "minimize impacts to wilderness character" instead of "preserving wilderness characteristics".

The approved plan designates 18,030 acres as LWCs *to be managed for multiple uses when possible*. The North Fork Alternative Plan requested 42,150 acres to be managed *to preserve wilderness characteristics*, which would provide greater protection to those lands.

Special Recreation Management Areas (SRMAs)

In summary, the final plan designates a portion of Jumbo Mountain as a Special Recreation Management Area (SRMA) but continues to allow oil and gas development in the area.



The approved plan designated 1,600 acres as the Jumbo Special Recreation Management Area outside the town of Paonia but leaves this acreage largely open to oil & gas development. The Town and the North Fork Alternative Plan requested 5,200 acres as the Jumbo SRMA which would be off-limits to oil & gas leasing & surface occupancy to protect the mountain biking and hiking opportunities there.

Timing Concerns

The approved plan was released during the COVID national health crisis, *and* during the Easter and Passover Holidays, markedly limiting the ability of impacted communities to respond.

Senator Bennet, State Sen. Donovan, and State Rep. McCluskie Continue to be a Champions

"This plan, and the BLM's attempt to rectify local concerns, is completely inadequate. Throughout the process, counties and local stakeholders recommended changes to the plan, but they were met with a lack of transparency and eleventh-hour changes from the BLM. Rather than do the hard work to build consensus and balance interests, the Trump Administration's energy dominance agenda in Washington overruled the concerns of Colorado counties. **While this is a disappointing outcome, I will continue to work with the community on a path forward.**" (bold added for emphasis) - Sen. Micheal Bennet in <u>his press release</u> regarding the approved plan.

"We, Colorado's elected leaders, want to see protection for the North Fork Valley's natural resources, public lands, and rural economies that reflect local solutions, not beltway politics. We do not see this in the BLM's Resource Management Plan for the North Fork Valley. **The plan is drastically out of step with the plan the local community has for its future. The BLM fails to support a sustainable rural economy on Colorado's Western Slope.** We, therefore, request that you withdraw the Record of Decision and re-engage with local communities to develop a revised plan that reflects the long-term strategy of the communities most impacted and request that it includes strong protections for the lands, air, water, and wildlife that power the resilient local economy of the North Fork Valley. We furthermore request that the BLM does not proceed with any new oil and gas leasing in the North Fork Valley until a new plan is put in place that adequately protects our communities and resources"- State Sen. Donovan and State Rep. McCluskie in their letter to Department of Interior Secretary David Bernhardt.

⁹ Town of Paonia

www.townofpaonia.com

October 27, 2016

0232 8.9

UFO Draft RMP Uncompany Field Office 2465 Townsend Avenue Montrose, CO 81401

To Whom it May Concern:

The Town of Paonia would sincerely like to thank the Bureau of Land Management (BLM) Uncompany Field Office for including the North Fork Alternative (B1) in the recent draft Resource Management Plan (RMP). The Town respectfully requests that the BLM adopt the North Fork Alternative Plan into the final Resource Management Plan for public lands and federal minerals in the North Fork Valley. This plan is a community driven effort that provides a management framework for oil and gas leasing and development that is highly protective of the North Fork Valley's many important features and resources including a thriving agricultural economy, scenic vistas, and healthy populations of wildlife and game. The BLM must adopt management that protects these resources which make Paonia and the North Fork Valley such a special place. Inappropriate development over the next twenty years has great potential to cause air and water pollution, which would significantly degrade Paonia residents' high quality of life.

The Town of Paonia is a municipal water company, Public Water System ID #CO 0115601. It has been in continuous operation since Paonia incorporated in 1902. Paonia supplies water to approximately 1631 taps through 1099 accounts with an averaged equivalent of 3300 residents both in town and outside of town limits, including 27 private water companies. Paonia's water is acquired via 38 springs and the Town passed Watershed Ordinance 2003-02 on February 25, 2003. There is established by the Town of Paonia, Colorado a Watershed Designation ("Watershed") pursuant to Colorado Revised Statutes (C.R.S) 31-15-707(1)(b). The Watershed is that area in which the Town shall exercise its powers to maintain and protect the Town's waterworks from injury and the Town's water supply from pollution. This Watershed is created under the authority granted in C.R.S 31-15-707(1)(b), as amended. The Watershed and these regulations are created only for the purpose of protecting the Town's waterworks and water supply. Furthermore, Paonia has also created a Source Water Protection Plan which the BLM needs to consider in the determination of the final RMP. The planning team for the source water protection plan recommended "Source Water Protection Best Management Practices" be considered for implementation by several agencies, including the BLM. The North Fork Alternative stipulates a buffer of oil and gas surface activities within a half of a mile from all source water supplies. The Town of Paonia is voluntarily committed to applying source water assessment and protection principles to finding and protecting new water sources in the future. This is part of the larger ongoing commitment to providing the highest quality drinking water to local residents. The Town of Paonia asks that, in order to protect the quality and quantity of our domestic water, the final UFO RMP include all buffers and oil and gas restriction recommendations in the Source Water Protection Plan and Alternative B1.

In addition to drinking water, irrigation water is a major concern in and around the Town of Paonia. Irrigation waters are used not only for animals but the farms and orchards that are highly regarded throughout the state for providing high quality products. Many of these farms and orchards are certified organic and any contamination would jeopardize this certification. The Town's economic diversity relies upon the agricultural industry in the North Fork Valley. Unforeseen contamination could significantly impact the land and subsequently the agricultural industry that is so vital to the economic stability of this area. Mineral leasing and severance tax funds will not compensate for the loss of agricultural endeavors and its attributed labor force. The North Fork Alternative, B1, provides protections that would ensure that all agricultural irrigation waters would be protected through the buffer that is stipulated in the the plan.

Any proposed areas that could become open for leasing in the final RMP that are on or near critical wildlife habitat, such as the Roeber State Wildlife Area which is designated as a critical habitat area by the Division of Wildlife, should be protected from any potential negative impacts from oil and gas development. This particular area is a fawning area for deer and is closed in the winter. Any human disturbance could affect the wildlife reproduction or migration that is being protected here. The Town has a vested interest in the hunting and recreational activities that take place in proximity to these wildlife areas as these types of activities create an economic interest for residents and draw visitors to the area.

Furthermore, areas that are in close proximity to town limits which are used for recreation must be protected from potential damage due to oil and gas development. In addition to the concerns about the impacts on local recreation areas, any potential development that would be accessed by Town of Paonia streets would severely impact our already degrading roads. Heavy truck traffic is cause for concern at the municipal level. Not only would the increase in traffic cause real damage to the surfaces of our roads, there would be an increase in exhaust fumes and dust which would settle into the valley and deteriorate air quality.

The Town is very concerned about potential health risks associated with natural gas development and is concerned that the BLM has not adequately addressed the potential for lasting negative impacts on the citizens of the North Fork Valley if the quality of the air and water in this area were to be compromised due to increased pollutants that come from the drilling process. In the words of a lead researcher from Johns Hopkins Bloomberg School of Public Health, Brian Schwartz "The first few studies have all shown health impacts," he says. "Policymakers need to consider findings like these in thinking about how they allow this industry to go forward."¹¹ The Town of Paonia has long been committed to providing a high quality of life for all of the people that call this area home. This quality of life is directly impacted by the quality of air and water in the North Fork Valley. The Town urges the BLM to make decisions using the best available data, as this is a requirement of the National Environmental Protection Act (NEPA). Current information gathered in 2010 needs to be updated as many factors have changed in the North Fork Valley in the past 6 years, including the structure of our economy. Anything that threatens the health of our citizens is not congruent with the quality of life that the Town of Paonia is committed to maintaining for generations to come.

The Town of Paonia has a long legacy of mining and the safety and welfare of the men and women that work in this industry is of foremost concern to the Town. The Town of Paonia is opposed to any industry that would further degrade or risk the coal mining business in this valley. The coal mining industry has worked in harmony with all other industries that have been growing in this area. The mines have invested in the community and given jobs to generations of families. Due to the unknown risks associated with nearby oil and gas development, the Town of Paonia supports limiting the areas where oil and gas development are allowed within our local area.

Livestock grazing is also an important economic activity in the Resource Planning area. Livestock grazing on BLM managed public lands is very important to the sustainability of ranches in Delta County. The livestock grazing on these public lands provides spring, fall and winter grazing for these ranches. The elimination of livestock grazing or reduction in use could affect the viability of these ranches. Any proposed elimination or reduction in use must be based on documented trends in rangeland conditions. If range resource conditions have been identified to be unsatisfactory, strategies for improved management should be considered before livestock grazing reductions are considered. If reductions in livestock grazing are considered the analysis must also evaluate the economic impacts of these reductions on the individual ranch operation and on the county. The base ranch operations for ranches holding public land grazing permits are providing significant amounts of open space and wildlife habitat. If ranches are forced to graze the private lands more heavily or to sell out due to livestock reductions, what impacts will this have on conditions on these private lands? The Town of Paonia does not support any alternative that eliminates or reduces livestock grazing unless there is a documented problem in rangeland conditions that cannot be resolved with improved management.

Finally, the Town of Paonia strongly encourages the BLM to designate Jumbo Mountain as a Special Recreation Management Area (SRMA) and manage it as such. This designation would allow an area that is already being predominantly used for recreation, such as hiking, biking, equestrian and ATV use to be managed and maintained for the quality of these uses, as well as historical uses such as hunting and grazing. Management of this area should benefit from BLM resources that will ensure that the trails remain safe and that residents and visitors will enjoy a high-quality experience. The economic growth surrounding recreation activities in our valley is substantial and valuable to the community as it supports multiple businesses throughout town that provide lodging, food, services and goods to the growing numbers of people that are visiting this area in order to access the beautiful trails and public lands that surround the town. The current lack of a management for Jumbo Mountain and user created trails are not sustainable. In order to ensure that trails are well maintained and that the area is managed correctly for decades to come, we urge the BLM to designate and manage the full BLM Jumbo Mountain unit as a Special Recreation Management Area. The final plan should also include an Ecological Emphasis Area to protect critical winter mule deer and elk habitat.

The Town of Paonia would again like to thank the BLM for the ongoing efforts of the Uncompahgre Field Office to develop a reasonable Resource Management Plan that safeguards all resources in the North Fork Valley. Specifically, we appreciate the inclusion of the North Fork Alternative as part of the draft RMP. This locally driven proposal ensures protection of the entire Gunnison Watershed, supports farmers, protects public health, sustains ecological well-being and allows for continued building of a sustainable rural economy. We again request that the BLM adopt the North Fork Alternative B1 in the final RMP as it is the only alternative that thoroughly addresses the issues identified in this letter.

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Charles Stewart Mayor On behalf of the Town of Paonia Board of Trustees
Footnotes

1. October, 2015 Johns Hopkins Study Links Fracking to Premature Births, High Risk Pregnancies.<u>http://hub.jhu.edu/2015/10/12/fracking-pregnancy-risks/</u>

	Town o	f Paonia		
	Comment	BLM Response		
NEPA				
1.	The Town respectfully requests that the BLM adopt the North Fork Alternative Plan into the final Resource Management Plan for public lands and federal minerals in the North Fork Valley. This plan is a community driven effort that provides a management framework for oil and gas leasing and development that is highly protective of the North Fork Valley's many important features and resources including a thriving agricultural economy, scenic vistas, and healthy populations of wildlife and game.	As a foundation of the Uncompahgre RMP revision, the BLM UFO conducted and completed the Analysis of the Management Situation (AMS, June 2010) for the Uncompahgre decision area. For the AMS, the BLM analyzed available inventory data, including the 1985 San Juan/San Miguel RMP and 1989 Uncompahgre Basin RMP, and other relevant information to characterize the resource area profile, portray the existing management situation, and identify management opportunities to respond to identified issues. The analysis provides, consistent with multiple use principles, the basis for formulating reasonable alternatives, including the types of resources for development or protection (43 CFR 1610.4-4). This analysis includes Alternative B.1 as it is being considered in this planning process.		
	Fluid Mine	eral Leasing		
2.	Any proposed areas that could become open for leasing in the final RMP that are on or near critical wildlife habitat, such as the Roeber State Wildlife Area which is designated as a critical habitat area by the Division of Wildlife, should be protected from any potential negative impacts from oil and gas development.	Site-specific review for individual well pads, roads, or pipelines will be addressed at the application for permit to drill stage, which will also include on-site visits and a discussion of the specific conditions of approval and best management practices needed to address potential impacts, including those to adjacent wildlife habitat. Furthermore, the DEIS contains stipulations and best management practices designed to protect resources. The stipulations contained in the DEIS were developed based on the best available data at the RMP planning level. These stipulations will be reviewed and implemented where appropriate, at the site-specific level when a project is proposed.		

12. SI		
3.	Furthermore, areas that are in close proximity to town limits	This site-specific project analysis would include vehicular traffic on local
	which are used for recreation must be protected from	roads where appropriate.
	potential damage due to oil and gas development. In addition	
	to the concerns about the impacts on the local recreation	
	areas, any potential development that would be accessed by	
	Town of Paonia streets would severely impact our already	
	degrading roads. Heavy truck traffic is cause for concern at the	
	municipal level.	
	Health a	nd Safety
4.	The Town is very concerned about potential health risks	RMP-level impact analyses are broad and qualitative rather than
0.015	associated with natural gas development and is concerned that	quantitative or focused on site-specific actions. The BLM adequately
	the BLM has not adequately addressed the potential for lasting	analyzed impacts to public health and safety at the RMP level, in
	negative impacts on the citizens of the North Fork Valley if the	accordance with the significance criteria outlined in 40 CFR 1508.27(b).
	quality of the air and water in this area were to be	As noted in the DEIS (page 4-447), under all alternatives, lease
	compromised due to increased pollutants that come from the	stipulations and BMPs would limit impacts on human health and safety
	drilling process. In the words of a lead researcher from Johns	from development. Lease stipulations and BMPs would be applied as
	Hopkins Bloomberg School of Public Health, Brian Schwartz	determined appropriate at subsequent site-specific NEPA analysis at the
	"The first few studies have all shown health impacts," he says.	application for permit to drill stage.
	"Policymakers need to consider findings like these in thinking	
	about how they allow this industry to go forward."	DEIS Section 4.6.2 analyzes general impacts of all the alternatives,
		including specific impacts from decisions directly and indirectly related
		to oil and gas leasing activities, on public health and safety. Specifically,
		potential for exposure to chemicals during fluid mineral development
		(e.g., from spills and leaks) is discussed on page 4-447 and potential
		geological hazards on page 4-445. Likewise, although the DRMP/DEIS
		recognizes the potential for impacts to public safety from pipeline spills,
		increased vehicular traffic, and a strain on emergency services, related
		quantitative impacts would be addressed in a site-specific analysis and
		not at the broader RMP-level analysis. Further, the COGCC is the
		primary agency charged with fostering the responsible development of
		Colorado's oil and gas natural resources in a manner consistent with
		the protection of public health, safety, and welfare, including the
		environment and wildlife resources. Although the BLM does have

		standards and regulations for mineral extraction and development, the BLM requires that all operators be in full compliance with standards and measures set by the COGCC when conducting operations on public lands.
	Livestoc	k Grazing
5.	The elimination of livestock grazing or reduction in use could affect the viability of these ranches. Any proposed elimination or reduction in use must be based on documented trends in rangeland conditions. If range resource conditions have been identified to be unsatisfactory, strategies for improved management should be considered before livestock grazing reductions are considered. If reductions in livestock grazing are considered the analysis must also evaluate the economic impacts of these reductions on the individual ranch operations and on the county. The Town of Paonia does not support any alternative that eliminates or reduces livestock grazing unless there is a documented problem in rangeland conditions that cannot be resolved with improved management.	Through the land use planning process, the BLM may designate lands as "available" or "unavailable" for livestock grazing, as well as impose grazing use restrictions, limitations, or other grazing management- related actions intended to achieve goals and objectives (BLM Handbook H-1601-01, Land Use Planning Handbook, Appendix C); therefore, it is appropriate to include limitations beyond those in the Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado (BLM 1997).
	Recre	eation
6.	Finally, the Town of Paonia strongly encourages the BLM to designate Jumbo Mountain as a Special Recreation Management Area (SRMA) and manage it as such.	The BLM recognizes the economic importance recreation may have on local economies that is why the Jumbo Mountain SRMA is being brought forward to the PRMP Alternative. This is based on current BLM guidance (BLM Handbook H-8320-1, Planning for Recreation and Visitor Services) which identifies SRMAs as administrative units where the existing or proposed recreation opportunities and recreation setting characteristics are recognized for their unique value, importance, and/or distinctiveness, especially as compared to other areas used for recreation. SRMAs are designated where recreation activities will be the dominant resource within a specific area.

W	ater
7. Paonia's water is acquired via 38 springs and the Town passed Watershed Ordinance 2003-02 on February 25, 2003. There is established by the Town of Paonia, Colorado a Watershed Designation ("Watershed") pursuant to Colorado Revised Statutes (C.R.S) 31-15-707(1)(b). The Watershed is that area in which the Town shall exercise its powers to maintain and protect the Town's waterworks from injury and the Town's water supply from pollution. This Watershed is created under the authority granted in C.R.S 31-15-707(1)(b), as amended. The Watershed and these regulations are created only for the purpose of protecting the Town's waterworks and water supply. Furthermore, Paonia has also created a Source Water Protection Plan which the BLM needs to consider in the determination of the final RMP. The planning team for the source water protection plan recommended "Source Water Protection Best Management Practices" be considered for implementation by several agencies, including the BLM. The North Fork Alternative stipulates a buffer of oil and gas surface activities within a half of a mile from all source water supplies. The Town of Paonia is voluntarily committed to applying source water assessment and protection principles to finding and protecting new water sources in the future. This is part of the larger ongoing commitment to providing the highest quality drinking water to local residents. The Town of Paonia asks that, in order to protect the quality and quantity of our domestic water, the final UFO RMP include all buffers and oil and gas restriction recommendations in the Source Water Protection Plan and Alternative BI.	To meet the multiple use mandate of the BLM while minimizing risk to water/aquatic resources, the DEIS includes a range of NSO and CSU stipulations to minimize risk to the various types of water resources, including public water supplies that use a groundwater well or spring (see DEIS Table 2-2, pages 2-28–2-49; note that total maximum daily loads are presented on page 2-35, line 44) and agricultural irrigation waters. A range of management actions related to source water protection, including stipulations preventing or limiting surface-disturbing activities near designated municipal watersheds and source water protection areas and domestic wells, were included and examined in the DEIS. Potential impacts on municipal water are examined in DEIS Section 4.3.3, Water Resources (pages 4-80–4-100) and Section 4.6.2, Public Health and Safety (pages 4-444–4-451). Best management practices, as included in DEIS Appendix G, would be implemented as appropriate at the site-specific planning level. In addition, BMPs and project design features would be required for site-specific projects. The list of standard operating procedures and best management practices as related to water protection in DEIS Appendix G is not exhaustive but include consideration of closed-loop drilling systems, tanks to store flowback fluids, and water quality testing and a prohibition on the use of evaporation ponds for disposing of produced water. The BLM will work with project applicants to determine appropriate standard operating procedures and best management practices at the site-specific, project level. These specific mechanisms to regulate and monitor impacts on water quality and quantity from drilling operations will be determined at the site-specific planning level prior to project implementation.

9.

Date: July 25, 2019

To: Jamie Connell, BLM State Director

From: Paonia Board of Trustees

Dear Director Connell:



The Town of Paonia has appreciated being an active participant in with the Bureau of Land Management Uncompany Field Office for the Resource Management Plan. As an active past and continuing participant, the Town of Paonia hereby submits this formal protest of the Final Environmental Impact Statement and Proposed Resource Management Plan for the Uncompany Field Office on behalf of the Town of Paonia and the Board of Trustees, 970-527-4101, paonia@townofpaonia.com.

The Town of Paonia previously commented on the Draft EIS, in a letter submitted on October 27, 2016. This comment is referenced in the Appendix R Comment Summary of the FEIS and Proposed RMP as 500176_StewartC_20161027_TownofPaonia. In our comment, we requested the BLM adopt the North Fork Alternative Plan to provide a community driven management framework for oil and gas leasing and development to protect the North Fork Valley's thriving agricultural economy, scenic vistas, and healthy populations of wildlife and game. We expressed serious concerns with the draft EIS and the Preferred Alternative included therein, focusing on the issues of protections for the Town's source water and other domestic water supplies, impacts to Town infrastructure, health risks from natural gas development, adverse impacts to wildlife resources, and management of Jumbo Mountain. These are the issues that form the core of the Town of Paonia's protest. We also protest BLM's introduction of an entirely new Alternative E, without the proper public comment at the protest stage, which is radically different from the 4 alternatives that were the subject of the Draft EIS.

ISSUES

Source Water Protections

The Town of Paonia's original 2016 comment letter requested the BLM include all buffers and oil and gas restriction recommendations in the North Fork Alternative Plan, including a ½ mile setback and ¼ mile no leasing restriction between oil and gas operations and the Town's source water supplies, which is consistent with the Town's Source Water Protection Plan. This ½ mile setback is necessary to ensure that the Town is able to continue providing high-quality drinking water to its residents. The Proposed RMP imposes significantly less-protective setbacks and is inconsistent with the Town's Source Water Protection Plan.

Additionally, the town requested the BLM adopt the protections for irrigation water included in the North Fork Alternative to ensure the viability and sustainability of our Valley's agricultural industry. The BLM failed to properly analyze potential impacts to irrigation water from oil and gas development and do not adequately address the concerns we raised in our 2016 comment letter.

Town Infrastructure

The Town of Paonia is a municipal water company, Public Water System ID #CO 0115601. The Town of Paonia has severe concerns about the impact of oil and gas development on infrastructure the Town maintains. Paonia's water is acquired via 38 surface water influenced ground-water springs and the Town passed Watershed Ordinance 2003-02 on February 25, 2003. Paonia has also created a Source Water Protection Plan which the BLM needs to consider in the determination of the final RMP. The planning team for the source water protection plan recommended "Source Water Protection Best Management Practices" be considered for implementation by several agencies, including the BLM. As our water crisis highlighted, infrastructure is fragile, and the Town needs an RMP crafted with that in mind. The Town of Paonia asks that, in order to protect the quality and quantity of our domestic water, the final UFO RMP include all buffers and oil and gas restriction recommendations in the Source Water Protection Plan and Alternative Bl. The level of increased oil and gas development anticipated in this Proposed RMP would significantly exacerbate this already serious issue.

Health Risks

The Town of Paonia has long been committed to providing a high quality of life for all of the people that call this area home. This quality of life is directly impacted by the quality of air and water in the North Fork Valley. The Town urges the BLM to make decisions using the best available data, as this is a requirement of the National Environmental Protection Act (NEPA). As the Sixth Edition of Physicians for Social Responsibility's "Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking" and numerous other studies demonstrate, there are clear risks of living downstream of oil and gas development. Our 2016 comment letter made clear the concerns the Town has about protecting our air and water supplies, and the health of our community.

Additionally, the Town of Paonia raised concerns regarding industries that would further degrade or risk the coal mining business in the North Fork Valley. Due to the unknown risks associated with nearby oil and gas development, the town supported limiting the areas where oil and gas development are allowed. This concern was not properly addressed by the BLM in the proposed RMP.

Wildlife Resources

Wildlife and its habitat have both their own intrinsic value, and significant value to the Town of Paonia. In our 2016 comment letter, we were very clear that wildlife resources need protection from oil and gas development. The town requested the BLM protect areas that are on or near critical wildlife habitat, such as the Roeber State Wildlife Area, be protected from any potential negative impacts from oil and gas development. Rather than protecting wildlife resources, the RMP radically reduces the stipulations designed to protect wildlife and habitat in the North Fork Valley area from that which was originally considered in the original 4 alternatives proposed in the Draft EIS.

Jumbo Mountain

The Town of Paonia requested that areas in close proximity to town limits which are used for recreation must be protected from potential damage due to oil and gas development. As outlined in the North Fork Alternative Plan, we requested Special Recreation Management Area (SRMA)

9.

designation for Jumbo Mountain. This designation must include no leasing and no surface occupancy stipulations. The SRMA should manage this land for the quality of hiking, biking, equestrian and ATV experiences, as well as historical uses such as hunting and grazing. Additionally, we requested this area should include an Ecological Emphasis Area to protect critical winter mule deer and elk habitat. Maintaining the viability of the area for all forms of recreation within the Jumbo Mountain area is a key priority, and was ignored.

PLAN SECTIONS UNDER PROTEST

- Alternative E in its entirety
- Section 3.4.2 Public Health & Safety
- Section 4.3.1 Air Quality & Climate
- Section 4.3.2 Soils & Geology
- Section 4.3.5 Water Resources
- Section 4.4.3 Fish & Wildlife

CONCISE STATEMENT WHY STATE DIRECTOR'S DECISION IS WRONG

First, it is improper, and a violation of the National Environmental Policy Act for the BLM to publish an entirely new alternative here in this final proposed RMP. Alternative E, the proposed RMP, is wholly new. It has not been subject to any public comments or review. When the Town of Paonia commented on the Draft EIS for this RMP, we were unable to comment on Alternative E, because it did not exist. To offer a proposed RMP that has been subject to no public comment is unacceptable, doubly so when the new alternative is directly contrary to the comments submitted by over 40,000 members of the public, and the Town of Paonia.

The Final EIS ignores the input of the Town of Paonia across the board. The Final EIS downplays the significant health and environmental risks associated with oil and gas development, not to mention the impact on the local economy and offers 95% of the federal mineral estate to development, with no concern for Town of Paonia. The Town of Paonia requested no leasing within ¼ mile of public water supplies and a ½ mile no surface occupancy stipulation around the same to protect its water supply, and Alternative E minimizes the potential protections for springs, and reduces the setback distances for the entire North Fork of the Gunnison Corridor (among other rivers).

In our 2016 letter, the Town of Paonia supported the North Fork Alternative, Alternative B.1, that would have extensive No Surface Occupancy (NSO), Controlled Surface Use (CSU), and Timing Limitations (TL) areas to protect wildlife resources. Alternative E significantly reduces the amount of land area under those protective designations, in some cases eliminating them entirely, with no consideration for the wildlife resources. The Proposed RMP shrinks existing Areas of Critical Environmental Concern and eliminates Ecological Emphasis Areas entirely. Finally, the Town requested a 5020-acre Jumbo Mountain Special Recreation Management Area (SMRA) with a fluid mineral withdrawal. The Proposed RMP cuts the acreage of the SMRA to less than 1,600 acres and eliminates any NSO, and dramatically reduces the CSU and TL stipulations within the area. Oil and gas will therefore continue to threaten the future of Jumbo Mountain recreation.

Offering Alternative E at the protest stage, without public input is deeply flawed, and improper. Ignoring the input of the Town of Paonia and members of the public to create that alternative is also deeply flawed.

For these reasons, the Town of Paonia respectfully protests the Final EIS and Proposed RMP.

Sincerely Mayor Pro-Tem, Chelsea Bookout Trustee, Mary Bachran Trustee, Karen Budinger Trustee, Dave Knutson Town Administrator, Ken Knight

Cc: Town Clerk File Town Attorney Western Slope Conservation Center Citizen's for a Healthy Community

9.

RESOURCE MANAGEMENT PLANNING PROCESS

The left side of the figure shows the progression of planning stages. The boxes on the right highlight the public participation opportunities at each stage.



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Municipal Court Judge Appointment

Summary:

Please see summary and information provided in the packet from the municipal judge committee.

N4isinal lund			
Municipal Jud	ge 2020 Bu	dget Proposed	
	Month/#	Annual Per Mont	h/Annual
Compensation	\$300/\$3	,600 \$525/\$6,3	300
Errors/Omissions Insurand	:e n/a / \$5	n/a / \$5	
Workers Comp	n/a / \$1,	,100 n/a / \$1,1	00 (PD & Judge)
Membership, Municipal Ju Association	idge \$75	n/a / \$60	
Registration Fees, Colorac Judicial Conference	o \$100	n/a / \$275	5
TOTALS Annual	\$4,880	\$7,740	
Possible Motions:			
	2 nd :		vote:
Motion by:	2 nd : Trustee Bear	v Trustee Budinge	



MONTROSE • RIDGWAY • TELLURIDE

Memo

To:	Board of Trustees - Town of Paonia
From:	Bo James Nerlin
CC:	$Town \ Administrator-Ms. \ Corinne \ Ferguson$
Date:	June 19, 2020
Re:	Paonia Municipal Judge Hiring Committee

In December of 2019, Hon. Brad Kolman elected to resign his position as Municipal Judge for the Town of Paonia. For the first half of 2020, Hon. Bruce Joss has served as the interim Municipal Judge for the Town. At the end of February 2020, the Town began advertising the open position. Ultimately, four candidates applied for the position.

In May of 2020, the Board of Trustees appointed Chief Neil Ferguson, Trustee Michelle Pattison, Trustee Dave Knutson and I to the Paonia Municipal Judge Hiring Committee. This Committee met several times in early May to outline the interview process and develop a series of questions for the candidates. In late May, the Committee interviewed all four candidates. Thereafter, the Committee met and reached a consensus as to its top two candidates, Hon. Bruce Joss and Ms. Julie Huffman. The Committee conducted a second interview with Ms. Julie Huffman in June.

The Committee recommends to the Board of Trustees the hiring of Julie Huffman to serve as Municipal Judge for the Town of Paonia. Enclosed with this memo is Ms. Huffman's resume and cover letter.

This week, the Committee submitted a job offer to Ms. Huffman. Enclosed with this memo is a copy of the offer submitted to Ms. Huffman. Ms. Huffman has since accepted the Committee's job offer. This job offer is contingent upon the Board approving the Committee's recommendation.

Corinne Ferguson

10.

From:	Julie J. Huffman <julie.huffman@montrose.net></julie.huffman@montrose.net>
Sent:	Friday, June 19, 2020 9:22 AM
To:	Corinne Ferguson
Subject:	Offer Accepted
Attachments:	image001.gif

Greetings Ms. Ferguson,

Thank you for your email. I am excited to join the Paonia Municipal team. Please let me know if there is anything else you need from me at this time. - Julie H.

On Fri, Jun 19, 2020 at 9:17 AM Corinne Ferguson <<u>corinne@townofpaonia.com</u>> wrote:

Good morning Ms. Huffman,

As requested by the municipal judge committee, please find attached an offer letter for the Paonia Municipal Judge position - contingent upon Board of Trustees appointment.

Thank you for your time,

J. Corinne Ferguson

Town Administrator/Clerk

Public Information Officer

Town of Paonia

corinne@townofpaonia.com

"When all else fails, take a nap." — Winnie the Pooh

Please consider the environment before printing this e-mail.

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^{10.} nder 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.

The Town of Paonia is an equal opportunity employer.

--- Julie Huffman Sent from my iPhone

Corinne Ferguson

From: Sent: To: Subject: Attachments:

10.

Julie J. Huffman Friday, March 20, 2020 5:15 PM Paonia; Corinne Ferguson Municipal Court Judge Letter of Interest & Resume Municipal Judge Letter of Interest.pdf; Julie Resume.pdf

Dear Board of Trustees,

Please find my letter of interest for the Municipal Court Judge position. I sincerely apologize that I am sending this past the deadline of 4:30 pm. This has been such a strange week for all of us, and this has overshadowed the timing of the sending of this letter. I hope it will still be considered.

Best regards,

Julie J. Huffman CLAY, DODSON & HUFFMAN, P.C. 415 Palmer Street Delta, CO 81416 970-874-9777/ 970-240-9044 (fax)

The information contained in this email message may be privileged and confidential information, intended only for the use of the individual or entity addressed. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this email is strictly prohibited.

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Julie J. Huffman

LICENSURE

10.

Colorado Law License		
Colorado Bar	Denver, CO	October 22, 2007 - Present

WORK EXPERIENCE

Law Firm Partner

Clav, Dodson & Huffman, P.C. Delta, Colorado Sept. 2018-Present

- Represent clients in a variety of civil law cases, including but not limited to leases, contracts, estate planning, boundary adjustments, subdivision, quiet title, water law, landlord/tenant, probate, employment law, corporation setup and corporate law.
- Associate at firm February 2017 September 2018

County Court Judge

Montrose County Court & Associate Court 7th Judicial District July 2012 - August 2018

- Presided over all Division E County Court matters including criminal cases, traffic infractions, protection orders, small claims, and civil cases.
- Presided over jury trials and trials to the court in all county court docket matters.
- Ruled on all pleadings filed with Division E of the Montrose County Court.

State of Colorado, Contract Attorney (GAL)

Office of the Child's Representative	7 th Judicial District	April 2008 – Feb. 2017

- Represent the best interests of children in Dependency and Neglect and Probate Guardianship cases in District Court.
- Draft and file pleadings, litigate jury trials and trials to the court, draft appellate briefs, and make oral arguments to the Colorado Court of Appeals.
- Conduct independent investigations of cases, including interviewing children, parents, relatives, case workers, and other collaterals.
- Conduct regular case management through communication with children, parents, case workers, therapists, teachers, and other collaterals.

State of Colorado, Contract Attorney (RPC)

Respondent Parent Counsel 7th Judicial District

July 2009 - July 2012

1

- · Represented the rights of parents in Dependency and Neglect cases in District Court.
- Drafted and filed pleadings and litigated jury trials and trials to the court.
- Conduct regular case management through communication with clients, case workers, and other collaterals.

Solo Practitioner Attorney

Domestic Relations and Probate Practice 7th Judicial District Jan. 2010 - Feb 2017

Pro bono and private pay representation of clients in domestic relations and probate guardianship cases.

Legal Intern

7th ID District Attorney's Office Montrose, CO January 2008 – April 2008

- Assisted with the County Court criminal docket. Duties included drafting pleadings and appearing in court for bond hearings and advisement hearings.
- Contacted victims and pro se defendants regarding plea negotiations.
- Prepared research briefs for other attorneys within the District Attorney's Office.

Legal Intern

Kenton County Attorney's Office Covington, KY January 2007 - May 2007

- Conducted juvenile detention hearings, temporary removal hearings, abuse and neglect adjudications and dispositions, and permanency reviews on a weekly basis.
- Negotiated appropriate outcomes on juvenile cases with parents' attorneys and guardian ad litems.
- Prepared attorneys and social workers for upcoming juvenile dockets.
- Drafted legal memos and other legal documents as needed.
- Conducted legal research for all County Attorneys as needed.

Child Protective Services Worker

Cabinet for Families & Children Covington, KY April 2002 - August 2004

- · Participated in district and family court hearings regarding abuse, neglect, and dependency cases.
- Submitted court reports to judges and attorneys in preparation for district and family court hearings.
- Collaborated daily with family members and communities partners to provide case planning and support services to families experiencing abuse, neglect and dependent circumstances.

CAREER MEMBERSHIPS & COMMUNITY ACTIVITIES

- Colorado Bar Association (CBA) Member 2007- Present
- CBA 7th JD Secretary 2013 2016
- CBA 7th JD President 2016-2018
- Montrose Community Band Member 2008 Present
- Valley Symphony Member 2014-2017
- CASA Voices for Children, Volunteer Trainer & Supporting Member 2008-2018
- Uncompangre Volunteer Legal Aid, Pro Bono Attorney 2011 2017
- Centennial Middle School Mock Trial Competition, Presiding Judge, May 2014
- Montrose High School Speech & Debate Judge, January 2020

10.

EDUCATION

Juris Doctor

Salmon P. Chase College of Law

Highland Heights, KY

August 2004 - May 2007

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- Cum Laude; Top 15% of Class
- Dean's List Recognition Spring 2005 & Fall 2006
- Chase Alumni Merit Scholarship Recipient (2006-2007)
- A. David Nichols Scholarship Recipient (2006-2007)
- Westlaw Certification Training
- Northern Kentucky Bar Association
 - o NKBA Scholarship Award Recipient (Fall 2006)
 - o Women Lawyers Committee Member (2004-2007)
 - o Family Law Committee Member (2004-2005)
- National Women's Law Student Association
 - o Kamilla Mazanec Achievement Award Recipient (Fall 2006)
 - o Coordinating President (2006-2007)
 - o Administrative President (2005-2006)
- Legal Aid Pro Se Divorce Workshop Volunteer

B.A. Sociology

University of Northern Colorado Greeley, CO Fall 1998 – Spring 2001

- G.P.A. 3.86
- Four-year member of the UNC Honors Program
 - o Authored and presented an undergraduate honor thesis.
- Four-year recipient of the Honors Program Scholarship
- Four-year Dean's List Recognition

W. BRUCE JOSS

Corinne Ferguson Paonia Town Administrator PO Box 460 Paonia, Colorado 81428

Re: Municipal Court Judge position Ms. Ferguson,

Please accept this letter as my statement of interest in serving as the Municipal Court Judge for the Town of Paonia. My wife and I have owned a house on O Road since 2001 and have spent considerable time here over the years. I have 35 years of experience working in municipal courts, first as a prosecutor for 21 years and then as the Presiding Judge in Louisville, Colorado, for 14 years. I have also served as a judge in the municipal courts of Boulder, Thornton, Broomfield, Longmont, Edgewater, Erie, and Delta. I have served as the Interim Judge in Paonia since January 2020. Therefore, I have been involved in almost every kind of possible case in municipal court: simple traffic cases, animal cases, thefts, assaults, property damage, shop lifting, zoning disputes, building code issues, and dealing with trash and junk. I have presided over hundreds of trials, including at least 50 jury trials. My current resume is included with this letter.

I strongly believe in dealing with local violations in local municipal court. This is more efficient for the defendants and certainly more efficient for the local police officers because there is more time to deal with cases, and there is the benefit of having a town perspective.

One of my main goals is to be sure that all defendants get their appropriate chance to tell their story, if they wish. I never want any person to leave court thinking that their case was too hurried and that they didn't get a chance to speak. Each individual is entitled to his or her day in court.

Sentencing alternatives should be centered in Paonia, when possible. Also attached, you will find a description of a selection of the sentencing alternatives that I have been using, and will continue to use, in the Paonia Court.

I welcome the chance to meet with Town representatives to discuss my background, the operation of the Paonia Court, and to answer any questions.

Yours truly,

W. Bruce Joss

Attached: Resume, Sentencing alternatives

10.



Professional Summary

More than 37 years of professional legal experience as a partner and shareholder in Louisville's oldest law firm, Rautenstraus and Joss, PC. Licensed to practice law in the State of Colorado in 1974. Represented individuals, business clients, fire districts; served five years as City Attorney for the City of Louisville; and served as prosecutor in the Louisville Municipal Court for twenty-one years. I served as the Presiding Judge for Louisville Municipal Court from 2001until 2016 and was President of the Colorado Municipal Judges Association in 2012. I represented clients in Municipal Courts, County Courts, District Courts, the Colorado Court of Appeals, and the Colorado Supreme Court.

Professional Experience

Rautenstraus & Joss, P.C. Retired from the firm

2012

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Municipal Court Experience

- Prosecuted all municipal court violations in the Louisville Municipal Court and have tried many cases to both the trial Court and to juries. Helped draft various ordinances which were presented to the City Council for adoption, including the de-criminalizing of most traffic offenses
- Served as a substitute prosecutor in Broomfield, Lafayette, Federal Heights and Sheridan Courts
- Appeared in Municipal Courts in Boulder, Lafayette, Longmont, Arvada, and Broomfield representing private clients
- Implemented a number of innovations in the Louisville Municipal Court while the prosecutor and Presiding Judge including:
- Mediation for neighborhood disputes
- Deferral of prosecution for first time juvenile defendants
- Use of community service in sentencing
- Referral of defendants to classes for aggressive driving, shoplifting, etc.
- Program for evaluation, sentencing of minors in possession of alcohol, marijuana

10.

- Required essays by juvenile offenders for driving and criminal offenses
- Appointed Presiding Judge for Louisville Municipal Court in December 2001, retired June 30, 2016
- Reserve Judge for Boulder Municipal Court from 2005 to 2017
- Associate Judge in the Thornton Municipal Court from 2007 to 2018
- Associate Judge in the Broomfield Municipal Court from 2010 to 2017
- Served as an Associate Judge in the Longmont and Edgewater Municipal Courts
- Appointed Judge in the Erie Municipal Court for an Ethics Complaint and to conduct a jury trial involving a member of the Town Board as a complaining witness.
- Associate Judge in Delta Municipal Court since 2016
- Alternate Judge in Cedaredge Municipal Court since 2017
- Municipal Judge in Paonia Municipal Court since December, 2019

General Court Experience

Represented clients in various criminal cases in municipal and county courts. Cases included traffic, assaults, DUIs, and DWAIs

Represented individuals and business clients in various civil matters. Cases included commercial litigation, probate litigation, domestic relations, and real estate issues

Represented private clients before local liquor authorities on licensing issues and violation allegations

In the Boulder Municipal Court, handled a number of cases involving homeless defendants, including conducting a number of jury trials

Appeared in County and District Courts throughout the State of Colorado, the Colorado Court of Appeals, and the Colorado Supreme Court

2

City Attorney, City of Louisville

City Attorney for City of Louisville, 1976 to 1981

Involved in the first formal codification of the Louisville Municipal Code. Drafted numerous ordinances dealing with land use development, trees, animals, and various other subjects. I represented the City in an annexation case before the Colorado Supreme Court.

Advised members of the City Staff, Police Department, City Boards, and the City Council on legal issues

Prosecuted liquor code violations before the Louisville Liquor Authority

Professional Associations

Admitted to practice in the United States District Court for the District of Colorado, 1974

Member Colorado Municipal Judges Association since 2002

Director, Colorado Municipal Judges Association from 2006 to 2008

President, Colorado Municipal Judges Association 2012

Community Affiliations

Board of Directors, University of Colorado Alumni Association, 1978-1982

Advisory Committee for Planned Giving, Humane Society of Boulder Valley, 1998 to 2010

Board of Directors, Fire Service representative, Boulder County Communications Center, 1997 to1999

Capital Campaign Government Committee, Humane Society of Boulder Valley, 1999 to 2000

3

Director, Heritage Bank, 1990 to 2007

Director, Humane Society of Boulder Valley, 2006 to 2011 Chairman of Board of Directors, 2010 to 2011

Director, Animal Assistance Foundation, 2013 to 2015

10.

Director, Surface Creek Animal Shelter since 2016

Director, Surface Creek Valley Historical Society 2016 to 2020

Professional References

Honorable Randall Davis Presiding Judge, Broomfield Municipal Court 131 E 11th Place Broomfield, Colorado 80020 303-249-9590

Honorable Linda Cooke Presiding Judge, Boulder Municipal Court 1777 6th Street Boulder, Colorado 80302 303-441-1844

Colette Cribari, Esquire 3223 Arapahoe Avenue, Suite 300 Boulder, Colorado 80301 303-960-9455 Programs that are being implemented in the Paonia Municipal Court:

Because there are now restrictions in dealing with defendants who fail to pay court fines, costs, and/or assessments, the Court has begun using alternative programs to impose proper sentences and procedures for defendants.

- 1. Complete a required class for defensive driving, petty theft, responsible pet ownership on line at a reasonable charge through ISAE Education Programs. These classes are all available on line.
- 2. Perform Community Service. Paonia has a number of non-profit organizations that depend upon and can utilize local volunteers such as Western Slope Conservation Center, Solar Energy International, CAWS, Volunteers of America, and the Paonia Public Library. With the cooperation of these organizations, defendants can be referred to perform a designated number of community service hours. This can be in lieu of or in addition to a monetary fine. This program benefits the defendant and the local non-profit. There is no additional administrative cost to the town or the non-profit. The only requirement of the non-profit is the time to monitor the community service worker and to complete a form verifying the time worked and number of hours.

Sentencing options for juveniles are very limited. Ordering a teenager without a job to pay a fine normally results in the parent paying the fine. If there is a way for the child to pay back the parent, I take that into consideration. Another option is to order Juvenile defendants to complete community service if they are at least 14 years old, with the agreement of the non-profit. That way, the juvenile is directly responsible for completing the sentence.

A defendant ordered to do community service is required to appear in Court on a designated return date and to present the written verification of the completed community service. I always ask the defendant to explain what they did for the non-profit.

3. Juvenile defendants can be ordered to prepare essays as a part of their sentence. For juveniles charged with traffic offenses that involve speeding or lack of attention, the juvenile is required to prepare a report calculating the needed time and the required distance to stop a vehicle at 30, 45, and 60 miles per hour. The report is then presented to me in Court. Shop lifters and those with property damage are required to write a short essay about the effects of their actions – loss of profit, loss of the value of the stolen item or damaged property, administrative time to deal with theft.

The defendant is required to appear in Court on a return date. I read the report and ask questions of the juvenile as indicated above.

4. Juveniles come to Court after school hours so they don't have to miss school for Court



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Parks, Recreation & Trails Master Plan Update and Approval of Steering Committee Participants

Summary:

Evan Bolt to present an update of the GOCO grant parks rec and trails master plan as well as provide for Board approval the list of entities who have agreed to participate on the steering committee. Once approved the next step will be to begin scheduling public input meetings.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:



Collaboration Agreement Regarding Disbursement of Coronavirus Aid, Relief and Economic Security Act Funds to County and Local Governments

Summary:

Agreement between Delta County and the Town of Paonia regarding the disbursement of funds through the CARES Act.

Notes:

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:

COLLABORATION AGREEMENT REGARDING DISBURSEMENT OF CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT FUNDS TO COUNTY AND LOCAL GOVERNMENTS

THIS COLLABORATION AGREEMENT ("Agreement"), is made this __ day of June, 2020, by and between COUNTY OF DELTA, STATE OF COLORADO, a body politic and corporate (the "County") and the TOWNS OF ORCHARD CITY, PAONIA, HOTCHKISS, CRAWFORD, CITY OF DELTA, and ORCHARD CITY IN THE STATE OF COLORADO, together considered quasi-municipal corporations and political subdivisions of the State of Colorado, (the "Local Governments"). The County and the Local Governments shall be referred to herein, individually, as a "Party" and, collectively, as the "Parties."

RECITALS

A. On May 29, 2020 – Colorado Department of Local Affairs (DOLA) will allocate up to \$275M to Counties and Local Governments across the state from the Coronavirus Relief Fund (CVRF), in an effort to reduce the financial impact of the COVID-19 pandemic.

B. The U.S. Congress mandated CVRF as part of the federal CARES Act under Title V. It allows local governments to receive reimbursements for necessary expenditures that were not accounted for in the most recent local government budget, that were incurred as of March 1st due to the COVID-19 public health emergency.

C. The purpose of this Agreement is to provide the structure for how the Parties become eligible and obtain access to funds authorized by Title V, Section 5001(d) of the CARES Act and specifically allows the County and Local Governments to request reimbursement for program payments that: 1) are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-10); 2) were not accounted for in the budget more recently approved as of the date of enactment [March 27, 2020] of this section for the local government; and 3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020. Eligible expenditure guidance is provided by the U.S. Treasury (attached as *Exhibit A*).

D. Section 18(2) of Article XIV of the Colorado Constitution and Sections 29-1-201, et seq. and 29-20-105 of the Colorado Revised Statutes authorize and encourage governments to cooperate by contracting with one another for their mutual benefit.

E. The COVID-19 pandemic has created myriad economic distress and unanticipated costs in American society to individuals and families, to businesses, and to the state and local governments addressing the pandemic's effects.

F. Congress recently enacted the CARES Act to provide relief funds to individuals, businesses, and state and local governments.

G. The CARES Act allows the Parties to be reimbursed for costs incurred in fighting and ameliorating the effects of COVID-19 according to guidance from the US Treasury attached in *Exhibit A*.

H. Pursuant to the terms of this Agreement, the Parties wish to be reimbursed individually for COVID-19 related costs incurred by the Parties.

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

I. FUNDING ALLOCATION FORMULA

CARES Act funds are allocated based on the percentage of the population in a given state that resides in the jurisdiction requesting funding from the federal government. The County is similarly allocating CARES Act funds based on the percentage of the County population residing in its cities and towns, as well as in the unincorporated portions of the County. Population numbers are determined from the most recent published numbers (2018) from the State Demography Office within the Department of Local Affairs (DOLA). The spreadsheet attached as *Exhibit B*, and incorporated herein, shows the amount of CARES Act funds available to each DELTA County city and town and unincorporated DELTA County pursuant to population.

II. PROCESS TO OPT-IN

The Parties that desire to participate shall complete a one-time opt-in web-based form which will be submitted via DOLA's Grant Portal no later than July 7th, 2020. This form requires affirmations of spending, reporting, monitoring, and certain federal requirements of local government participants for the Coronavirus Relief Funds.

III. REIMBURSEMENT ELIGIBILITY AND ACCOUNTING

By this Agreement, the County and Local Governments will separately apply for the funds allocated to them as allocated in *Exhibit B*.

By this Agreement, the Parties understand they will receive an allocation to proceed with reimbursement requests. All eligible reimbursement requests must be accompanied by the Request for Reimbursement (RFR) form provided by DOLA along with all supporting documentation and proof of payment. All allocation agreements will expire by March 31, 2021, for expenses incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Eligible CARES Act reimbursement funds for COVID-19 related costs are set forth in guidance provided by the U.S. Treasury, attached as *Exhibit A*. Generally, Title V, Section 5001(d) of the CARES Act provides the eligible purposes for which Coronavirus Relief Fund payments may be used. Specifically, it allows local governments to request reimbursement for program payments that:

1) Are necessary expenditures incurred due to the public health emergency with respect to Coronavirus Disease 2019 (COVID-19);

- 2) Were not accounted for in the budget most recently approved as of the date of enactment [March 27, 2020] of this section for the local government; and
- 3) Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

In the event that the full allotment allocated to the individual Parties (described in Exhibit B) is not fully drawn down by December 30, 2020, the balance shall be reallocated to the unincorporated DELTA County balance for further expenses rather than returned to the Department of Local Affairs Coronavirus Relief Fund Reserve.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed by properly authorized signatories as of the date and year first above written.

DELTA County Board of County Commissioners	Town of Paonia		
Mark Roeber, Chairman	, Mayor		
Town of Crawford	Town of Hotchkiss		
, Mayor	l, Mayor		
City of Delta	Orchard City		
, Mayor	, Mayor		
	Town of Cedaredge		
	 , Mayor		

Attachments: Exhibit A: U. S. Treasury Coronavirus Relief Fund Guidance for State, Territorial, Local and tribal Governments, April 22, 2020

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Exhibit B: Population Estimates: 2018 Colorado Department of Local Affairs (DOLA), State Demography Office



Continuation of Waiving Certain Utility Fees During Declaration of Local Disaster Specific to Coronavirus

Summary: At the request of the Board this topic has been added to discuss the length of time to continue offering waived utility fees and disconnection of services for non-pay.

Notes:

The Town charges approximately \$800 per month in late fees. To date the Town has waived approximately \$ \$2,400 in late fees and \$250 in reimbursed credit card payment fees

Possible Motions:			
Motion by:	2 nd .	vote:	
Motion by.	2	vote	
2		r	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:



Summary: Appointment of officers as dictated by Colorado Revised Statute and Paonia Municipal Code.

Discussion Regarding Officer Appointments

Notes:

Colorado Revised Statute 31-4-401(1) reads: All officers elected or appointed in any municipality shall take an oath or affirmation, administered by the municipal judge, clerk, or other person who is designated by the governing body or who is authorized by law to administer oaths, to support the constitution of the United States and the state constitution.

Paonia Municipal Code Article 3 Section 2-3-10 reads:

(a) The following officers of the Town shall be appointed by a majority vote of the members of the Board of Trustees:

(1) Town Clerk;

(2) Town Treasurer;

(3) Town Attorney; and

(4) Municipal Judge.

(b) Said officers shall hold their respective offices until their successors are duly appointed and qualified, provided however that no appointment of any officer shall continue beyond thirty (30) days after the members of the succeeding board of trustees have taken the oath of office in compliance with § 31-4-401, C.R.S. Vacancies shall be filled by appointment of the Board of Trustees.

Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran:



From the desk of Corinne Ferguson, Administrator/Clerk

06/18/2020

Trustees,

At the previous meeting a question arose regarding the appointment of officers following the Trustee election. Please allow me the opportunity to provide the history of appointments for Paonia and information of other municipalities in Delta County.

The Town of Paonia historically has followed the same method as Delta County regarding the appointment of the officers as defined in Municipal Code Article 3 Section 2-3-10. Commissioners serve a 4-year term, although the general election is held every two years – and terms are staggered. The Clerk and municipal judge term of office is also 4 years – at which time they must be reelected.

Trustees for Paonia serve a 4-year term, although the municipal election is held every two years – and terms are staggered. The Clerk and municipal judge term of office is also 4 years – at which time they must be reappointed.

I reviewed minutes back to 2002.

2002, 2006, 2010, and 2014 - officers where appointed

In 2016 a new clerk was appointed by the Board of Trustees following the municipal election

In 2018 in accordance with the historic 4-year timeline the appointment of officers took place following the municipal election.

Following this established pattern appointments would take place again after the 2022 municipal election.

It is my recommendation that the Board of Trustees better clarify the appointment of officers by ordinance and update of Paonia Municipal Code Article 3 Section 2-3-10.

Thank you for your time.

Corinne Ferguson

Town Administrator/Clerk

Town of Paonia

14.

corinne@townofpaonia.com

AGENDA SUMMARY FORM

	Regular Minutes:		
	May 26, 2020		
1mm			
PAONIA	Special Minutes:		
C+0+L+0+R+A+D+0	June 4, 2020		
	T' T' D I		
	Liquor License Renewal:	De cuie Timorne	
Summary	Paonia Liquors, LLC dba	Paoma Liquors	
Summary:			
Notes:			
1,0,000			
5			
Possible Motions:			
	2.202. 1		
Motion by:	2 nd :	vote:	
37.4		Truck D I	T 1
Vote:	Trustee Bear	Trustee Budinger	Trustee Johnson
Trustee Knutson	Trustee Meck	Trustee Pattison	Mayor Bachran

Minutes <u>Regular Town Board Meeting</u> Town of Paonia, Colorado May 26, 2020

RECORD OF PROCEEDINGS

<u>Roll Call</u>

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

Approval of Agenda

Motion by Trustee Bear, supported by Trustee Meck to approve amended agenda. motion carried unanimously

Motion by Trustee Knutson, supported by Trustee Bear to remove item 9 addition of personnel handbook and item 8 ordinance 2020-TBD amending chapter 18, article 9, section 10 - fence, hedges, and walls until a future in-person meeting is held.

Motion by Trustee Knutson, supported by Trustee Johnson to amend the main motion to remove item 9 and table fence ordinance for discussion. Motion carries with one Nay.

Executive Session

Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific questions under C.R.S. 24-6-402(4)(b) regarding the case of Eric Pace v. Town of Paonia

Executive Session For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(e) for matters subject to negotiation regarding the employment of Ms. Corinne Ferguson as Town Administrator

- Entered into executive session 6:44 pm
- Returned to the public meeting at 8:05 pm.

Motion made by Trustee Bear, Seconded by Trustee Pattison. To enter into Executive Session for a conference with the Town Attorney for the purpose of receiving legal advice on specific questions under C.R.S. 24-6-402(4)(b) specific to the case of Eric Pace v. Town of Paonia and Executive Session - For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(e) for matters subject to negotiation specific to the employment of Ms. Corinne Ferguson as Town Administrator

In attendance were Mayor Bachran, Trustee Bear, Trustee Budinger, Trustee Knutson, Trustee Pattison, Trustee Johnson, Trustee Meck, Admin Ferguson, and Attorney Nerlin

Announcements

• None.

Recognition of Visitors & Guests

• Thomas Markle - suggested looking into a concrete scarifier machine as an alternative to repair sidewalks.

Consent Agenda

Regular Meeting Minutes: 04/28/2020

Motion made by Trustee Bear, Seconded by Trustee Budinger to approve the consent agenda as presented. Motion carries unanimously.

Mayor's Report

• Board and staff retreat to be scheduled in June 2020.

Staff Reports

Administrator Reports:

- COVID-19 update
- Cherry Days 2020 has announced that they have canceled the event due to COVID-19
- BMW Rally 2020 pursuing canceling event due to COVID-19
- Delta County variance update restaurants will be able to open in-person dining at 50% not to exceed 50 people and are still required to follow social distancing of 6 feet apart.
- Discussed the possibility of having outdoor dine-in service with an extension to the liquor license for those who serve liquor.
- Town Attorney suggested looking into Town of Ridgeway's outdoor dine-in

seating.

Discussed the concerns of closing or blocking certain areas of streets.

Public Works Report:

- O road had another water leak and was fixed
- Working on getting Parts to replace the (PRV) pressure release vault on the O road line.
- Public Works has mowing and replacing sprinklers in the parks
- Town park and Apple Valley park are mowed regularly, and all other parks are mowed on a bi-weekly basis.

Police Report:

- Met with a kennel to house dogs at large on 05/25/20. Police Department will have a place to take dogs in 2 weeks.
- Announced Officer Andrew Vassel's resignation. Last day is June 06, 2020
- Written complaints are required for the police officers to move forward with the complaint.
- Interviews for the Judge position will begin May 26, 2020.
- Police officers write red tags for weeds that have gone wild, not citations.
- Police blotter was included in the packet.

Disbursements

Treasurer King was absent, and Finance Officer Cindy Jones proceeded to report.

- Reviewed disbursements and payroll
- The auditor will have a draft by the end of the week
- The auditor is scheduled to do the audit presentation on June 23, 2020
- A request of \$33,041.88 to move to COLA trust where the Town has its reserves.
- Disbursements were included in the packet.

Motion made by Trustee Knutson, Seconded by Trustee Budinger. To approve disbursements as presented with the transfer \$33,041.88 to the Town's reserve at COLA Trust.

Unfinished Business

<u>SCADA (Supervisory Control and Data Acquisition) and Operations System – Clock</u> <u>Water</u> Treatment System (1MG Plant).
Continued discussion regarding the SCADA (Supervisory Control and Data Acquisition) and Operations System – Clock Water Treatment System (1MG Plant).

- Referral documents were included in the packet by other communities who have used Browns Hill Engineering & Controls services.
- Multiple people can be trained to operate the system
- The asset inventory will not be affected by updating the system
- Trustee Pattison questioned if the bonding could be excluded from the contract.
- Documents of the SCADA proposal from Browns Hill Engineering & Controls were included in the system.

Motion made by Trustee Bear, Seconded by Meck. To accept Browns Hill Engineering & Controls to provide the equipment under the lease agreement with the numbers presented. Motion carries with 4 ayes and 2 Nays: Trustee Knutson, Trustee Pattison.

Ordinance 2020-05 Modification of Municipal Code Article 7 - Tree Board - First Reading

- Discussion ensued about having a sick tree day.
- The draft Ordinance 2020-05 Modification of Municipal Code Article 7 -Tree Board – First Reading was included in the packet.

Public Concerns regarding the Tree Board having a sick tree day:

• Tree Board evaluating trees on private property.

Motion made by Trustee Knutson, Seconded by Meck. To approve Ordinance 2020-05 Modification of Municipal Code Article 7 - Tree Board – First Reading. Motion carries unanimously.

Ordinance 2020-TBD Modification of Ordinance 2019-02 Amending Fences, Hedges and Walls – Discussion Only.

- The item was tabled. Comments by Trustee Pattison regarding the issue.
- Governmental Affairs & Public Safety will meet on 05/27/20 to review and discuss the Ordinance 2020-TBD Modification of Ordinance 2019-02 Amending Fences, Hedges, and Walls.
- Trustee Pattison commented on the possibility to waive the variance fee for a community member who has been patiently waiting for the process of modifying the fence ordinance to be finalized.
- Attorney Nerlin suggested to take it under advisement only.

Addition to the Personnel Handbook

This item was removed during the approval of the agenda for additional review by the committee.

New Business

Discussion Regarding Town Administrator

- Discussion Regarding the Town Administrator contract will be discussed.
- Options for the appointment of the Paonia Town Administrator documents were included in the packet.

Motion made by Trustee Knutson, Seconded by Meck. To approve a (1 yr.) oneyear town administrator contract – Corinne Ferguson as the town administrator and pay half of the medical cost of \$137 per pay period starting the new contract and, post new contract to the public. Approval of the contract will be at the first meeting in June 2020 and. Motion carried unanimously.

Motion made by Trustee Knutson, Seconded by Johnson. To continue Corinne Ferguson's interim Town Administrator contract through June 10th, 2020. Motion carried unanimously.

Intergovernmental Agreement - Shared Victim's Advocate

- Chief Ferguson spoke about the Intergovernmental Agreement Shared Victim's Advocate and the benefits of the program. This program is shared between the Town of Hotchkiss and the Town of Cedaredge.
- The Intergovernmental Agreement was included in the packet.

Motion made by Trustee Bear, Seconded by Trustee Pattison. To approve the Intergovernmental Agreement - Shared Victim's Advocate. Motion carried unanimously.

Medical & Retail Marijuana Discussion - November Election Participation

- Discussion about adding Medical & Retail Marijuana to the ballot
- (1) One person in favor of having the Medical & Retail Marijuana on the ballot and (1) one person against it.
- (2) Two in favor of having an open discussion with the community.
- (1) One community member in favor of Medical & Retail Marijuana on the ballot and another member recommended researching the pros and cons of having Medical & Retail Marijuana shops in town.
- Recommendation to have a workshop meeting.

• The direction was given to Trustees Johnson and Pattison to research Medical & Retail Marijuana shops

Motion made by Trustee Knutson, Seconded by Trustee Budinger. To extend the meeting until 9:45 pm. Motion carried unanimously.

Discussion of Resuming In-Person Meetings and Public Participation Options

- Discussion ensued to resume in-person meetings and public participation.
- (1) One person was not in favor to continue with virtual meetings.
- Town Attorney commented that the town can resume in-person meetings with consideration of meeting the social distancing rule.
- (1) One person suggested having an outdoor venue.
- A suggestion from a community member to have a hybrid meeting, this is where a group of people attending the meeting is located in the same place while other participants join the meeting virtually.
- Discussed the restrictions of holding an in-person meeting are.
- Suggestions to hold the in-person meeting at a different venue.
- The direction was given to research in the next (2) two weeks the options of different venues.

Committee Reports

Finance & Personnel

• Nothing to Report

Governmental Affairs & Public Safety

- Meeting at 2 pm on Wednesday and there for every second Wednesday.
- An email was received from Suzanne Watson regarding zoning. One board member suggested meeting with her about the issue and another board member suggested meeting with Planning and Zoning Committee to discuss the issue.
- Food truck discussion is on hold until there an in-person meeting is held.

Public Works-Utilities-Facilities:

• Meeting June 1st, 2020 at 9:15 am.

<u>S2C:</u>

• Nothing to report.

Tree Board:

• Trustee Meck and Tree Board member John Valentine looked at trees on Third Street and Box Elder and agreed with the Town regarding trees that are causing sidewalk issue to be removed.

Adjournment

Motion made by Trustee Bear, Seconded by Trustee Budinger. To adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 9:40 pm.

Amanda Mojarro, Deputy Clerk	Mary Bachran, Mayor

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

ACCOUNT ANALYSIS 2020

BANK ACCOUNT		JAN	FEB	MAR	APR	MAY	JUNE)
And		NAT PROVIDE AND INCOME.	OPERATING	ACCOUNTS	exercise in the second	Constant of the Same	a salara sana
UBB (FSBC)	PREV BAL	134,027.10	133,503.90	206,363.85	137,154.49	154,074.83	
OPS - 0733	CKS/DR	285,541.33	348,655.60	310,268.06	192,857.21	1,858,448.29	
	DEP/CR	285,018.13	421,515.55	241,058.70	209,777.55	1,840,089.27	
	END BAL	133,503.90	206,363.85	137,154.49	154,074.83	135,715.81	- x
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
UBB (FSBC)	PREV BAL	19,089.11	25.00	25.00	25.00	25.00	
PAYROLL - 3629	CKS/DR	58,518.47	38,351.45	40,508.98	37,098.17	38,346.75	
	DEP/CR	39,454.36	38,351.45	40,508.98	37,098.17	38,346.75	
	END BAL	25.00	25.00	25.00	25.00	25.00	- >
RATE		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
			RESESTRICTED F				
UBB (FSBC)-3858	PREV BAL	25.00	25.00	25.00	25.00	25.00	
GRANT	CKS/DR	10.7.4.7.5.K 2	177.137.132 	(1111-11-11) (1111-11-11)	annanaite L	573555) 191	
PASS-THRU	DEP/CR	-	-	-	-	-	
	END BAL	25.00	25.00	25.00	25.00	25.00	×
RATE	line and	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
UBB (FSBC) (FCNB)	PREV BAL	35.77	35.77	35.77	25.00	1,621,154.50	
INTERNAL - 0571	CKS/DR	-	-	10.77	-	1,588,087.62	
GRANTS	DEP/CR	-	-	-	1,621,129.50		
	END BAL	35.77	35.77	25.00	1,621,154.50	33,066.88	- X
		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
RATE	DOCU DAL				27,855.27	28,680.27	0.00%
UBB (FSBC) - 0911	PREV BAL	27,130.27	27,180.27	21,331.02	27,033.27	20,000.27	
PARK	CKS/DR	50.00	6,074.25	6 524 25	825.00	-	
CONTRIBUTION	DEP/CR	50.00	225.00	6,524.25	825.00	-	
	INT/CR	27,180.27	21,331.02	27,855.27	28,680.27	28,680.27	V
	END BAL					and the second	0.00%
RATE	1	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
UBB (FSBC) - 2318	PREV BAL	58,190.85	58,203.21	58,214.77	58,227.13	58,239.09	
WWTP	CKS/DR	5	8	2552	ά.	650	
	DEP/CR	-	-	-		-	
	INT/CR	12.36	11.56	12.36	11.96	12.37	
	END BAL	58,203.21	58,214.77	58,227.13	58,239.09	58,251.46	- ×
RATE		0.25%	0.25%	0.25%	0.25%	0.25%	
UBB (FSBC) (FCNB)	PREV BAL	1,316.77	1,316.77	1,316.77	3,119.86	3,120.24	
CONSERV	CKS/DR	-	÷	-	-	10 - 1	
TRUST 0857	DEP/CR	-		1,803.08	-	-	
	INT/CR			0.01	0.38	0.40	
	END BAL	1,316.77	1,316.77	3,119.86	3,120.24	3,120.64	- <u>×</u>
RATE		0.00%	0.00%	0.01%	0.15%	0.15%	
JBB (FSBC) - 0563	PREV BAL	72,699.42	72,714.86	13,148.71	13,150.39	13,152.01	
РАСЕ ТО	CKS/DR	-	59,575.26	-	-	25	
CREATE	DEP/CR	-	-	-	-	-	
	INT/CR	15.44	9.11	1.68	1.62	1.68	
	END BAL	72,714.86	13,148.71	13,150.39	13,152.01	13,153.69	- X
RATE	A CARLEND THE	0.25%	0.24%	0.15%	0.15%	0.15%	

ACCOUNT ANALYSIS 2020

BANK ACCOU	INT	JAN	FEB	MAR	APR	MAY	JUNE X
	and the second		INVESTMEN	T ACCOUNTS			urbalanden den de
UBB (FSBC) - 3637	PREV BAL	3,791.92	3,792.40	3,792.85	84,479.41	134,508.87	
MMKT	CKS/DR	-	-	19,325.72	-		
RESERVE	DEP/CR	-	-	100,000.00	50,000.00	150,000.00	
	INT/CR	0.48	0.45	12.28	29.46	57.29	
	END BAL	3,792.40	3,792.85	84,479.41	134,508.87	284,566.16	- X
RATE	hall an a state	0.15%	0.15%	0.27%	0.30%	0.300%	
COLO	PREV BAL	1,804,834.34	1,747,655.48	1,750,095.88	1,752,263.84	1,753,856.15	
	CKS/DR	60,000.00	-				
PLUS+	DEP/CR	-	-			-	
INVESTMENT	INT/CR	2,821.14	2,440.40	2,167.96	1,592.31	1,075.54	
	END BAL	1,747,655.48	1,750,095.88	1,752,263.84	1,753,856.15	1,754,931.69	-
AVG BATE	We have been a strategy and	1.85%	1.76%	1.46%	1.11%	0.72%	x
AVG RATE	PREV BAL	201,115.76	201,115.76	201,115.76	201,391.54	201,391.54	
UBB (14) (FSBC)	CKS/DR	-		-		-	
18MO	DEP/CR			3000 11 - 1	-	-	
CD-2143				275.78	-	-	
	END BAL	201.115.76	201,115.76	201,391.54	201,391.54	201,391.54	- X
	END BAL			0.55%	0.55%	0.55%	0.55%
AVG RATE		0.55%	0.55%			253,786.08	0.5570
UBB (31) (FSBC)	PREV BAL	251,260.27	252,526.90	252,526.90	252,526.90	253,780.00	
18MO	CKS/DR	-	-		-	-	
CD-2143	DEP/CR		-	5	1 250 19	-	
	INT/CR -	1,266.63	-	-	1,259.18	253,786.08	X
	END BAL	252,526.90	252,526.90	252,526.90	253,786.08	2.00%	2.00%
AVG RATE		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
			LINE-C	VF-CREDIT			
UBB (FSBC)	PREV BAL	-	-		-		
LOC	CKS/DR	-		-	-		
\$200,000.00	DEP/CR	-	_	-	5 - 0		
	INT/CR -		1				v
	END BAL	-	-	-	-	-	^^
AVG RATE	ni el constante el co	weterschieden institute		a star a star		4 999 949 59	no ob strategies
	TOTAL PREV BAL	2,573,516.58	2,498,095.32	2,507,992.28	2,530,243.83	4,222,013.58	COLUMN DIST.
	TOTAL CKS/DR	404,059.80	452,656.56	370,113.53	229,955.38	3,484,882.66	
	TOTAL DEP/CR	324,522.49	460,092.00	389,895.01	1,918,830.22	2,028,436.02	and the second second
	TOTAL INT/CR	4,116.05	2,461.52	2,470.07	2,894.91	1,147.28	
TOTAL 2020	ACCOUNTS	2,498,095.32	2,507,992.28	2,530,243.83	4,222,013.58	2,766,714.22	
TOTAL 2019	ACCOUNTS	1,952,778.56	2,154,496.81	2,216,740.65	2,268,526.46	2,560,627.61	2,606,146.61
TOTAL 2018	the second second second	2,243,850.59	2,643,430.19	2,609,936.21	2,758,682.91	2,787,133.34	2,909,775.06
TOTAL 2017		1,916,629.29	1,856,495.51	1,837,973.49	2,027,530.45	2,363,845.59	2,079,469.54
TOTAL 2016		987,595.88	1,322,980.68	1,116,198.52	1,523,989.77	1,917,756.35	1,967,252.20
		1,653,400.33	1,907,317.22	2,079,530.21	2,000,000.74	1,759,581.96	1,718,267.39
TOTAL 2015		and the second second second second	NAME AND ADDRESS OF TAXABLE PARTY.	2,073,330.21	2,046,353.56	2,069,077.88	2,002,370.22
TOTAL 2014		2,036,560.85	2,012,766.27	and the second		2,320,709.32	2,286,978.98
TOTAL 2013	and the second sec	2,361,290.03	2,369,419.89	2,376,310.46	2,323,916.46		
TOTAL 2012	ACCOUNTS	2,362,402.55	2,256,299.75	2,246,468.64	2,213,216.49	2,202,233.11	2,152,976.82
2019 VS	5 2020	545,316.76	353,495.47	313,503.18	1,953,487.12	206,086.61	(2,606,146.61)

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

DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		267,331.52
ACCOUNTS PAYABLE	06/05/20-06/19/20	(54,385.44
TRANSFER TO SUMMIT		(150,000.00
TRANSFER TO INTERNAL GRANT		(454.96
TRANSFER TO PAYROLL	6/19/2020	(22,994.43
PAYROLL TAXES	6/19/2020	(18,117.51
BALANCE AFTER PAYMENT		21,379.18

FSBC SUMMIT/PAYROLL DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		284,566.16
TRANSFER FROM OPS		150,000.00
CURRENT FSBC PAYROLL BALANCE		25.00
TRANSFER FROM OPS		22,994.43
PAYROLL (DIRECT DEPOSIT)	6/19/2020	(22,994.43
BALANCE AFTER PAYMENT	and the second second second second second	434,591.16

在4000月1日。2月1日日,19月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日日 - 1月1日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日日 - 1月1日 1月1日 - 1月1日 - 1月1日 1月1日 - 1月1日 - 1月11日 - 1月11100 - 1月1100 - 1月1100 - 1月1100 - 1月1100 - 1月1100 - 1月110	CREDIT CARD	
CHASE	6/23/2020	
CITIBANK	NO LONGER IN USE	-

	FSBC INTERNAL GRANT BALANCE	
BALANCE		33,066.88
TRANSFER FROM OPS		454.96
TRANSFER TO COLOTRUST		(454.96)
TRANSFER TO COLOTRUST	SEWER LOAN RESERVE-APPROVED 05/26/20	(33,041.88)
CD TOTAL		25.00

	FSBC LOC BALANCE	
FSBC CD#1 @ 2.00%	GENERAL	253,786.08
FSBC CD#2 @ 0.55%	GENERAL-COLLATERAL FOR LOC	201,670.73
CD TOTAL		455,456.81
LOC (\$200,000)-RENEWED 7/2019	9	-
BALANCE AVAILABLE SECURING L	OC	455,456.81

除某些物理的研究的生活。	COLOTRUST	· 这些主要的"学校"。这些是不能的"生产"。
TOTAL	GENERAL	531,321.80
TOTAL	SEWER PROPERTY	529,415.02
	SEWER LOAN RESERVE	106,675.13
TRANSFER FROM INT GRANT		454.96
TRANSFER FROM INT GRANT	APPROVED 05/26/20	33,041.88
TOTAL		140,171.97
TOTAL	BRIDGE RESTRICTED	587,519.74

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

	BANK BALANC	ES	
FSBC		COLOTRUST	TOTAL
	AS OF: 05/20/	20	
GENERAL		531,321.80	
SEWER RESTRICTED		529,415.02	
DEBT RESERVE		106,675.13	
BRIDGE RESERVE		587,519.74	
CONS.TRUST	3,120.24		
GRANT PASS THRU	25.00		
INT GRANT	33,066.88		
OPS	245,541.37		
PARK CONTRIBUTIONS	29,415.27		
PAYROLL	25.00		
SPACE-TO-CREATE	13,153.69		
SUMMIT	284,566.16		
WWTP	58,251.46		
CD#2-402	201,670.73		
CD#3-2578	253,786.08		
	1,122,621.88	1,754,931.69	2,877,553.57
			9
			. 0

Town of Paonia

Cash Requirements Report - Paonia Due date(s): All-All Check Issue Date: 6/19/2020

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Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount		Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pm Disc Am
06/23/2020	1043	Advance Plumbing	0995	696.09		.00	.00	696.09			3
06/23/2020	21	Caselle, Inc	102588	989.00	1	.00	.00	989.00			V
06/23/2020	23	CIRSA	201052	1,000.00		.00	.00	1,000.00			V
06/23/2020	673		2020-000761	125.00		.00	.00	125.00			~
06/23/2020	952	Colorado Bureau o	A201100064	115.50		.00	.00	115.50			7
06/23/2020	1048	Colorado Code Co	13089	2,137.00		.00	.00	2,137.00			V
06/23/2020	1128	Colorado Interiors	1681	4.141.00	1	.00	.00	4,141.00			V
06/23/2020	40	Delta County Mem	PPD052620-	17.00		.00	.00	17.00			V
06/23/2020	43	Delta Montrose Ele	6-2020-P	2,422.23	1	.00	.00	2,422.23			V
06/23/2020	43	Delta Montrose Ele	6-2020-S	2,855.15		.00	.00	2,855.15		-	7
06/23/2020	48	Don's Market	01-895253	40.94		.00	.00	40.94			V
06/23/2020	48	Don's Market	02-777112	47.52		.00	.00	47.52			>
06/23/2020	48	Don's Market	04-617197	15.56		.00	.00	15.56			V
06/23/2020	48	Don's Market	P20-0005-RE	6.24		.00	.00	6.24			V
06/23/2020	368	Double J Disposal	41530	58.25		.00	.00	58.25			V
06/23/2020	50	Duckworks Auto P	11044-33562	26.70		.00	.00	26,70			
06/23/2020	50	Duckworks Auto P	11044-33572	19.38		.00	.00	19.38			~
06/23/2020	986	Elevate Fiber	66210-27171	350.90		.00	.00	350.90			V
06/23/2020	80	Hellman Motor Co	624737-1	227.16		.00	.00	227.16			>
06/23/2020	1011	J. David Reed, PC	79366-79370	6,128.35		.00	.00	6.128.35		-	~
06/23/2020	467	K-D Flags, LLC	29522	158.85		.00	.00	158.85			V
06/23/2020	95	Kois Brothers Equi	54336	883.00		.00	.00	883.00			V
06/23/2020	645	Mail Services, LLC	1737343	392.21		.00	.00	392.21			V
06/23/2020	1129	Martin, Paula	1086266	93.63		.00	.00	93.63		-	~
06/17/2020	499	Phonz +	10132	1.104.92		.00	.00	1,104.92			V
06/23/2020	499	Phonz +	10129	1,849.94		.00	.00	1,849.94			V
06/23/2020	499	Phonz +	10123	39.07		.00	.00	39.07			~
06/23/2020	499	Phonz +	10133	425.01		.00	.00	425.01			1
06/23/2020	499	Phonz +	10134	1,595.95		.00	.00	1,595,95			>
06/23/2020	931	Roop Excavating L	051020-ORO	4.580.00		.00	.00	4,580.00			V
06/23/2020	931	Roop Excavating L		3.660.00		.00	.00	3,660.00			V
06/23/2020	931	Roop Excavating L	052020-0527	1,100.00		.00	.00	1,100.00			V
06/23/2020	931	Roop Excavating L		1,700.00	21	.00	.00	1,700.00			1
06/23/2020	931	Roop Excavating L	052620-ORO	4,980.00		.00	.00	4,980.00			~
06/23/2020	931	Roop Excavating L	052720+052	10.090.00	1.1	.00	.00	10,090.00	-		V
06/23/2020	156	TDS Telecom	06-2020	313.89		.00	.00	313.89	_		N
Grand	Totals:		36	54,385.44		.00	.00	54,385.44	~		A

Cash Requirements Summary

Date	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Net Cumulative Amount
06/17/2020	1,104.92	.00	.00	1,104.92	1,104.92
06/23/2020	53,280.52	.00	.00	53,280.52	54,385.44 🗸
Grand	Totals:				
	54,385.44	.00	.00	54,385.44	V

Town of Paonia

Pay Code Transaction Report - CHECK Pay period: 5/30/2020 - 6/12/2020

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Employee		85-00 Net Pay
Number	Name	Emp Amt
1308	Bachran, Mary A	461.75 /
1302	Bear Jr., William A	277.06 /
1054	Beardslee, Dominic D	1,497.76
1004	Bolt, Evan	1,079.75
1305	Budinger, Karen A	277.05
1312	Diehl, Carolyn	92.35 🗸
1052	Edwards, Roger	1,080.73
1002	Ferguson, J.Corinne	2,311.39
1020	Ferguson, Neil	1,991.50
1022	Hinyard, Patrick	1,435.06
1314	Johnson, Michael A	184.70
1001	Jones, Cynthia	1,799.95
1011	Joss, William B	277.05
1005	Katzer, JoAnn	938.04
1100	King, Ross C	277.05 🗸
1310	Knutson, David A	277.05 🖌
1050	Loberg, Travis	2,169.81
1301	Meck, Tamie A	184.70 🖌
1003	Mojarro-Lopez, Amanda	1,128.68
1025	Patterson, Taffine A	12.32
1311	Pattison, Michelle R	277.05
1055	Redden, Jordan	981.40
1051	Reich, Dennis	1,074.30
1300	Stewart, Charles G	184.70 🖌
1026	Vassei, Andrew C	1,485.97
1024	Winnett, Lorin E	1,239.27

Grand Totals:

26

ful 1/3020 22,994.43

. . . 0•* 277.05+ 2,493.45+ 20,223.93+ 003 22,994.43*

Town of Paonia

Transmittal Register - Unpaid Transmittals Pay Period Dates: 1/1/1753 to 12/31/9999

Report Criteria:

Unpaid transmittals included Begin Date: ALL

End Date: ALL

ransmitta	News	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
Number	Name	Number			Description		
2					T. J. of The Device B. Could Country	40.0048	1 010 0
	IRS Tax Deposit		06/12/2020	74-00	Federal Tax Deposit Social Security	10-0216 10-0216	1,3 12. 8 1,3 12. 8
2	IRS Tax Deposit		06/12/2020	74-00	Federal Tax Deposit Social Security	10-0216	421.0
2	IRS Tax Deposit		06/12/2020	75-00	Federal Tax Deposit Medicare Pay P Federal Tax Deposit Medicare Pay P	10-0216	421.0
	IRS Tax Deposit IRS Tax Deposit		06/12/2020 06/12/2020	75-00 76-00	Federal Tax Deposit Federal Withhold	10-0216	1,997.9
Total 2:					·		5,465.7
- 	Aflac		05/29/2020	63-01	Aflac Pre-Tax Pay Period: 5/29/2020	10-0225	120,1
	Aflac		05/29/2020	63-02	Afflac After Tax Pay Period: 5/29/2020	10-0225	24,9
	Aflac		06/12/2020	63-01	Aflac Pre-Tax Pay Period: 6/12/2020	10-0225	120.1
	Aflac		06/12/2020	63-02	Afflac After Tax Pay Period: 6/12/2020	10-0225	24.8
Total 4:							290.1
5 6	Colorado Dept of Labor		04/03/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	69.9
6	Colorado Dept of Labor		04/17/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	76.
6	Colorado Dept of Labor		05/01/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	74.
6	Colorado Dept of Labor		05/15/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	77.
6	Colorado Dept of Labor		05/29/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	77.
6	Colorado Dept of Labor		06/12/2020	98-00	SUTA State Unemployment Tax Pay	10-0218	78.3
Total 6	:						454.8
9					or a Multiple Trac Day Device FO	40.0047	824,0
	Colorado Dept of Revenue		05/29/2020	77-00	State Withholding Tax Pay Period: 5/2 State Withholding Tax Pay Period: 6/1		872.0
9	Colorado Dept of Revenue		06/12/2020	77-00	State withholding tax Pay Period. 0/1	10-0217	
Total 9	:						1,696.0
91							0.77
31	Mutual of Omaha		06/12/2020	51-01	Group# MOORetirement Plan Pay P	10-0220	255.
31	Mutual of Omaha		06/12/2020	5 1 -01	Group# MOORetirement Plan Pay P	10-0220 10-0220	898. 307.
31	Mutual of Omaha		06/12/2020	51-02	Group# MOO Loan Payment Pay Pe	10-0220	
Total 3	1:						1,461.
33						(0.0040	
+-	FPPA - Fire & Police Pensi		06/12/2020	50-00	FPPA Pay Period: 6/12/2020	10-0219	818.
33	FPPA - Fire & Police Pensi		06/12/2020	50-00	FPPA Pay Period: 6/12/2020	10-0219	595.
33	FPPA - Fire & Police Pensi		06/12/2020	90-00	Death & Disability Pay Period: 6/12/2	10-0219	208.
Total 3	3:						1,622.
70							
70	Rocky Mountain HMO		05/29/2020	60-01	RMHMO - Employee Only Pay Period	10-0223	199.
70	•		05/29/2020	60-01	RMHMO - Employee Only Pay Period		3,595.
70	Rocky Mountain HMO		05/29/2020	60-03	RMHMO - Employee + Family Pay Pe		166.
70	Rocky Mountain HMO		05/29/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	3,005.

Town of Paonia

Transmittal Register - Unpaid Transmittals Pay Period Dates: 1/1/1753 to 12/31/9999

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
70	Rocky Mountain HMO		05/29/2020	60-04	RMHMO - Vision Pay Period: 5/29/20	10-0223	40,21
70	Rocky Mountain HMO		06/12/2020	60 -0 1	RMHMO - Employee Only Pay Period	10-0223	191.00-
70	Rocky Mountain HMO		06/12/2020	60-03	RMHMO - Employee + Family Pay Pe	10-0223	146.41-
70	Rocky Mountain HMO		06/12/2020	60-04	RMHMO - Vision Pay Period: 6/12/20	10-0223	.36
Total 70	D:						6,671.05
71							
71	The Harford		05/29/2020	65-01	Group#013307460001 Hartford Basic	10-0226	27.56
71	The Harford		05/29/2020	65-02	Group#013307460001 Hartford Suppl	10-0226	29.38
71	The Harford		05/29/2020	65-03	Group#013307460001 Hartford Disab	10-0226	117.53
71	The Harford		06/12/2020	65-02	Group#013307460001 Hartford Suppl	10-0226	29.38
Total 71	1:						203.85
'3 73	Delta Dental of Colorado		05/29/2020	60-05	Dental RMHMO - Dental Pay Period:	10-0223	251.98
Total 7:	3:						251.98
Grand	Totals:						18,117.51

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

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

PAONIA COOLLOOKALDIO	Finance & Personnel Governmental Affairs & Pub Public Works-Utilities-Facilit Space to Create Tree Board		
Summary:			
Notes:			
Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran:

PAONIA COOLLOOKAADOO	ljournment		
Summary:			
Notes:			
Possible Motions:			
Motion by:	2 nd :	vote:	
Vote:	Trustee Bear:	Trustee Budinger:	Trustee Johnson:
Trustee Knutson:	Trustee Meck:	Trustee Pattison:	Mayor Bachran: