



**TOWN OF PAONIA**  
**TUESDAY, FEBRUARY 26, 2019**  
**REGULAR TOWN BOARD MEETING AGENDA**  
**6:30 PM**

**Roll Call**

**Approval of Agenda**

**Announcements**

**Recognition of Visitors & Guests**

**Consent Agenda**

**Mayor's Report**

**Staff Reports**

Town Administrators Report

Public Works Report

Police Department Report

Town Treasurer Report

**Disbursements**

**Unfinished Business**

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

**New Business**

2. Delta County Sheriff – Back the Badge Sales Tax Presentation
3. Blue Sage Center for the Arts – Letter of Support
4. Public Hearing: 401 Vista Drive Home Occupancy
5. Resolution 2019-07 Retail Liquor Delivery
6. CDOT – Title 6 Non-Discrimination Plan

**Committee Reports**

Finance & Personnel

Public Works/Utilities/Facilities

Governmental Affairs/Public Safety

Tree Board

Space to Create

**Adjournment**

I. RULES OF PROCEDURE

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

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

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

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

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

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

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

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

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

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

item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks.

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

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

## **II. CONSENT AGENDA**

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

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

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

## **III. EXECUTIVE SESSION**

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

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

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

## **IV. SUBJECT TO AMENDMENT**

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

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

AGENDA SUMMARY FORM



Announcements

Summary:

Notes:

Possible Motions:

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

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



AGENDA SUMMARY FORM



Mayor's Report

Summary:

Notes:

Possible Motions:

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

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

AGENDA SUMMARY FORM



Administrator's Report

Summary:

Notes:

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

AGENDA SUMMARY FORM



Public Works Report

Summary:

Notes:

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

AGENDA SUMMARY FORM



Police Report

Summary:

Notes:

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

# Paonia Police Department

## Law Incident Table, by Date and Time

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**Date Occurred:** 02/01/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
16:40:21	CITIZEN ASSIST	ONARGA AVE; METHODIST CHURCH PAONIA, Paonia, CO	PPD	PPD	
17:35:51	CIVIL PROBLEM	2ND ST, Paonia, CO	PPD	PPD	
21:40:01	911/hangup	NIAGARA AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 3**

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

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:47:53	CITIZEN ASSIST	2ND ST, Paonia, CO	PPD	PPD	
17:29:45	ALARM	GRAND AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

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**Date Occurred:** 02/03/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:30:18	Traffic Stop	400 5TH ST, Paonia, CO	PPD	DIST3	CIT

**Total Incidents for this Date: 1**

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**Date Occurred:** 02/04/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:47:03	MISSING PERSON	MAIN AVE, Paonia, CO	PPD	PPD	FOUND
21:33:12	AGENCY ASSIST	NORTH FORK AVE, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 2**

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**Date Occurred:** 02/05/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:53:43	Traffic Stop	100 5TH ST, Paonia, CO	PPD	PPD	CIT
14:04:06	HOUSE CHECK	MAIN AVE, Paonia, CO	PPD	PPD	
18:53:06	Medical/transfe	GRAND AVE; PAONIA TOWN HALL, Paonia, CO	PPD	PPD	

**Total Incidents for this Date: 3**

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**Date Occurred:** 02/06/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
11:04:28	TRESPASS	BOX ELDER AVE, Paonia, CO	PPD	PPD	
14:51:37	Parking Problem	200 Block of Onarga AVE., Paonia, CO	PPD	PPD	
17:14:05	AGENCY ASSIST	MINNESOTA CREEK RD, Paonia, CO	PPD	DIST3	

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<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
<b>Total Incidents for this Date: 3</b>					

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**Date Occurred:** 02/07/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:17:44	CITIZEN ASSIST	PAN AMERICAN AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 1</b>					

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**Date Occurred:** 02/08/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:57:26	CITIZEN ASSIST	paonia,	PPD		
11:25:36	911/hangup	DORRIS AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 2</b>					

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**Date Occurred:** 02/10/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
20:28:32	AGENCY ASSIST	PAN AMERICAN AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 1</b>					

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**Date Occurred:** 02/11/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
05:27:48	ALARM	3RD ST, Paonia, CO	PPD	PPD	
10:19:20	Certified Vin	HIGHWAY 133, Hotchkiss, CO	PPD	DIST3	
11:10:14	VIN INSPECTION	NORTH FORK AVE, Paonia, CO	PPD	PPD	
13:36:32	SHOPLIFTING	2ND ST; Paonia, CO	PPD	PPD	CAE
14:22:31	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 5</b>					

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**Date Occurred:** 02/13/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:24:32	UNATTEND DEATH	MAIN AVE; Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 1</b>					

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**Date Occurred:** 02/14/19

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:23:26	AGENCY ASSIST	HIGHWAY 133, Paonia, CO	PPD	DIST3	
21:05:55	AGENCY ASSIST	LAMBORN MOUNTAIN LN, Paonia, CO	PPD	DIST3	
22:22:09	CIVIL PROBLEM	PAN AMERICAN AVE, Paonia, CO	PPD	PPD	
<b>Total Incidents for this Date: 3</b>					

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

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

**Total Incidents for this Date:** 3

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Total reported: 30      WW=1, CIT= 2, CAE=1, FOUND=1

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**Report Includes:**

All dates between `00:00:01 02/01/19` and `00:00:01 02/16/19`, All agencies matching `PPD`, All disposition's, All natures, All location codes, All cities

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AGENDA SUMMARY FORM



Oath of Office

Summary:

Welcome and Oath of Office for Officer Andrew Vassel to the Paonia Police Department.

Notes:

Possible Motions:

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

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



AGENDA SUMMARY FORM



Treasurer's Report

Summary:

Notes:

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

AGENDA SUMMARY FORM



Disbursements

Summary:

Notes:

Possible Motions:

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

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

FSBC OPS DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC OPS BALANCE		228,120.08
TRANSFER TO SUMMIT	APPROVED 2/12/19	(108,000.00)
TRANSFER FROM CD ~	APPROVED 2/12/19	26,921.01
ACCOUNTS PAYABLE	02/12/19-02/25/19	(43,595.21)
TRANSFER TO PAYROLL	1/25/2019	(17,356.70)
PAYROLL TAXES	1/25/2019	(16,960.59)
BALANCE AFTER PAYMENT		69,128.59

FSBC SUMMIT DISBURSEMENT SUMMARY		
DESCRIPTION	DATES	AMOUNT
CURRENT FSBC SUMMIT BALANCE		827.91
CURRENT FSBC PAYROLL BALANCE		24.59
TRANSFER FROM COLOTRUST		108,000.00
TRANSFER FROM OPS	1/25/2019	17,356.70
PAYROLL (DIRECT DEPOSIT)	1/25/2019	(17,356.70)
BALANCE AFTER PAYMENT		108,852.50

FSBC LOC BALANCE		
FSBC CD#2 BALANCE	GENERAL	400,964.56
REDUCE	APPROVED 2/12/19	(200,964.56)
CD TOTAL		200,000.00
LOC DRAW		
BALANCE AVAILABLE SECURING LOC		200,000.00

CREDIT CARD		
CHASE	1/23/2019	7,995.62
CITIBANK	1/25/2019	-
TOTAL		7,995.62

COLOTRUST - GENERAL		
		179,233.32
TRANSFER FROM CD	APPROVED 2/12/19	200,964.56
TOTAL		380,197.88
COLOTRUST RESTRICTED - SEWER PROPERTY		
TOTAL		515,381.47
COLOTRUST RESTRICTED - SEWER LOAN RESERVE		
TOTAL		103,847.33
COLOTRUST -BRIDGE RESTRICTED		
TOTAL	TRANSFER FROM CD ~ APPROVED 2/12/19	574,743.70

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

WPA 2/25/19

BANK BALANCES		
	FSBC	COLOTRUST
AS OF: 2/25/19		
WWTP	58,057.91	179,233.32
SPACE-TO-CREATE	72,533.31	515,381.47
INT GRANT	25.00	103,847.33
PAYROLL	24.59	
SUMMIT	827.94	
OPS	875,415.85	
CONS.TRUST	4.37	
PASS THRU	25.00	
PARK CONTRIBUTIONS	23,550.00	
CD#1	CLOSED	
CD#2	400,964.56	
	<u>1,431,428.53</u>	<u>798,462.12</u>
		2,229,890.65

Due Date	Vendor Number	Vendor Name	Invoice Number	Invoice Amount	Discount Amount	Partial Payments	Net Due Amount	Pay	Partial Pmt Amt	Part Pmt Disc Amt
02/26/2019	1014	AAP of Delta CO #	2482-493517	116.94 ✓	.00	.00	116.94			
02/26/2019	654	Badger Meter, Inc.	80019997	1,560.00 ✓	.00	.00	1,560.00			
02/26/2019	987	Black Hills Energy	2-2019	1,772.77 ✓	.00	.00	1,772.77			
02/26/2019	14	Bolinger & Queen I	51170-1	312.38 ✓	.00	.00	312.38			
02/26/2019	14	Bolinger & Queen I	51263-1	64.15 ✓	.00	.00	64.15			
02/26/2019	23	CIRSA	190575	1,000.00 ✓	.00	.00	1,000.00			
02/26/2019	23	CIRSA	190598	100.00 ✓	.00	.00	100.00			
02/26/2019	673	City Of Grand Junc	2019-000260	125.00 ✓	.00	.00	125.00			
02/26/2019	1048	Colorado Code Co	11387	3,028.00 ✓	.00	.00	3,028.00			
02/26/2019	43	Delta Montrose Ele	2-2019-P	2,629.69 ✓	.00	.00	2,629.69			
02/26/2019	48	Don's Market	01-509515	45.89 ✓	.00	.00	45.89			
02/26/2019	48	Don's Market	01-515010	21.49 ✓	.00	.00	21.49			
02/26/2019	48	Don's Market	02-467478	17.92 ✓	.00	.00	17.92			
02/26/2019	48	Don's Market	03-390746	240.33 ✓	.00	.00	240.33			
02/26/2019	48	Don's Market	04-393749	480.00 ✓	.00	.00	480.00			
02/26/2019	48	Don's Market	04-394483	971.16 ✓	.00	.00	971.16			
02/26/2019	368	Double J Disposal	36118-36120	288.00 ✓	.00	.00	288.00			
02/26/2019	1017	Electrical Service	820135	2,400.00 ✓	.00	.00	2,400.00			
02/26/2019	986	Elevate Fiber	271710-0228	79.95 ✓	.00	.00	79.95			
02/26/2019	986	Elevate Fiber	66210-02281	79.95 ✓	.00	.00	79.95			
02/26/2019	803	GALLS, LLC	12421673	223.75 ✓	.00	.00	223.75			
02/26/2019	79	Hays Drug Store In	239389	42.90 ✓	.00	.00	42.90			
02/26/2019	79	Hays Drug Store In	239549	13.41 ✓	.00	.00	13.41			
02/26/2019	940	JC Propane Inc	3439	55.00 ✓	.00	.00	55.00			
02/26/2019	1062	LED Outfitters	1050083	1,992.57 ✓	.00	.00	1,992.57			
02/26/2018	470	Leon, Susan	010119-0131	700.00 ✓	.00	.00	700.00			
02/26/2019	470	Leon, Susan	020119-0228	700.00 ✓	.00	.00	700.00			
02/21/2019	763	Mesa County Healt	518-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	514-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	515-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	516-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	517-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	519-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	519-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	520-19	20.00 ✓	.00	.00	20.00			
02/26/2019	763	Mesa County Healt	521-19	20.00 ✓	.00	.00	20.00			
02/26/2019	1008	Peebler, Kevin	1598	1,250.00 ✓	.00	.00	1,250.00			
02/26/2019	737	Ricoh USA Inc	31404286	127.42 ✓	.00	.00	127.42			
02/26/2019	931	Roop Excavating L	012819-0130	13,000.00 ✓	.00	.00	13,000.00			
02/26/2019	931	Roop Excavating L	021119-0219	6,130.00 ✓	.00	.00	6,130.00			
02/26/2019	152	Southwestern Syst	202440	1,069.25 ✓	.00	.00	1,069.25			
02/26/2019	156	TDS Telecom	2-2019	516.60 ✓	.00	.00	516.60			
02/26/2019	169	Wagner Equipment	P58CO15623	5.38 ✓	.00	.00	5.38			
02/26/2019	169	Wagner Equipment	P58CO15623	33.15 ✓	.00	.00	33.15			
02/26/2019	588	Wilbur-Ellis Compa	12401167	1,644.00 ✓	.00	.00	1,644.00			
02/26/2019	588	Wilbur-Ellis Compa	12402442	150.00 ✓	.00	.00	150.00			
02/26/2019	491	Winwater Corp	049209-01	448.16 ✓	.00	.00	448.16			
Grand Totals:			46	43,595.21	.00	.00	43,595.21			

Cash Requirements Summary

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

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
<b>2</b>							
2	IRS Tax Deposit		02/08/2019	74-00	Federal Tax Deposit Social Security	10-0216	1,014.19
2	IRS Tax Deposit		02/08/2019	74-00	Federal Tax Deposit Social Security	10-0216	1,014.19
2	IRS Tax Deposit		02/08/2019	75-00	Federal Tax Deposit Medicare Pay P	10-0216	321.25
2	IRS Tax Deposit		02/08/2019	75-00	Federal Tax Deposit Medicare Pay P	10-0216	321.25
2	IRS Tax Deposit		02/08/2019	76-00	Federal Tax Deposit Federal Withhold	10-0216	1,591.21
Total 2:							4,262.09
<b>4</b>							
4	Aflac		02/08/2019	63-01	February Coverage	10-0225	240.36
4	Aflac		02/08/2019	63-02	February Coverage	10-0225	49.80
Total 4:							290.16
<b>6</b>							
6	Colorado Dept of Labor		12/28/2018	98-00	SUTA State Unemployment Tax Pay	10-0218	78.71
6	Colorado Dept of Labor		01/11/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	64.80
6	Colorado Dept of Labor		01/25/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	70.45
6	Colorado Dept of Labor		02/08/2019	98-00	SUTA State Unemployment Tax Pay	10-0218	70.04
Total 6:							284.00
<b>9</b>							
9	Colorado Dept of Revenue		01/25/2019	77-00	State Withholding Tax Pay Period: 1/2	10-0217	713.00
9	Colorado Dept of Revenue		02/08/2019	77-00	State Withholding Tax Pay Period: 2/8	10-0217	695.00
Total 9:							1,408.00
<b>31</b>							
31	Mutual of Omaha		02/08/2019	51-01	Group# MOORetirement Plan Pay P	10-0220	459.35
31	Mutual of Omaha		02/08/2019	51-01	Group# MOORetirement Plan Pay P	10-0220	811.97
31	Mutual of Omaha		02/08/2019	51-02	Group# MOO Loan Payment Pay Pe	10-0220	66.18
Total 31:							1,337.50
<b>33</b>							
33	FPPA - Fire & Police Pensi		02/08/2019	50-00	FPPA Pay Period: 2/8/2019	10-0219	596.56
33	FPPA - Fire & Police Pensi		02/08/2019	50-00	FPPA Pay Period: 2/8/2019	10-0219	454.52
33	FPPA - Fire & Police Pensi		02/08/2019	90-00	Death & Disability Pay Period: 2/8/20	10-0219	159.08
Total 33:							1,210.16
<b>70</b>							
70	Rocky Mountain HMO		02/08/2019	60-01	March Coverage	10-0223	7,869.08
Total 70:							7,869.08
<b>71</b>							
71	The Harford		02/08/2019	65-02	Group#013307460001	10-0226	58.76
71	The Harford		02/08/2019	65-01	Group#013307460001	10-0226	21.20

*DW.*

Transmittal Number	Name	Invoice Number	Pay Per Date	Pay Code	Description	GL Account	Amount
Total 71:							79.96
73							
73	Delta Dental of Colorado		01/25/2019	60-05	Dental RMHMO - Dental Pay Period:	10-0223	251.82
73	Delta Dental of Colorado		02/08/2019	60-05	Dental RMHMO - Dental Pay Period:	10-0223	251.82
Total 73:							503.64
Grand Totals:							17,244.59

Report Criteria:

Unpaid transmittals included  
Begin Date: ALL  
End Date: ALL

Employee Number	Name	85-00 Net Pay Emp Amt
1054	Beardslee, Dominic D	1,015.86
1052	Edwards, Roger	870.50
1002	Ferguson, J. Corinne	1,451.31
1020	Ferguson, Neil	1,675.15
1022	Hinyard, Patrick	1,125.92
1001	Jones, Cynthia	1,609.22
1000	Knight, Kenneth D	1,938.36
1010	Kolman, Bradley K	277.05
1050	Loberg, Travis	2,092.62
1003	Mojarro-Lopez, Amanda	999.24
1025	Patterson, Taffine A	806.09
1055	Redden, Jordan	460.88
1051	Reich, Dennis	930.73
1056	Voight, Steven P	1,060.73
1024	Winnett, Lorin E	1,043.04

Grand Totals:

15 17,356.70

*Rec'd  
2/12/19*





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March 2019						
S	M	T	W	T	F	S
24	25	26	27	28	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

New Balance  
**\$7,995.62**

Minimum Payment Due  
**\$79.00**

Payment Due Date  
**03/17/19**

### CHASE ULTIMATE REWARDS® SUMMARY

Previous points balance	12,210
+1.5% (1.5 Pts)/\$1 earned on all purchases	11,927

**Total points available for redemption 24,137**

Redeem for cash back- any amount, anytime. Log on to [chase.com/ultimaterewards](http://chase.com/ultimaterewards) to explore all your reward options.

You earn unlimited 1.5% cash back on all purchases- it's automatic! Redeem for cash with no minimum, and your Cash Back rewards do not expire as long as your account is open.

**Late Payment Warning:** If we do not receive your minimum payment by the due date, you may have to pay up to a \$39 late fee.  
**Minimum Payment Warning:** Enroll in Auto-Pay and avoid missing a payment. To enroll, call the number on the back of your card or go to the web site listed above.

### ACCOUNT SUMMARY

Account Number: 4246 3152 5990 8901

Previous Balance	\$2,125.65
Payment, Credits	-\$2,125.65
Purchases	+\$7,995.62
Cash Advances	\$0.00
Balance Transfers	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
<b>New Balance</b>	<b>\$7,995.62</b>
Opening/Closing Date	01/24/19 - 02/23/19
Revolving Credit Amount	\$45,000
Available Credit	\$37,004
Cash Access Line	\$9,000
Available for Cash	\$9,000
Past Due Amount	\$0.00
Balance over the Credit Access Line	\$0.00

### YOUR ACCOUNT MESSAGES

You have one or more balance(s) with APR expiration dates, as shown in the Interest Charge section. These APRs will continue through the expiration dates shown in the Interest Charges section.

Your next AutoPayment for \$7,995.62 will be deducted from your account and credited on your due date (previous day if your due date falls on a Saturday). Any payment or other credit posted to your account prior to your AutoPay payment being processed will be deducted from the AutoPayment amount identified above.

0000001 FIS93339 C 1  
0516

Y 9 23 19/02/23

Page 1 of 3

05886 MA DA 24988

05410000010002496601

**This Statement is a Facsimile - Not an original**



P.O. BOX 15123  
WILMINGTON, DE 19850-5123  
For Undeliverable Mail Only

42463152599089010000790000799562000000008

AUTOPAY IS ON  
See Your Account  
Messages for details.

Payment Due Date: **03/17/19**  
New Balance: **\$7,995.62**  
Minimum Payment: **\$79.00**

Account number: 4246 3152 5990 8901

\$ \_\_\_\_\_ Amount Enclosed  
AUTOPAY IS ON

24986 BEX 9 05419 C  
CINDY JONES  
TOWN OF PAONIA  
214 GRAND AVE  
PAONIA CO 81428-6302

CARDMEMBER SERVICE  
PO BOX 6294  
CAROL STREAM IL 60197-6294

5000 160 28 1595 25990890 15



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Customer Service: 1-800-945-2028

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### ACCOUNT ACTIVITY

Date of Transaction	Merchant Name or Transaction Description	\$ Amount
11/29	ADOBE *ACROPRO SUBS 800-833-6687 CA	-14.99
12/29	ADOBE *ACROPRO SUBS 800-833-6687 CA	-14.99
01/29	ADOBE *ACROPRO SUBS 800-833-6687 CA	-14.99
02/17	AUTOMATIC PAYMENT - THANK YOU	-2,080.68
01/29	ADOBE *ACROPRO SUBS 800-833-6687 CA	-14.99
02/13	MY BEST CELLULAR 970-872-2677 CO	35.00
02/13	MY BEST CELLULAR 970-872-2677 CO	35.00
02/16	MY BEST CELLULAR 970-872-2677 CO	15.00
02/15	MY BEST CELLULAR 970-872-2677 CO	15.00
	CINDY JONES TRANSACTIONS THIS CYCLE (CARD 8901) \$2010.66- INCLUDING PAYMENTS RECEIVED	
02/10	COFFEE TERRACE DENVER CO	20.36
02/15	COFFEE TERRACE DENVER CO	20.36
02/15	COFFEE TERRACE DENVER CO	21.36
02/15	DOWNIEVILLE FUEL STOP DOWNIEVILLE CO	70.00
02/15	CROWNE PLAZA DENVER DENVER CO TRAVIS LOWBERG TRANSACTIONS THIS CYCLE (CARD 2935) \$1129.33	997.25
01/24	AMZN Mktp US*MB44Z1GQ2 Amzn.com/bill WA	81.76
01/28	MATTES & MORE LLC 970-8353213 CO	65.70
01/28	SHERWIN WILLIAMS 707739 DELTA CO	44.58
02/08	BULKAMMO.COM (800)720-603 800-7206035 MO	1,477.48
02/11	DELTA CLEANERS 970-8744606 CO	24.75
02/12	LED LIGHTING 516-582-4247 NY	1,992.57
02/14	HELLMAN CHEVROLET 970-8744407 CO	199.00
02/12	ACTION TARGETS 800-7790182 MN NEIL FERGUSON TRANSACTIONS THIS CYCLE (CARD 3775) \$3938.46	62.62
01/29	WAL-MART #5334 AURORA CO	11.02
01/28	WENDY'S 8056 EDWARDS CO	10.42
01/29	CONOCO - SEI 35053 DENVER CO	35.05
01/29	TARGET 00021832 BRIGHTON CO	17.03
01/28	KING SOOPERS 0083 DENVER CO	17.16
01/30	TARGET 00020529 DENVER CO	11.69
01/31	CHILI'S TOWER RD AURORA CO	22.88
01/31	TARGET 00021832 BRIGHTON CO	9.49
02/01	BURGER KING #5439 SILVERTHORNE CO	9.62
01/31	APPLEBEES SOUT48248314 BRIGHTON CO	20.91
02/01	CONOCO - SILVERTHORNE CON SILVERTHORNE CO	44.91
02/01	DAYS INNS/DAYSTOP DENVER CO	320.40
02/07	CEDAR POINT HEALTH LLC CEDAREDDGE CO	320.00
02/07	USPS PO 0769660541 PAONIA CO	4.65
02/07	CO DRIVER SERVICES DENVER CO	17.94
02/07	CO DRIVER SERVICES DENVER CO	17.94
02/08	USPS PO 0769660541 PAONIA CO	139.15
02/07	AUTOZONE #0832 DELTA CO	260.99
02/18	MAVERIK #463 DELTA CO	55.80
02/18	WAL-MART #5458 DELTA CO	914.64
02/18	CITY MARKET 0404 DELTA CO	417.09
02/18	133 BRGR HOTCHKISS CO TOWNOF PAONIA TRANSACTIONS THIS CYCLE (CARD 8181) \$2812.84	134.06

2019 Totals Year-to-Date	
Total fees charged in 2019	\$0.00
Total interest charged in 2019	\$0.00

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

## ACCOUNT ANALYSIS 2019

BANK	ACCOUNT	2017	JAN	FEB	MAR	APR	MAY	JUNE	X
<b>OPERATING ACCOUNTS</b>									
FSBC		PREV BAL	21,553.27	39,623.29	39,623.29	39,623.29	39,623.29	39,623.29	
OPS		CKS/DR	330,245.06						
		DEP/CR	348,315.08						
		END BAL	39,623.29	39,623.29	39,623.29	39,623.29	39,623.29	39,623.29	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
FSB		PREV BAL	25.00	17,443.28	17,443.28	17,443.28	17,443.28	17,443.28	
PAYROLL		CKS/DR	36,405.68						
		DEP/CR	53,823.96						
		END BAL	17,443.28	17,443.28	17,443.28	17,443.28	17,443.28	17,443.28	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
<b>RESESTRICTED FUND ACCOUNTS</b>									
FSBC-858		PREV BAL	25.00	25.00	25.00	25.00	25.00	25.00	
GRANT		CKS/DR	-						
PASS-THRU		DEP/CR	-						
		END BAL	25.00	25.00	25.00	25.00	25.00	25.00	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
FSBC (FCNB)-0571		PREV BAL	25.00	25.00	25.00	25.00	25.00	25.00	
INTERNAL		CKS/DR	-						
GRANTS		DEP/CR	-						
		END BAL	25.00	25.00	25.00	25.00	25.00	25.00	X
		RATE	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	
FSB		PREV BAL	58,045.59	58,057.91	58,057.91	58,057.91	58,057.91	58,057.91	
WWTP		CKS/DR	-						
		DEP/CR	-						
		INT/CR	12.32						
		END BAL	58,057.91	58,057.91	58,057.91	58,057.91	58,057.91	58,057.91	X
		RATE	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	
FSBC (FCNB)		PREV BAL	27,490.77	(5.63)	(5.63)	(5.63)	(5.63)	(5.63)	
CONSERV		CKS/DR	27,500.77						
TRUST		DEP/CR	-						
		INT/CR	4.37						
		END BAL	(5.63)	(5.63)	(5.63)	(5.63)	(5.63)	(5.63)	X
		RATE	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	
FSBC		PREV BAL	88,410.06	72,533.31	72,533.31	72,533.31	72,533.31	72,533.31	
SPACE TO		CKS/DR	15,899.05						
CREATE		DEP/CR	-						
		INT/CR	22.30						
		END BAL	72,533.31	72,533.31	72,533.31	72,533.31	72,533.31	72,533.31	X
		RATE	0.15%	0.15%	0.15%	0.15%	0.15%	0.15%	
FSBC		PREV BAL	9,500.00	14,000.00	14,000.00	14,000.00	14,000.00	14,000.00	
PARK		CKS/DR	200.00						
CONTRIBUTION		DEP/CR	4,700.00						
		INT/CR	-						
		END BAL	14,000.00	14,000.00	14,000.00	14,000.00	14,000.00	14,000.00	X
		RATE	0.08%	0.08%	0.08%	0.08%	0.08%	0.00%	

OK 2/25/19



## ACCOUNT ANALYSIS 2019

BANK	ACCOUNT	2017	JAN	FEB	MAR	APR	MAY	JUNE	X
INVESTMENT ACCOUNTS									
FSB	PREV BAL		8,327.91	817.94	817.94	817.94	817.94	817.94	
MMKT	CKS/DR		19,510.00						
RESERVE	DEP/CR		12,000.00						
	INT/CR		0.03						
	END BAL		817.94	817.94	817.94	817.94	817.94	817.94	X
<b>RATE</b>			<b>0.15%</b>	<b>0.08%</b>	<b>0.05%</b>	<b>0.08%</b>	<b>0.150%</b>	<b>0.150%</b>	
COLO	PREV BAL		1,046,107.26	798,462.12	798,462.12	798,462.12	798,462.12	798,462.12	
TRUST	CKS/DR		250,000.00						
PLUS+	DEP/CR		-						
INVESTMENT	INT/CR		2,354.86						
	END BAL		798,462.12	798,462.12	798,462.12	798,462.12	798,462.12	798,462.12	X
<b>AVG RATE</b>			<b>1.51%</b>	<b>0.92%</b>	<b>0.94%</b>	<b>1.01%</b>	<b>2.06%</b>	<b>2.14%</b>	X
FSBC	PREV BAL		600,831.78	600,831.78	600,831.78	600,831.78	600,831.78	600,831.78	
12MO	CKS/DR								
CD-1936	DEP/CR								
	INT/CR								
	END BAL		600,831.78	600,831.78	600,831.78	600,831.78	600,831.78	600,831.78	X
<b>AVG RATE</b>			<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	
FSBC	PREV BAL		400,964.56	400,964.56	400,964.56	400,964.56	400,964.56	400,964.56	
18MO	CKS/DR								
CD-2143	DEP/CR								
	INT/CR								
	END BAL		400,964.56	400,964.56	400,964.56	400,964.56	400,964.56	400,964.56	X
<b>AVG RATE</b>			<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	<b>0.55%</b>	
LINE-OF-CREDIT									
FSBC	PREV BAL		-	(50,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	
LOC-938	CKS/DR		50,000.00						
	DEP/CR		-						
	INT/CR		-						
	END BAL		(50,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	(50,000.00)	X
<b>AVG RATE</b>									
FSBC	PREV BAL		-	-	-	-	-	-	
LOC-798	CKS/DR								
	DEP/CR								
	INT/CR								
	END BAL		-	-	-	-	-	-	X
<b>AVG RATE</b>									
	<b>TOTAL PREV BAL</b>		<b>2,261,306.20</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	
	<b>TOTAL CKS/DR</b>		<b>729,760.56</b>	-	-	-	-	-	
	<b>TOTAL DEP/CR</b>		<b>418,839.04</b>	-	-	-	-	-	
	<b>TOTAL INT/CR</b>		<b>2,393.88</b>	-	-	-	-	-	
	<b>TOTAL 2019 ACCOUNTS</b>		<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	<b>1,952,778.56</b>	
	<b>TOTAL 2018 ACCOUNTS</b>		<b>2,243,850.59</b>	<b>2,643,430.19</b>	<b>2,609,936.21</b>	<b>2,758,682.91</b>	<b>2,787,133.34</b>	<b>2,909,775.06</b>	
	<b>TOTAL 2017 ACCOUNTS</b>		<b>1,916,629.29</b>	<b>1,856,495.51</b>	<b>1,837,973.49</b>	<b>2,027,530.45</b>	<b>2,363,845.59</b>	<b>2,079,469.54</b>	
	<b>TOTAL 2016 ACCOUNTS</b>		<b>987,595.88</b>	<b>1,322,980.68</b>	<b>1,116,198.52</b>	<b>1,523,989.77</b>	<b>1,917,756.35</b>	<b>1,967,252.20</b>	
	<b>TOTAL 2015 ACCOUNTS</b>		<b>1,653,400.33</b>	<b>1,907,317.22</b>	<b>2,079,530.21</b>	<b>2,000,000.74</b>	<b>1,759,581.96</b>	<b>1,718,267.39</b>	
	<b>TOTAL 2014 ACCOUNTS</b>		<b>2,036,560.85</b>	<b>2,012,766.27</b>	<b>2,053,803.28</b>	<b>2,046,353.56</b>	<b>2,069,077.88</b>	<b>2,002,370.22</b>	
	<b>TOTAL 2013 ACCOUNTS</b>		<b>2,361,290.03</b>	<b>2,369,419.89</b>	<b>2,376,310.46</b>	<b>2,323,916.46</b>	<b>2,320,709.32</b>	<b>2,286,978.98</b>	
	<b>TOTAL 2012 ACCOUNTS</b>		<b>2,362,402.55</b>	<b>2,256,299.75</b>	<b>2,246,468.64</b>	<b>2,213,216.49</b>	<b>2,202,233.11</b>	<b>2,152,976.82</b>	
	<b>2018 VS 2019</b>		<b>(291,072.03)</b>	<b>(690,651.63)</b>	<b>(657,157.65)</b>	<b>(805,904.35)</b>	<b>(834,354.78)</b>	<b>(956,996.50)</b>	

AGENDA SUMMARY FORM



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

Summary:  
 Tabled discussion continued.

Notes:

Possible Motions:

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

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

AGENDA SUMMARY FORM



Delta County Sheriff – Back the Badge Sales Tax Presentation

Summary:

Notes:

Possible Motions:

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

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

AGENDA SUMMARY FORM



Blue Sage Center for the Arts – Letter of Support

Summary:  
Blue Sage is requesting a letter of support for a grant submission.

Notes:

Possible Motions:

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

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

**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: \_\_\_\_\_

Organization, if speaking on behalf of a group: Blue Sage Center for the Arts

Is this a request for Board action?                      Yes      No

Please provide a summary of your comments:

The Blue Sage Center for the Arts is requesting a Letter of Support from the Town of Paonia to be used in asking for a General Operating grant from the Laura Jane Mussen Fund's Rural Art Initiative.

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

Tamara Rowe, Grant Coordinator spoke to Corinne Ferguson on Monday, February 18<sup>th</sup> and she advised to turn in this form with a letter template.

Contact information:

Name: Debra Muzikar  
Physical Address: 226-228 Grand Ave. Paonia CO  
Mailing Address: PO Box 700, Paonia CO 81428  
E-mail: director@bluesage.org  
Daytime Phone: 970-527-7243

Office Use Only:

Received: \_\_\_\_\_

Approved for Agenda: \_\_\_\_\_

Board Meeting Date: \_\_\_\_\_



February 26, 2019

Laura Jane Musser Fund

Dear Board of Directors:

On behalf of The Town of Paonia Board of Trustees, it is my privilege to write this letter in support of the Blue Sage Center for the Art's grant proposal to the Laura Jane Musser Fund.

The Blue Sage Center for the Arts is one of the main hubs of our town. Located just two doors down from City Hall on Grand Avenue (our main street) in two historic buildings, they are both a prominent and attractive presence for local residents and visitors alike.

Economically, the Blue Sage Center for the Arts provides our community with jobs, a gallery/gift shop for local artists to show and sell their work, and is a wonderful attraction for tourists.

The Blue Sage offers our community everything from art and exercise classes to gallery shows, to community events including professional music concerts, recognition of local arts and artists, and perhaps most importantly, local afterschool programs for our youth.

Overall the Blue Sage Center for the Arts has provided our community an enriching vibrancy and quality of life for almost 25 years and was a large influence in the State of Colorado's recognition of the North Fork Valley as a Creative District.

Thank you for your consideration. By supporting the Blue Sage Center for the Arts, the Laura Jane Musser fund also helps support a major asset to our town and community.

Sincerely,

Ken Knight  
Town Administrator  
Town of Paonia

AGENDA SUMMARY FORM



Public Hearing: 401 Vista Drive Home Occupancy

Summary:

David Knutson requests to operate his business from his home located at 401 Vista Drive, zoned R-2 (medium density). Mr. Knutson went before the Planning Commission February 5<sup>th</sup> where the commission moved unanimously to recommend the Board approve the Home Occupancy Permit.

Notes:

Possible Motions:

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

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

# **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 Tuesday, February 5, 2019 at 6:30PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:**

**Special Use Permit for Frederick Zimmer:**

397 Clark Avenue #A, Paonia CO 81428

**Home Occupancy Permit for David Knutson:**

Human Resources Consulting/Executive Coaching  
401 Vista Drive, 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, February 26, 2019 on or after 6:30PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider the Planning Commission recommendation for:**

**Special Use Permit for Frederick Zimmer:**

397 Clark Avenue #A, Paonia CO 81428

**Home Occupancy Permit for David Knutson:**

Human Resources Consulting/Executive Coaching  
401 Vista Drive, Paonia CO 81428

If you are unable to attend but wish to comment, comments can be made at Paonia Town Hall: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or [paonia@townofpaonia.com](mailto:paonia@townofpaonia.com) until January 28, 2019.

DELTA COUNTY  
**INDEPENDENT**

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

**AFFIDAVIT OF PUBLICATION**

STATE OF COLORADO }  
COUNTY OF DELTA } ss.

I, Roxanne McCormick, do solemnly swear that I am advertising director of the *Delta County Independent*; that the same is a weekly newspaper printed, in whole or in part, and published in the County of Delta, State of Colorado, continuously and uninterrupted in said County of Delta for a period of more than fifty-two consecutive weeks prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, and all amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that the annexed legal notice or advertisement was published in the regular and entire issue two consecutive insertions; that the first publication of said notice was in the issue of said newspaper dated January 16th, A.D., 2019, and that the last publication of said notice was in the issue of said newspaper dated January 23rd, A.D., 2019.

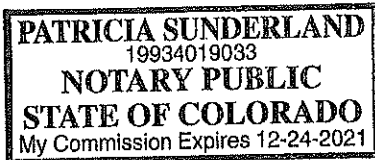
In witness whereof I have hereunto set my hand this 23rd day of January, A.D., 2019.

Roxanne McCormick  
Advertising director of said *Delta County Independent*

Subscribed and sworn before me, a Notary Public in and for the County of Delta, State of Colorado, this 23rd day of January, A.D., 2019.

Patricia Sunderland  
Notary Public

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



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**Special Use Permit for Frederick Zimmer:**  
397 Clark Avenue #A, Paonia CO 81428  
**Home Occupancy Permit for David Knutson:**  
Human Resources Consulting/ Executive Coaching  
401 Vista Drive, 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 January 28, 2019.  
Published in the Delta County Independent January 16 and 23, 2019.

TOWN OF PAONIA, COLORADO  
**Home Occupation Permit Application**

Date: 12/20/18 Name: Dave Knutson dba Orion Rising LLC  
Physical Address: 401 Vista Drive Paonia CO 81428  
Telephone: [REDACTED] Email: orionrisingllc@gmail.com  
Type of Business/Home Occupation Requested: Human Resources Consulting / Executive Coaching

A home occupation shall be permitted as an accessory use provided a Home Occupation Permit is granted by the Town and the criteria for home occupations are met at all times the accessory use continues.

Home Occupation Permits are issued to the individual for a specific property and use. Permits are not transferable should the property be sold or rented to other persons.

**Please review carefully before submitting this application the attached "Criteria for Home Occupations".**

Applications for a Home Occupation Permit shall be filed no less than thirty (30) days in advance of the meeting at which they are to be considered by the Town of Paonia Planning Commission.

The permit application must be completed and accompanied by a check for the required fee of \$150.00 when applying for a Home Occupation Permit from the Town of Paonia. The \$150.00 fee is non-refundable as it covers the expenses for correspondence and publication (related to the required public hearing) that will be incurred by the Town of Paonia.

All property owners within 200 feet of the applicant's property being considered for the Home Occupation Permit will be notified by certified mail of a public hearing whereby the Town of Paonia Planning Commission will consider this permit application.

**Project Summary:**

Please provide a brief summary statement of your requested Home Occupation:

office & client meetings

What is the property's current zoning? R-2

If signage is requested, size of sign cannot exceed two (2) square feet. Is this acceptable? Yes

What additions or changes to existing buildings or structures will be made? None

What new buildings or structures will be constructed? None

What additions or changes in utilities will be necessary? None

What is the anticipated increased traffic volume due to this use? 2-3 cars/month for 1-2 hour meetings/consultations



**Please read the attached criteria.** If your Home Occupation does not meet any of these criteria please attach an explanation to this application. If at any time the criteria not addressed through this process cannot be met, I understand the home occupation permit will be immediately revoked.

Applicant's signature: 

Town Clerk receipt signature: 

Administrator signature: 

**CRITERIA FOR HOME OCCUPATIONS — a home occupation shall be allowed as a permitted accessory use provided the following conditions are met:**

1. The use must be conducted entirely within a dwelling or accessory structure and carried on by the occupants of the dwelling and no more than one non-occupant employee.
2. The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof
3. The total area used for such purposes may not exceed 25% of the first floor area of the user's dwelling unit.
4. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, including advertising signs or displays, or advertising that solicits or directs persons to the address. A wall-mounted identification sign of not more than two square feet shall be permitted.
5. There shall not be conducted on the premises the business of selling stocks, supplies or products, provided that incidental retail sales may be made in connection with other permitted home occupations.
6. There must be no exterior storage on the premises of material or equipment used as a part of the home occupation.
7. No equipment or process shall be used in such home occupation which creates any glare, fumes, odors, or other objectionable condition detectable to the normal senses off the lot, if the occupation is conducted in a single-family dwelling, or outside the dwelling unit if conducted in other than a single-family dwelling.
8. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met with additional off-street parking spaces that are not located in a required yard adjacent to a street.
9. Under no circumstances shall any of the following be considered a home occupation: antique shop; barber shop; beauty parlor (with more than one chair); clinic; mortuary; nursing home; restaurant; veterinary clinic; or dance studio.

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

**RECORD OF PROCEEDINGS**

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

Roll Call:

Commission members present were as follows:

Barbara Heck  
Lucy Hunter  
Bill Bear  
Charles Stewart  
Monica Foguth

Town Staff present were as follows:

Administrator Ken Knight  
Town Clerk Corinne Ferguson  
Deputy Clerk Amanda Mojarro

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

**Approval of Agenda**

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

**Unfinished Business**

**Minutes – January 15, 2019**

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

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

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

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

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

Points of Concern:

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

It was evaluated that these concerns were not prohibited for a home occupancy permit.

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

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

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

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

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

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

Discussion points:

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

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

Public discussion point:

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

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

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

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

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

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

### **Adjournment**

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

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

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Amanda Mojarro, Deputy Clerk

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Barbara Heck, Chairperson



Sec. 16-11-20. - Home occupations.

A home occupation shall be permitted as an accessory use, provided that a home occupation permit is granted by the Town and the criteria for home occupations are met.

- (1) *Permit required.* A person desiring to establish a home occupation within the Town shall apply as follows:
  - a. Notify the Town Clerk who shall notify the property owners within two hundred (200) feet of the applicant's property by certified mail at the applicant's expense. The notification will include the nature of the application, a copy of this Article and the time and place of a public hearing.
  - b. A date of public hearing before the Planning Commission will be set that will allow time for publication and notification of adjoining property holders.
- (2) *Revoke the permit.* A home occupation permit may be revoked by the Town Administrator if at any time the home occupation fails to meet the criteria listed below.
- (3) *Nontransferability.* Home occupation permits are issued to an individual for a specific property and use. Permits are not transferable should the property be sold or rented to other persons.
- (4) *Criteria for home occupations.* A home occupation shall be allowed as a permitted accessory use, provided that the following conditions are met:
  - a. The use must be conducted entirely within a dwelling or accessory structure and carried on by the occupants of the dwelling and no more than one (1) non-occupant employee.
  - b. The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof.
  - c. The total area used for such purposes may not exceed twenty-five percent (25%) of the first floor area of the user's dwelling unit.
  - d. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation, including advertising signs or displays or advertising that solicits or directs persons to the address. A wall-mounted identification sign of not more than two (2) square feet shall be permitted.
  - e. There shall not be conducted on the premises the business of selling inventory, supplies or products, provided that incidental retail sales may be made in connection with other permitted home occupation.
  - f. There must be no exterior storage on the premises of material or equipment used as a part of the home occupation.
  - g. No equipment or process shall be used in such home occupation, which creates any glare, fumes, odors or other objectionable conditions detectable to the normal senses off the lot if the occupation is conducted in a single-family dwelling or outside the dwelling unit if conducted in other than a single-family dwelling.
  - h. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met with additional off-street parking spaces that are not located in a required yard adjacent to a street.
  - i. Under no circumstances shall any of the following be considered a home occupation: antique shop, barber shop, a beauty parlor (with more than one [1] chair), clinic, mortuary, nursing home, restaurant, veterinarian's clinic or dance studio.

(Ord. No. 83-116, Art. XVIII, 1983; Ord. No. 2000-02, Art. XVIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

## Corinne Ferguson

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

**Name:** Lyn Howe

**Email:** [REDACTED]

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

Thank you

Lyn Howe

[REDACTED]

Paonia

---

Time: January 9, 2019 at 7:04 pm

IP Address: 209.206.68.110

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

Sent by an unverified visitor to your site.

**Corinne Ferguson**

---

**From:** Georgia [REDACTED]  
**Sent:** Friday, December 28, 2018 7:08 PM  
**To:** Paonia  
**Subject:** Knutson home business hearing Jan 15 and 22, 2019

Memo to Town of Paonia re: hearing Jan 15 and 22, 2019. re Knutson home occupancy

My name is Georgia Finnigan and I live at [REDACTED] in the Creek Vista Crossing subdivision and I am a member of the homeowners association. I will not be able to attend the hearing regarding David Knutson's business in his home at 401 Vista Dr.

I have no objection to his having a business in his home as long as it complies with any regulations and covenants of our neighborhood HOA or the town

Sincerely

Georgia Finnigan

AGENDA SUMMARY FORM



Resolution 2019-07 Retail Liquor Delivery

Summary:  
Additional requirements regarding liquor delivery within the Town of Paonia

Notes:

Possible Motions:

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

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

**RESOLUTION NO. 2019 – 07**

**A RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE TOWN OF PAONIA, COLORADO;**

**WHEREAS**, the Town of Paonia is a Statutory Town located Delta County, Colorado; and

**WHEREAS**, the Town of Paonia has an interest in protecting the health, safety and welfare of its citizens; and

**WHEREAS**, pursuant to Regulation 47-426 of the Colorado Department of Revenue and Enforcement Division, a retail liquor licensee licensed to sell malt, vinous and spiritous liquor may, upon following proper state guidance, deliver such alcoholic beverages to certain off-site locations; and

**WHEREAS**, while Colorado State Statutes do not require any local regulation regarding the delivery of alcoholic beverages, the Town, by and through its Board of Trustees, believes that it is appropriate for retail liquor licensees operating within the Town to notify Town staff to what extent they are providing the delivery of alcoholic beverages.

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

**Section 1.** Retail liquor licensees licensed to sell malt, vinous and spiritous liquors for off-premises consumption or fermented malt beverages for on- and off-premises consumption also electing to deliver such alcoholic beverages to any location of the licensed premises shall comply with Colorado Regulation 47-426 and shall provide notice with the Town staff for the Town of Paonia that they are providing retail liquor delivery as a component of the retail liquor license.

**APPROVED AND ADOPTED** this 26<sup>th</sup> day of ~~February~~February, 2019, by the Board of Trustees for the Town of Paonia at a duly called ~~special~~regular meeting of the Board of Trustees.

**TOWN OF PAONIA, COLORADO**

By: \_\_\_\_\_  
Charles Stewart, Mayor

**ATTEST:**

By: \_\_\_\_\_  
J. Corinne Ferguson Town Clerk

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AGENDA SUMMARY FORM



CDOT – Title 6 Non-Discrimination Plan

Summary:

Notes:

Possible Motions:

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

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

# **Title VI Requirements for FHWA Subrecipients**



**Colorado Department of Transportation  
Civil Rights & Business Resource Center**

**August 2018**

## Introduction

Title VI of the Civil Rights Act of 1964 and related non-discrimination statutes require that recipients of federal financial assistance ensure that no one is excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of race, color, national origin, sex, age, or disability in any federally-assisted program and activity. Title VI should not be confused with Title VII, which prohibits employment discrimination.

For Title VI purposes, the term “program or activity” means all of the operations of a department, agency, special district, or other instrumentality of a local government. For example, if a local agency’s public works department receives any federal financial assistance, Title VI program requirements apply to every part of that public works department whether federally funded or not. However, Title VI program requirements do not apply to all other departments of the local agency unless the federal assistance is transferred to such departments.

While the original Title VI law only prohibits discrimination on the basis of race, color and national origin, FHWA’s “Title VI Program” incorporates related statutes that have been passed since 1964 and, therefore, prohibits discrimination on the basis of race, color, national origin, sex, age, and disability. Subrecipients must also comply with federal policies regarding environmental justice and limited-English proficiency. The U.S. Department of Transportation (USDOT)’s Title VI implementing regulations are contained in 49 CFR Part 21 and the Federal Highway Administration (FHWA)’s Title VI regulations are in 23 CFR Part 200.

Agencies that receive federal funds from CDOT are referred to as subrecipients. Subrecipients that receive FHWA funds through CDOT are required to establish a Title VI program that is subject to review by CDOT pursuant to 23 CFR 200.9(b)(7). The purpose of the program is to not only prohibit discrimination but to ensure non-discrimination through policies, procedures and regular program reviews.

CDOT’s Civil Rights & Business Resource Center (CRBRC) monitors CDOT subrecipients for Title VI compliance. CDOT will send out a survey to determine compliance annually to all funded Local Public agencies. The following is a summary of items that are required as part of a subrecipient’s Title VI program.

### **A. Title VI Plan**

Subrecipients are required to submit a Title VI Plan to the CRBRC that documents procedures used for complying with FHWA’s Title VI requirements. Subrecipients may create their Title VI Plan using CDOT’s Title VI template, which is available at <https://www.codot.gov/business/civilrights/accessibility/titlevi/title-vi-subrecipients>. Whether the subrecipient uses CDOT’s template or develops its own format for a Title VI Plan, it must contain the following:

- **Non-discrimination Policy Statement:** A subrecipient must provide a statement of its commitment to non-discrimination and Title VI compliance that is signed by its top official



and circulated throughout the organization and general public. The policy statement must define federal financial assistance and delineate specific forms of prohibited discrimination. For an example, CDOT's Nondiscrimination Policy is available at <https://www.codot.gov/business/civilrights/accessibility/titlevi/title-vi-assets/policy-directive-604-0-policy-on-non-discrimination>.

- **Standard DOT Assurances:** A Title VI Plan must include the USDOT's Standard Title VI Assurance in which the subrecipient assures that its program will be conducted in a non-discriminatory manner. The Standard Assurance should have been included and signed with your agency's intergovernmental agreement with CDOT. The subrecipient must ensure that it has a copy of a signed Standard Assurance or executes one to be included in the plan. The subrecipient is also responsible for ensuring that the applicable appendix of the Standard Assurance is included in each federally-assisted contract. A template of the Standard Assurance and its appendices is available at <https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/usdot-assurances.pdf>
- **Title VI Coordinator:** The subrecipient must designate a Title VI Coordinator who is responsible for managing and monitoring Title VI compliance, providing reports to CDOT, and handling Title VI complaints.
- **Primary Program Area Descriptions:** The Title VI Plan must describe the nature of the subrecipient's primary program areas and the way in which the subrecipient seeks to ensure non-discrimination in each area. For example, a city's public works department may have divisions for transportation planning and right of way services. Each of these program areas has unique Title VI-related responsibilities to ensure non-discrimination. For example, Planning must ensure equal access to the planning process and equal consideration of the interest of minority populations and Right of Way must ensure equal treatment of minorities throughout the acquisition process.
- **Monitoring and Review Process:** The subrecipient must develop procedures for identifying and addressing potential discrimination or discriminatory procedures within the agency. The Title VI Plan must include a description of how the subrecipient's pertinent program areas are reviewed for Title VI compliance and outline procedures to eliminate and address discrimination and resolve deficiencies when non-compliance occurs. Subrecipients administering federal aid contracts are also required to monitor prime contractors and subcontractors for Title VI compliance.
- **Notice of Rights:** Members of the public must be informed of their rights against discrimination under Title VI and how they can file a Title VI discrimination complaint. The Notice must be made available on the agency's website and be posted in locations accessible to the public. For an example, CDOT's notice is available at <https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/nondiscrimin-access-eng.pdf>. If more than five percent of the subrecipient's population in its service area is limited English proficient (LEP), the notice must be translated into the applicable language of that population.

- **Complaint Procedures:** Subrecipients must develop procedures for investigating and tracking Title VI discrimination complaints pursuant to 23 CFR 200.9(b)(3). The complaint procedures must be consistent with CDOT's complaint procedures and disseminated by the local agency internally and externally. The complaint procedures must indicate that all Title VI violation complaints against the subrecipient, must be filed or forwarded to CDOT or the relevant Federal Operating Administration. At a minimum, the complaint procedures must be posted on the subrecipient's website. For an example, CDOT's complaint procedure is available at [https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/cdot-discrimination-complaint-procedure\\_updated-june-2018.pdf](https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/cdot-discrimination-complaint-procedure_updated-june-2018.pdf). If more than five percent of the subrecipient's population in its service area is limited English proficient (LEP), the notice must be translated into the applicable language of that population.
- **Complaint Investigation and Tracking.** Any complaints directly against the local agency and/or an employee of the local agency must be forwarded to CDOT for investigation. Local agencies are required to investigate complaints against its subrecipients, contractors, consultants, and anyone else acting on its behalf. Such complaints must be investigated within 60 days of receipt and a final investigative report must be submitted to CDOT for review. Complaints must be investigated by someone knowledgeable in Title VI and discrimination investigations. Contact CDOT's Civil Rights & Business Resource Center if your agency does not have anyone qualified to investigate complaints or if a conflict of interest may exist.
- **Data Collection and Analysis:** The subrecipient is required to develop procedures for the collection of statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of the subrecipient's programs. See 23 CFR 200.9(b)(4). Collecting data helps identify and prioritize problem areas and evaluate the effectiveness of policies and programs to ensure non-discrimination. The Title VI Plan must describe how the subrecipient plans to collect Title VI-related data on an on-going basis. For example, the subrecipient may collect data such as meeting attendees, board member demographics, persons affected by acquisitions and relocations, impacted communities, etc. Results of the analysis should be reported on a yearly basis in the Annual Goals and Accomplishments Report.
- **Public Participation:** The Title VI Plan must describe procedures for eliciting and soliciting participation by minority communities. The Title VI Plan must identify how the subrecipient communicates with and conducts outreach to minority and limited-English proficient (LEP) individuals. The process must address how input from minority populations is considered during agency decision-making.
- **Staff Training:** The Title VI plan must indicate how agency staff is trained on Title VI related policies and procedures.

## **B. Language Assistance Plan**

LEP individuals are those individuals for whom English is not their primary language and have a limited ability to speak, read, write, or understand English. Failure to provide language assistance for LEP persons may result in national origin discrimination. Therefore, pursuant to Executive Order 13166, FHWA subrecipients are required to perform an LEP analysis of their service area and develop a plan for providing language assistance and outreach to LEP populations.

The following is the four-factor analysis which should be used to determine what measures are necessary provide meaningful access for LEP individuals:

1. **Identify the number or proportion** of LEP persons likely to be encountered by the subrecipient.
2. **Determine the frequency** with which LEP persons come into contact with the subrecipient.
3. **Determine Importance** of the program, activity, or service provided.
4. **Identify the resources** available to the subrecipient and the costs.

For more information about completing the four factor LEP analysis and developing a Language Assistance Plan, refer to the USDOT's LEP Guidance at <https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>.

The Language Assistance Plan must be distributed throughout the subrecipient's agency. The agency should record requests for language assistance and measures taken to assist LEP Persons. This information must be included in the annual report to CDOT.

### **C. Adherence to Environmental Justice Principles**

Executive Order 12898 directs federal agencies to identify and address the disproportionately high and adverse human health and environmental effects of their actions on minority and low-income populations. Subrecipients are required to comply with the federal government's Environmental Justice (EJ) policy by integrating EJ principles into their programs. This can be accomplished by describing how minority and low-income data is collected, describing how EJ populations are included in public participation activities, and analyzing how a subrecipients' actions impact EJ populations. For more information, visit CDOT's Environmental Justice webpage at <http://www.coloradodot.info/business/civilrights/accessibility/titlevi/ej>.

### **D. Annual Goals and Accomplishment Survey**

The subrecipient is required to respond to an annual survey regarding its Goals and Accomplishments and its Title VI compliance from the previous Federal Fiscal Year by program area. The survey will also ask for a summary of Title VI complaints and request the subrecipient to include program specific goals and work plan for the following year.

## **E. CDOT Compliance Reviews**

CDOT is responsible for conducting compliance reviews of its subrecipients. Compliance reviews focus on determining whether the subrecipient has met the criteria of FHWA's Title VI program and how effective the subrecipient is at ensuring nondiscrimination. CDOT staff may evaluate the subrecipient's Title VI Plan and related documents, interview individuals with Title VI responsibilities, and/or conduct a site visit as part of the process.

Completed Title VI and Language Assistance Plans should be readily available for CDOT review. If you would like assistance in completing these plans, contact the CDOT CRBRC at the information provided below.

### **Title VI Resources**

Title VI Plan Template

<https://www.codot.gov/business/civilrights/titlevi/fhwa-subrecipients>

Standard DOT Assurance

<https://www.codot.gov/business/civilrights/titlevi/title-vi-assets/usdot-assurances.pdf>

U.S. DOT LEP Guidance

<https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance>

FHWA Investigating External Complaints of Discrimination

<http://www.fhwa.dot.gov/civilrights/programs/iecd.cfm>

### **Contact Us**

CDOT Civil Rights & Business Resource Center  
2829 W. Howard Pl., Suite 130 Denver, CO  
80204

Eboni Younger-Riehl, Civil Rights Specialist  
(303)757-9072  
[eboni.riehl@state.co.us](mailto:eboni.riehl@state.co.us)

Anna Mariotti, Civil Rights Program Manager  
(303)757-9162  
[Anna.mariotti@state.co.us](mailto:Anna.mariotti@state.co.us)

**Title VI Plan for CDOT FHWA Subrecipient**

Town of Paonia, Colorado: Public Works Department

February 26, 2019

Prepared by: Ken Knight, Town Administrator

## **I. Non-Discrimination Policy Statement**

It is the policy of the Town of Paonia, Colorado (the “Town”), that no person shall on the grounds of race, color, national origin, sex, disability, or age be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the Town of Paonia as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of the Town, including its contractors and anyone who acts on behalf of the Town. This policy also applies to the operations of any department or agency to which the Town extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

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Town Administrator

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February 26, 2019

## **II. Organization, Staffing, and Structure**

The Town Administrator is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21.

The Town has assigned Kenneth Knight to the position of Town Administrator to perform the duties of the Title VI Coordinator and ensure implementation of the Town's Title VI program. The position of Town Administrator is located within the Town of Paonia, and the responsible department, Public Works, reports to the Town Administrator.

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and annual reports on the Town's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to CDOT;
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;
- Developing Title VI information for dissemination;
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

### III. Primary Program Area Descriptions & Review Procedures

The Public Works Department engages in the following program areas:

Program Area	General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
<i>Right of Way</i>	Maintenance and repair of Town rights-of-way, including snow removal, street sweeping, patching and crack-sealing, road stabilization, landscaping and irrigation, and various special projects such as paving or hard-surfacing streets.	Ensure Town streets and right-of-way are open to all for intended uses.	Proper maintenance and care; ongoing inspections of rights-of-way; clear and accessible wayfinding and signage; ongoing population monitoring for any needed additional signage in alternate languages.
<i>Planning</i>			
<i>Environmental</i>			



#### **IV. Title VI Complaint Procedures**

Complaint procedures are available to the Town employees via the Town Personnel Handbook and available from Town Hall upon request at 214 Grand Avenue, Paonia, CO 81428. Complaint procedures are in English and will be translated upon request.

##### Discrimination Complaint Procedure for the Town of Paonia

Federal law prohibits discrimination on the basis of race, color, national origin, age, sex, or disability in any way for any Town program or activity. This prohibition applies to all branches of the Town, its contractors, consultants, and anyone else who acts on behalf of the Town.

Federal law requires that the Town investigate, track and report discrimination complaints. Complaints must be filed in writing and will be investigated within sixty days of submission. If you need assistance to file your complaint or need interpretation services, please contact the Town Administrator (Agency's Title VI Coordinator).

##### Who is eligible to file a complaint?

Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Town program or activity because of their race, color, national origin, age, sex, or disability may file a complaint.

Discrimination includes lack of access, harassment, retaliation and disparate impacts from a program or activity. Harassment includes a wide range of abusive and humiliating verbal or physical behaviors. Retaliation includes intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they filed a complaint or otherwise participated a discrimination investigation.

##### How do you file a complaint?

Complaints must be filed in writing within 180 days from the last date of the alleged discrimination. However, contact the Town Administrator (Agency's Title VI Coordinator) if you believe your complaint may fall outside this deadline.

Reasonable efforts will be made to assist persons with disabilities, non-English speakers and others unable to file a written complaint. For assistance in filing a complaint, please contact the Town Administrator (Agency's Title VI Coordinator).

Complaints may be submitted via mail, email, fax or in person to:

Town Administrator  
Town of Paonia  
P.O. Box 460  
214 Grand Ave.  
Paonia, Colorado 81428  
Phone: (970) 527-4101  
Fax: (970) 527-4102  
[Paonia@townofpaonia.com](mailto:Paonia@townofpaonia.com)

Complaints may also be filed directly with the following agencies:

Colorado Department of Transportation  
Civil Rights & Business Resource Center  
4201 East Arkansas Ave., Room 150  
Denver, CO 80222  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)  
Phone: (800) 925-3427  
Fax: (303) 952-7088  
[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)

Federal Highway Administration, Colorado Division  
12300 West Dakota Avenue, Suite 180  
Lakewood, Colorado 80228  
Phone: (720) 963-3000  
Fax: (720) 963-3001

#### What happens after a complaint is filed?

Title VI complaints must be investigated within sixty days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties. You may specify if there is a particular individual or individuals that you feel should not investigate your complaint due to conflict of interest or other reasons.

In some cases, complaints will be forwarded to either the Colorado Department of Transportation or the Federal Highway Administration for investigation. If your complaint is forwarded to one of these agencies, you will be provided the name and contact information of the employee handling your complaint.

Federal law prohibits retaliation against individuals because they have filed a discrimination complaint or otherwise participated in a discrimination investigation. Any alleged retaliation should be reported in writing to the investigator.

**Title VI Complaint Form**

Please complete this form to the best of your ability. If you need translation or other assistance, contact \_\_\_\_\_.

Name \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Phone: Home \_\_\_\_\_ Work \_\_\_\_\_ Mobile \_\_\_\_\_  
Email: \_\_\_\_\_

*Basis of Complaint (circle all that apply):*

Race	Color
National Origin	Sex/Gender
Age	Disability
Retaliation	Other:

*Who discriminated against you?*

Name \_\_\_\_\_  
Name of Organization \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_

*How were you discriminated against? (Attach additional pages if more space is needed)*

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*Where did the discrimination occur?*

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*Dates and times discrimination occurred?*

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*Were there any other witnesses to the discrimination?*

Name	Organization/Title	Work Telephone	Home Telephone

*How would you like to see this situation resolved?*

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*Have you filed your complaint, grievance, or lawsuit with any other agency or court?*

Who \_\_\_\_\_ When \_\_\_\_\_  
Status (pending, resolved, etc.) \_\_\_\_\_ Result, if known \_\_\_\_\_  
Complaint number, if known \_\_\_\_\_

*Do you have an attorney in this matter?*

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

**VI. Data Collection**

<b>Program Area</b>	<b>Type of Data Collected &amp; Process for Collecting</b>	<b>Intended Outcome of Data Analysis (i.e. Title VI Purpose for Collecting the Data)</b>
Streets	Tracking race/ethnicity of residents: State Demographer tracking race/ethnicity of members of the public and those participating in Town meetings and meeting participation logs: Census and State Demographer collecting US Census data on populations in Paonia	Understand population changes, projections, participation rates, etc., and identify any gaps in Title VI efforts.

## **VII. Public Participation**

- How will the Town of Paonia identify minority populations for outreach?
  - Demographic data, use of community liaisons, public login sheets
- How will the Town of Paonia communicate with and conduct outreach to minority populations?
  - Town website, newsletters, public meetings, social media, etc.
- How will the Town of Paonia communicate with and conduct outreach to Limited English Proficient individuals?
  - Local or regional translation services.
- Explain how the Town of Paonia considers input from minority populations for decision making within its pertinent program areas.
  - All meetings are open to the public and advertised generally for all to attend and participate. All inputs are compiled and considered. In representing and sharing information, inputs may be aggregated.

## VIII. Notice of Rights

Notices may be disseminated to the public via website, email, mail, posting or in-person. The notice may be provided in other languages upon request. The Notice of Rights is as follows:

### **Your Rights Against Discrimination under Title VI of the Civil Rights Act of 1964**

The Town of Paonia operates its programs and services without regard to race, color, national origin, sex, age, and disability. Anyone who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Town of Paonia program or activity because of their race, color, national origin, age, sex, or disability may file a discrimination complaint with the Town of Paonia or the Colorado Department of Transportation.

To file a Title VI discrimination complaint, contact:

Town Administrator

Town of Paonia

P.O. Box 460

214 Grand Ave.

Paonia, Colorado 81428

Phone: (970) 527-4101

Fax: (970) 527-4102

[Paonia@townofpaonia.com](mailto:Paonia@townofpaonia.com)

Colorado Department of Transportation

Civil Rights & Business Resource Center

4201 East Arkansas Avenue, Room 150

Denver, CO 80222

(303)757-9234

[dot\\_civilrights@state.co.us](mailto:dot_civilrights@state.co.us)



Adjournment

Summary:

Notes: