



TOWN OF PAONIA  
TUESDAY, JULY 09, 2019

**WORK SESSION – 5:00 PM SHORT TERM RENTALS**  
REGULAR TOWN BOARD MEETING AGENDA  
6:30 PM

**Work Session Roll Call**

Short Term-Rentals

**Work Session Adjournment**

**Regular Meeting Roll Call**

**Approval of Agenda**

**Announcements**

**Recognition of Visitors & Guests**

**Consent Agenda**

1. Linda Little dba 3<sup>rd</sup> Street Bistro – Annual Liquor License Renewal
- Ute Trails Car Club – Colorado Grand – Large Park Event – September 10, 2019

**Mayor's Report**

**Staff Reports**

2. Administrator's Report
3. Public Works Report
4. Police Report
5. Treasurer's Report

**Disbursements**

6. Disbursements

**Unfinished Business**

7. Ordinance 2019-TBD – Business Registration
8. Employee Health Plan Renewal

**New Business**

9. Smith – 215 Delta Avenue – Roof Height Variance
11. South Clark Avenue Subdivision
12. Ordinance 2019 – TBD – Home Occupation Application Process
13. Stahl Addition - Acceptance of Annexation Petition
14. Resolution 2019-11 Initiating Annexation Proceedings
15. AARP – Memorandum of Understanding
16. CHC – Colorado Oil & Gas Conservation Commission – Rulemaking
17. CHC – Bureau of Land Management – Revised Master Plan
18. Thomas Markle – Amend Zoning to Account for Formula Business

**Committee Reports**

19. Finance & Personnel

- [20.](#) Public Works/Utilities/Facilities
- [21.](#) Governmental Affairs/Public Safety
- [22.](#) Space to Create
- [23.](#) Tree Board

**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.



Short-Term Rentals – Work Session

**Summary:**  
Continued Board discussion and work session regarding the regulation of short-term rentals.

**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:   |



# What is a Short Term Rental (STR) ?

A **short-term rental**, or vacation **rental**, is the **renting** out of a furnished home, apartment or condominium for a **short-term** stay. The owner of the property usually will **rent** out on a weekly basis, but some vacation **rentals** offer nightly rates. (*google.com*)

*Other jurisdictions definition of STRs contain the following elements:*

- Rented for a period that ranges between 5 and 60 days (short-term)
- Renting of residential structure, with or without provision of meals
- Rental can be entire dwelling unit, individual room, or portions of rooms
- Must be privately owned and excludes ADUs, B and Bs, Inns, hotels etc...
- Can be considered a lodging accommodation

# Why are we looking at STR Reg's?

To balance the Pro's and Con's in an effort to preserve Community Character

## **Pros - Values and Benefits of STRs:**

- **Support the tourism** economy by providing lodging for visitors
- **Generate property management jobs** in the community
- Provide an **opportunity for residents to make extra income to afford the cost of living**
- **Important source of Revenue for the City**

## **Cons - Issues Associated with STRs:**

- Neighborhood impacts of allowing a **commercial lodging use in residential areas** – not compatible with residential character of the neighborhood; **generate traffic, parking issues, noise, trash issues**
- **Impacts on housing supply and housing costs**
  - Loss of housing supply for long term occupancy
  - Increase in investment properties used as STRs
  - Drive up homes prices in the community
- **Inequality within the lodging sector.** STRs are not on a level playing field with other commercial lodging uses (i.e., bed & breakfasts, hotels) and have unfair advantages over other lodging properties.
- **Life safety concerns for STR guests** – smoke and carbon monoxide detectors, access, fire separation, egress



# Short-Term History of Listing Sites

VacationRentals.com™  
Part of the HomeAway Family

RentalSpot  
Vacation Rental Search



kid & coe

HomeAway  
let's stay together™

9flats.com

Homelidays  
La Famille HomeAway

travelmob  
Part of the HomeAway Family

holidaylettings™  
from tripadvisor

HOUSETRIP  
A TripAdvisor® Company

roomorama™  
Feel at home

Wimdu  
travel like a local

alterkeys™

Dwellable

casamundo  
simply my holiday

craigslist



only-  
apartments  
GLOBAL SHORT RENTALS



Booking.com

atraveo

# Market Context: AirBnb, VRBO and 100's of other vacation rental websites have turned vacation rentals into a booming underground economy...



100+ other web platforms

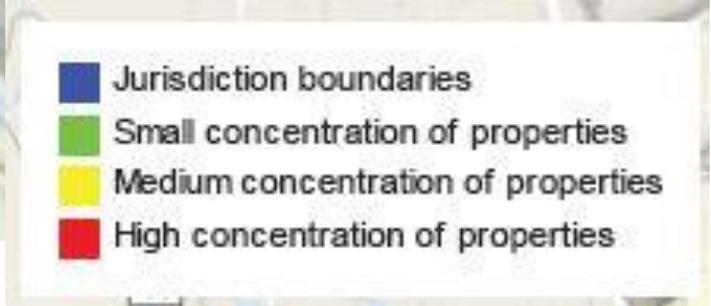
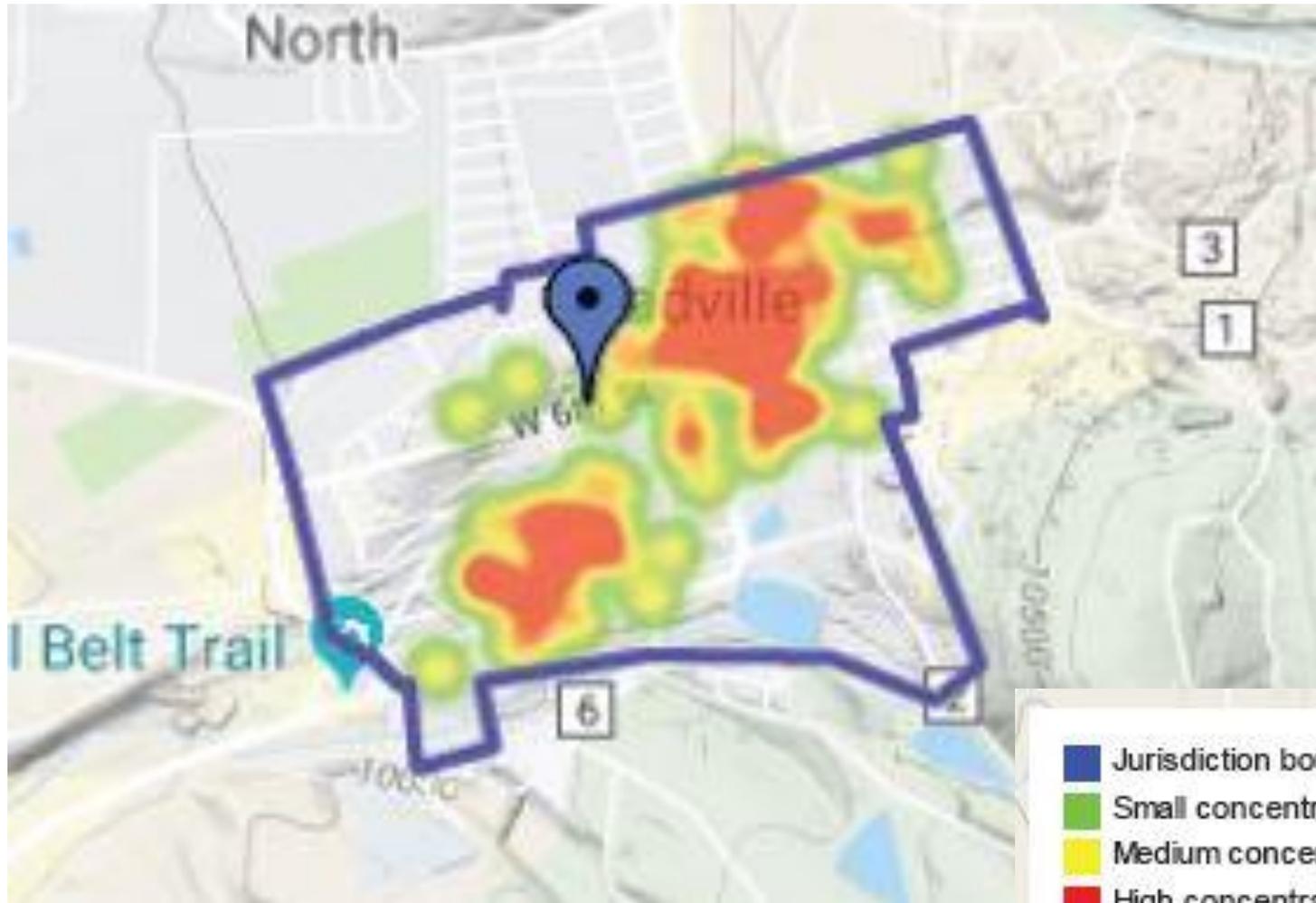
# Leadville – A Growth Market

Datasource Survey - Leadville, CO - 2018/07/19

Year Ad Created / Joined



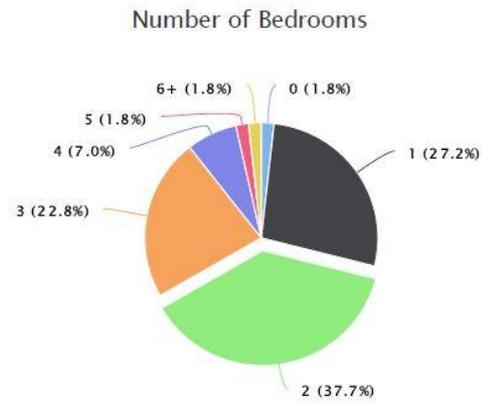
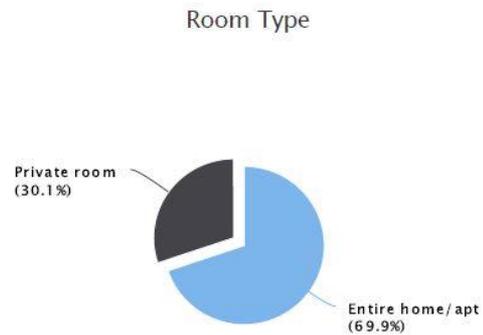
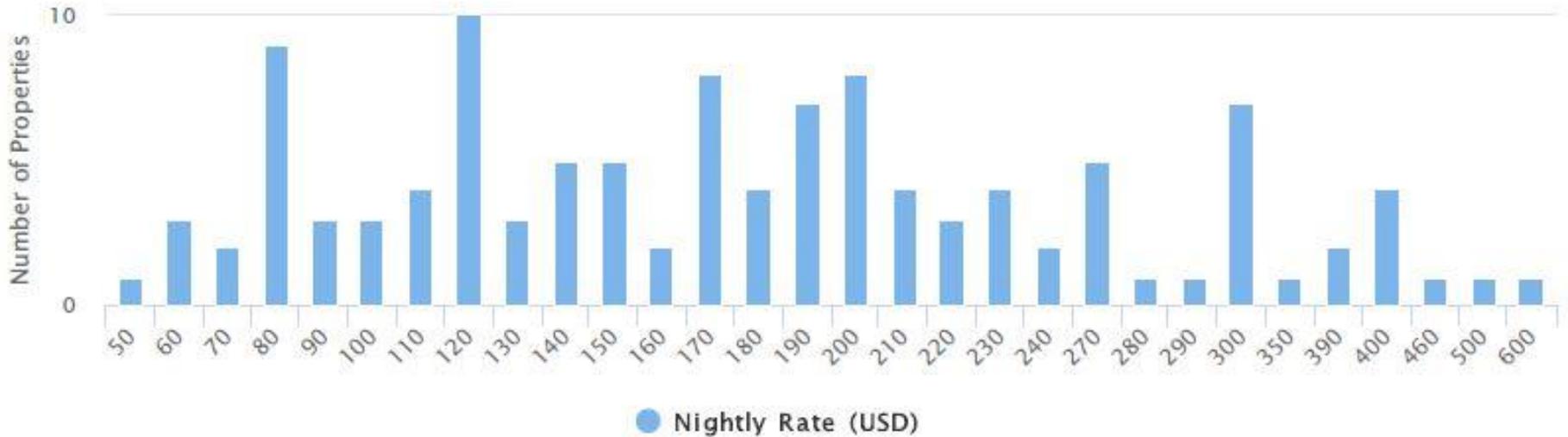
# STR's July 19, 2018-119 units (and this ain't the MTBI00)





# Profit Analysis - Leadville, CO - 2018/07/19

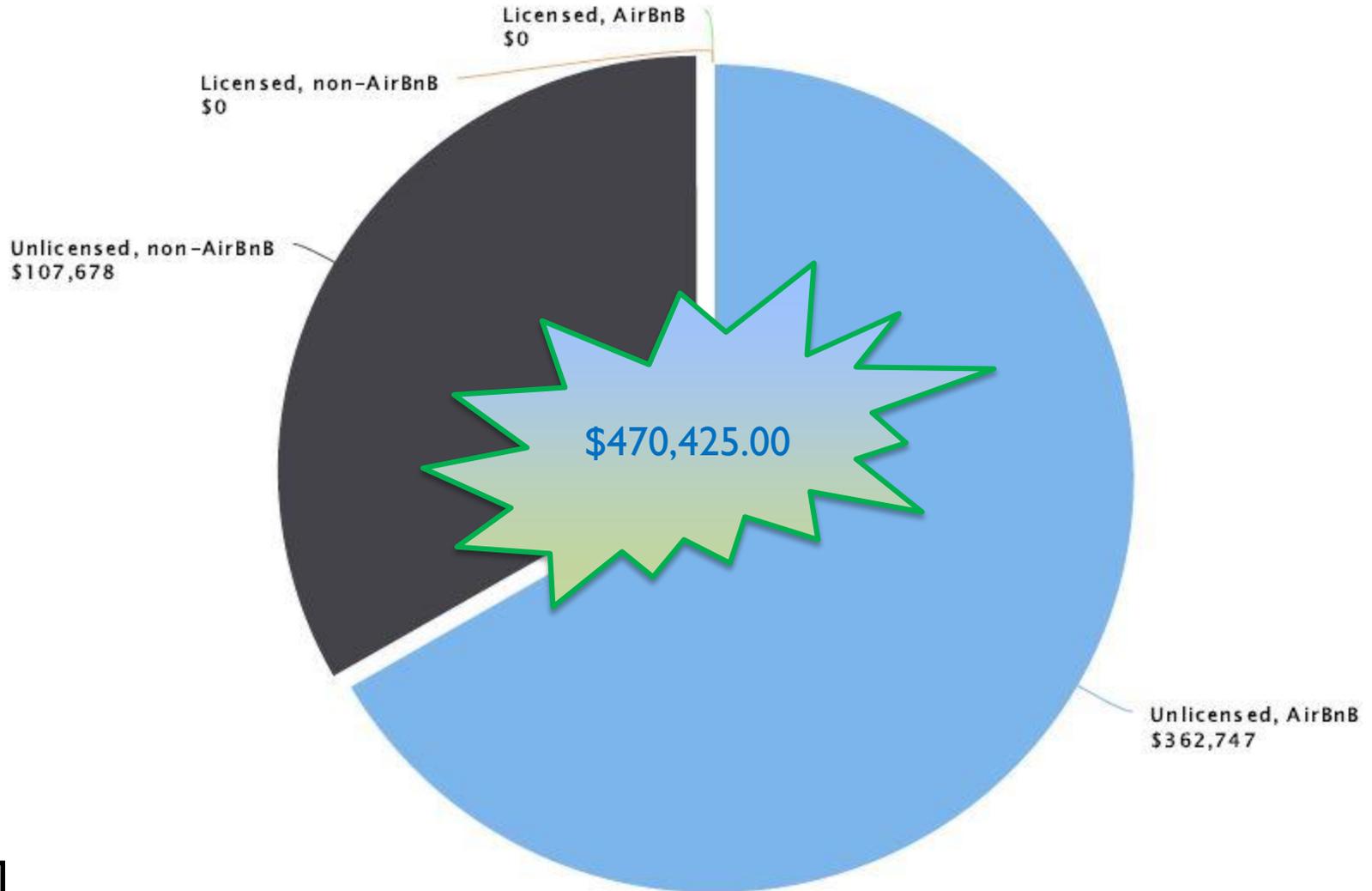
## Nightly Rate Histogram (\$190.18 average)





| Room Size | Floor | Number of Guests | Minimum Nights | Shortest Booked # of Days | Shortest Booked Period   | Rate   | Tax rate | Taxable Fees | Non-Taxable | Calendar Last Modified | Page Last Modified | Date First Review | Date Last Review | Date First Found | Date Last Found | Website Last Response | Number of Reviews | Reviews per day | Year Ad Created | Year Purchased | Owner Operator | Minimum Sales | Next six months |
|-----------|-------|------------------|----------------|---------------------------|--------------------------|--------|----------|--------------|-------------|------------------------|--------------------|-------------------|------------------|------------------|-----------------|-----------------------|-------------------|-----------------|-----------------|----------------|----------------|---------------|-----------------|
| 3 BR 1BA  |       | 6                | 2              | 3                         | 2018-09-14 to 2018-09-16 | \$ 210 |          |              |             | 2018/07/14             |                    | 2015/02/10        | 2018/07/06       | 2018/07/18       | 2018/07/18      | 1 on 2018-07-18       | 68                | 136             |                 |                | N              | \$ 28,560     | 47/18           |
| 4 BR 3BA  | 1     | 10               | 2              | 2                         | 2018-07-20 to 2018-07-21 | \$ 240 |          |              |             |                        |                    | 2011/10/12        | 2018/05/01       | 2018/07/18       | 2018/07/19      | 1 on 2018-07-19       | 56                | 112             |                 |                | Y              | \$ 26,880     | 153/18          |
| 2 BR 1BA  |       | 4                | 3              | 1                         | 2018-08-10 to 2018-08-10 | \$ 230 |          |              |             | 2018/07/10             |                    | 2016/07/18        | 2018/06/30       | 2018/07/18       | 2018/07/18      | 1 on 2018-07-18       | 34                | 102             |                 |                | N              | \$ 23,460     | 14/18           |
| 0 BR 1BA  |       | 6                | 1              | 2                         | 2018-09-22 to 2018-09-23 | \$ 217 |          |              |             | 2018/07/18             |                    | 2017/08/20        | 2018/07/10       | 2018/07/18       | 2018/07/18      | 1 on 2018-07-18       | 99                | 108             |                 |                | N              | \$ 23,436     | 52/18           |
| 2 BR 2BA  |       | 6                | 1              | 1                         | 2018-09-19 to 2018-09-19 | \$ 164 |          |              |             | 2018/07/18             |                    | 2015/01/22        | 2018/07/16       | 2018/07/18       | 2018/07/18      | 1 on 2018-07-18       | 118               | 124             |                 |                | N              | \$ 20,336     | 71/18           |
| 3 BR 2BA  |       | 6                | 2              | 1                         | 2018-08-04 to 2018-08-04 | \$ 225 |          |              |             |                        |                    | 2014/01/04        | 2018/07/02       | 2018/07/18       | 2018/07/18      | 1 on 2018-07-18       | 35                | 70              |                 |                | Y              | \$ 15,750     | 33/18           |
| 3 BR 2BA  |       | 8                | 2              | 32                        | 2018-07-20 to 2018-08-20 | \$ 237 |          |              |             | 2018/06/07             |                    | 2017/02/26        | 2018/06/17       | 2018/07/18       | 2018/07/18      | 1 on 2018-07-18       | 31                | 62              |                 |                | N              | \$ 14,694     | 32/18           |

# Estimated Tax Collection and Leakage - Leadville, CO - 2018/08/27





| City                                   | Zoning | Permit | Sales Tax | Lodging Tax | Local Business License Req'd | Safety Inspection Req'd | Post license on Listing | Public Notice | Education | Fees   |
|--|--------|--------|-----------|-------------|------------------------------|-------------------------|-------------------------|---------------|-----------|--|
| <b>Summit Jurisdictions</b>            |        |        |           |             |                              |                         |                         |               |           |  |
| Summit County                          |        |        | X         |             |                              |                         |                         |               |           | none   |
| Breckenridge                           |        |        | X         |             | X                            |                         | X                       |               |           | \$75-\$175   |
| Frisco                                 |        |        | X         | X           | X                            |                         |                         |               |           | \$75   |
| Silverthorne                           |        |        | X         | X           | X                            |                         |                         |               |           | \$75/year  |
| Dillon                                 |        |        | X         | X           | X                            |                         |                         |               |           | \$60/year  |
| Blue River                             |        |        | X         | X           | X                            |                         |                         |               |           | \$200 the first year \$75 every year after                               |
| Montezuma                              |        |        | X         |             |                              |                         |                         |               |           |  |
| <b>Other Jurisdictions in Colorado</b> |        |        |           |             |                              |                         |                         |               |           |  |
| Grand County CO                        | X      | X      | X         | X           |                              | X                       |                         |               |           | \$200  |
| Aspen                                  |        | X      | X         | X           | X                            |                         |                         |               | X         | \$150+   |
| Durango                                | X      | X      | X         | X           | X                            | X                       |                         | X             | X         | \$750+   |
| Ourray County CO                       | X      | X      | X         | X           |                              |                         |                         |               |           | \$300 / \$150 renewal  |
| Georgetown**                           | X      | X      | X         | X           | X                            | X                       |                         | X             |           | \$75-\$180 for license<br>\$500 for first permit<br>\$250 annual renewal |
| Crested Butte**                        | X      |        | X         | X           | X                            | X                       | X                       |               |           | \$1500/\$750 renewal   |
| Estes Park**                           | X      | X      | X         |             | X                            | X                       | X                       |               |           | \$200 base/<br>\$50 per bedroom  |
| Minturn**                              |        |        | X         | X           | X                            | X                       | X                       |               |           | \$300  |
| Salida**                               | X      | X      | X         | X           | X                            | Self-Inspection         | X                       |               |           | \$50 / \$25 renewal  |

All Colorado Short Term Rentals are required to obtain a State Sales Tax account number and license.

\*\* Limitations on numbers of STRs (once a limit is met, no new STRs will be allowed)

- Minturn has a limit that no more than 10% or 50, whichever is fewer, of the residential housing units shall be licensed as STRs in the town at any time.
- Georgetown has a limitation on number of short term rentals in each Ward of the Town. Each of the three wards shall have no more than 7%. Once the limit is reached, no more permits shall be issued in the ward. (Limitations do not apply to rental properties which are occupied year-round by the owner).
- Salida has a maximum number of STRs in Residential zones to not exceed 3.5 percent of the total number of dwelling units eligible as STRs
- Crested Butte limits the number of vacation rentals to 30% of the total free market residential units
- Estes Park capped registrations in residential zoning districts at 588



# Define Goals of a STR Regulatory Program

What do we want to accomplish with a Short Term Rental Regulation Policy?

## ***Common Goals of a STR Regulatory Program***

- Balance the needs of guests with the needs of the local community.
- Mitigate neighborhood impacts to preserve quality of life – traffic, parking, noise, trash, neighborhood character.
- Level the playing field with other commercial lodging businesses (bed & breakfasts, hotels).
- Ensure proper regulation and inspection of life safety items.
- Mitigate the impacts on the supply of long term housing, to maintain a year-round community.

# Highlights for Feedback

## **Short-term Rental 1 (STR 1) means either:**

1. An owner-occupied dwelling unit in which not more than two bedrooms are rented or offered for rent to one person or one family for periods of less than thirty (30) days, or
2. A dwelling unit in a two-family or multiple family structure in which one unit is occupied by the owner of the entire structure that is rented or offered for rent by one person or one family for periods of less than thirty (30) days. An STR 1 dwelling unit or units shall have no more than two (2) bed rooms rented at any given time.

## **Short-term Rental 2 (STR-2) means either:**

1. A dwelling unit that is not occupied by its owner that is rented or offered for rent to one person or one family for periods of less than 30 days, or
2. One dwelling unit in a non-owner occupied two-family or multiple-family structure rented or offered for rent to one person or one family for periods of less than 30 days.
3. A dwelling unit in a two-family or multiple family structure in which one unit is occupied by the owner of the entire structure that is rented or offered for rent by one person or one family for periods of less than thirty (30) days. An STR 2 and 3 dwelling unit or units shall have no more than two (2) bed rooms rented at any given time.

## **Short-term Rental 3 (STR-3) means either:**

1. One or more dwelling units in a multiple-family or mixed use/commercial structure that is rented or offered for rent to one person or one family for periods of less than 30 days.

# Highlights for Feedback

## License Required

A person shall not operate a short-term rental without a short-term rental license. To operate a short-term rental, the owner of the short-term rental property must file an application with the City Administrative Services Manager or designee. Effective February 1, 2019, no person shall operate a short-term rental without first obtaining a permit from the office of the City Administrative Services Manager.

Two-year ownership. No property shall be licensed as a Short -Term Rental unless the owner has owned the property for two (2) or more years consecutively before a license application is filed. Transfers to a trust where the owner of the property is the beneficiary of the trust or to a corporate entity where the owner of the property is the majority owner of the entity shall not constitute a break in the period of ownership. This section shall not be read to prohibit the long-term rental of properties (for periods in excess of thirty (30) days) within the first two years of ownership. The short-term rental license is non -transferable with the sale of the property.

# Highlights for Feedback

## **Duration of permits and license required**

STR-1 permits shall expire after three (3) years from the date of issuance. STR-1 permits in good standing may be renewed thereafter on or before the expiration date. Expired permits shall not be renewed after the expiration date and shall require a new application and review, including all submittal requirements and fees, as required by this Code.

STR-2 and STR-3 permits shall expire after one (1) year from the date of issuance. STR-2 and STR-3 permits in good standing may be renewed thereafter on or before the expiration date. Expired permits shall not be renewed after the expiration date and shall require a new application and review, including all submittal requirements and fees, as required by this Code.

# Highlights for Feedback

## **Local Agent Required**

Each owner of a short-term vacation rental property shall designate a local agent whose physical address of residence is within Lake County or within 30 miles driving distance of the short-term vacation rental property's street address to serve as the local agent. An owner of a short-term rental property may designate himself/herself as the agent, as long as their physical address of primary residence is within the City of Leadville or within 30 miles driving distance of the short-term rental property's street address.

The local agent shall have access and authority to assume management of the unit and take remedial measures. The agent shall be available 24 hours per day, 7 days per week to respond to tenant and neighborhood questions or concerns.

The owner shall notify the City of Leadville in writing of any modification to the local agent appointment within five (5) days of any such modification.

An acknowledgment that the short-term rental property owner, local agent, or agent of the owner, if any, have read all regulations, including, but not limited to, the standards set forth in this Code pertaining to the operation of a short-term rental.

The short-term rental property owner shall sign and certify the accuracy of the information submitted and agree to comply with all regulations. If there is a local or other agent of the owner managing the short-term rental, the other agent or an authorized officer of the local agent, or both, shall also sign and certify the accuracy of the information submitted and agree to comply with all regulations.

# Highlights for Feedback

## Fee

Except as provided herein, the initial licensing fee for a STR-1 shall be \$150.00 and the initial licensing fee for STR-2 and STR-3 shall be \$350.00 .

The 3-year renewal fee for a STR-1 shall be \$150.00 and the annual renewal fee for STR-2 and STR-3 shall be \$350.00 to offset the cost to the City of Leadville to process, administer, and monitor the operation of short-term rentals.

For any person found to be operating a short-term rental without registering or possessing a valid license the initial license fee shall be triple the required fee. Additional penalties may apply as designated by Chapter 1.20 – General penalty of the Leadville, Colorado Municipal Code

## Duration of permits and license required

STR-1 permits shall expire after three (3) years from the date of issuance. STR-1 permits in good standing may be renewed thereafter on or before the expiration date. Expired permits shall not be renewed after the expirations date and shall require a new application and review, including all submittal requirements and fees, as required by this Code.

STR-2 and STR-3 permits shall expire after one (1) year from the date of issuance. STR-2 and STR-3 permits in good standing may be renewed thereafter on or before the expiration date. Expired permits shall not be renewed after the expiration date and shall require a new application and review, including all submittal requirements and fees, as required by this Code.

# Highlights for Feedback

- Community Character
- Occupancy
- Parking
- Noise
- Other???



Thank You!



# Preliminary Data



- Overview
- Pricing
- Occupancy
- Seasonality
- Revenue
- Rental Analysis
- Top Properties
- Rentalizer

## Market Overview

### Leadville

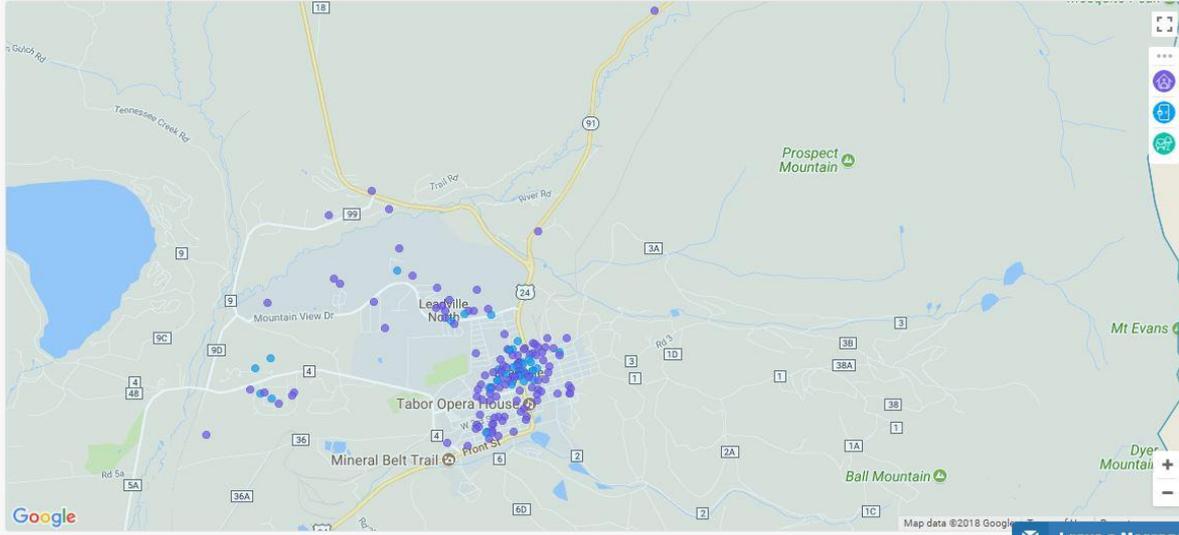
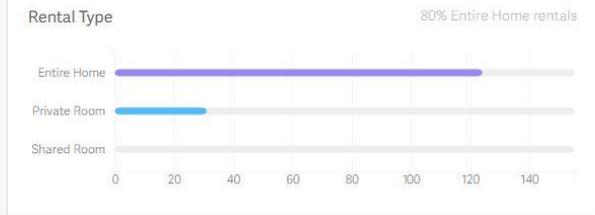
Postal code: 80461

Insights on 155 active rentals  
36 months of market trends

\$19.95 monthly



## 155 Active Rentals



Leave a Message



*very comprehensive*

# A GUIDE TO SMART AIRBNB REGULATION FOR LOCAL GOVERNMENTS

CREATED BY  **viewpoint** Cloud

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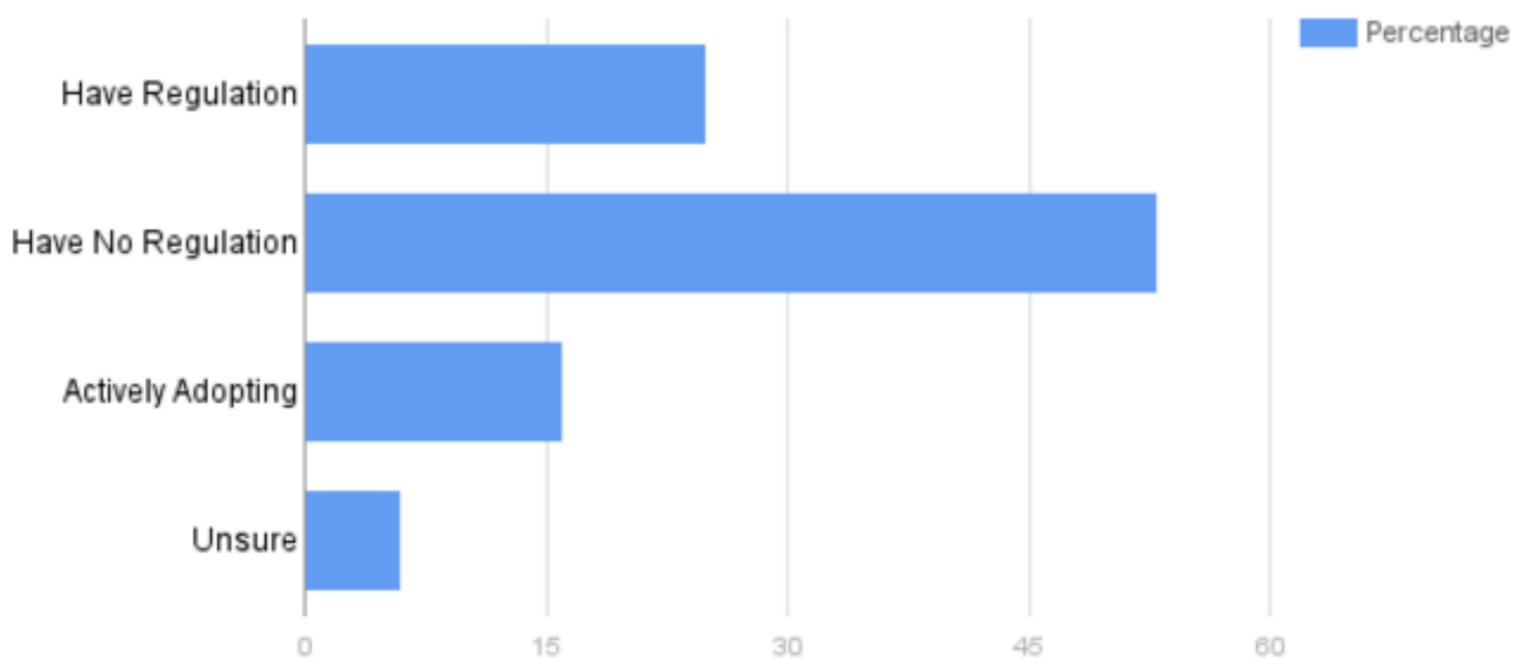


With the rise of AirBnB and other online rental platforms, AirBnB regulation has become an evolving and complex area for local governments. While some may think it's only an issue in larger cities or tourist destinations, there are over 2,700 U.S. cities and counties with more than 50 short-term rental (STR) listings.\*

It's a divisive issue for many communities, with clear arguments for both the benefits and costs of allowing more STRs. While some celebrate the additional income for residents and a boon to the local economy, others fear the degradation of their neighborhoods and lack of affordable housing.

Local government responses have ranged from no regulation to completely banning STRs. However, most communities have not yet figured out the best way to approach the issue. In a survey of 800 local government officials, only a quarter had rules in place, 53% stated having no rules, 16% were actively adopting new rules, and 6% were unsure.

### Where Are Local Governments on Short-Term Rental Regulation?



Source: Jeffrey B. Goodman and Host Compliance, Survey of Local Governments presented in "Webinar: The Best Practice Guide to Crafting a Short-Term Rental Ordinance/Bylaw"



It's a delicate issue that involves balancing the interests and well-being of diverse stakeholders. However, there are experts actively studying the issue, and they provide research and best practices to help guide the way to smarter AirBnB regulation.

The company iCompass recently hosted a webinar on this topic, featuring Jeffrey B. Goodman and the company Host Compass, among the nation's leading authorities on short-term rental regulation. Goodman has overseen national research studies on the topic, and consulted for AirBnB as well as cities and towns nationwide. Host Compass has also worked with local government partners nationwide, helping them find solutions to research, draft, and enforce short-term rental regulations.

Through collaborative research on local government ordinances around the country, Goodman and Host Compliance developed best practices for dealing with common concerns and planning objectives, and a standardized process for drafting effective regulation.



Ulrik Binzer is the Founder & CEO of Host Compliance, a company that helps local governments cost-effectively research, draft and enforce short-term rental regulations.



Jeffrey Goodman is a designer, researcher, programmer, and planner based in New Orleans. His work focuses on the sharing economy, community participation, and data-driven regulation.



Here is a summary of their advice for local governments looking to develop and implement effective AirBnB regulation (used here interchangeably with “short-term rental regulation”).

\*All cited statistics taken from Host Compliance and Jeffrey B. Goodman’s presentation in: “Webinar: The Best Practice Guide to Crafting a Short-Term Rental Ordinance/Bylaw. Hosted by: iCompass

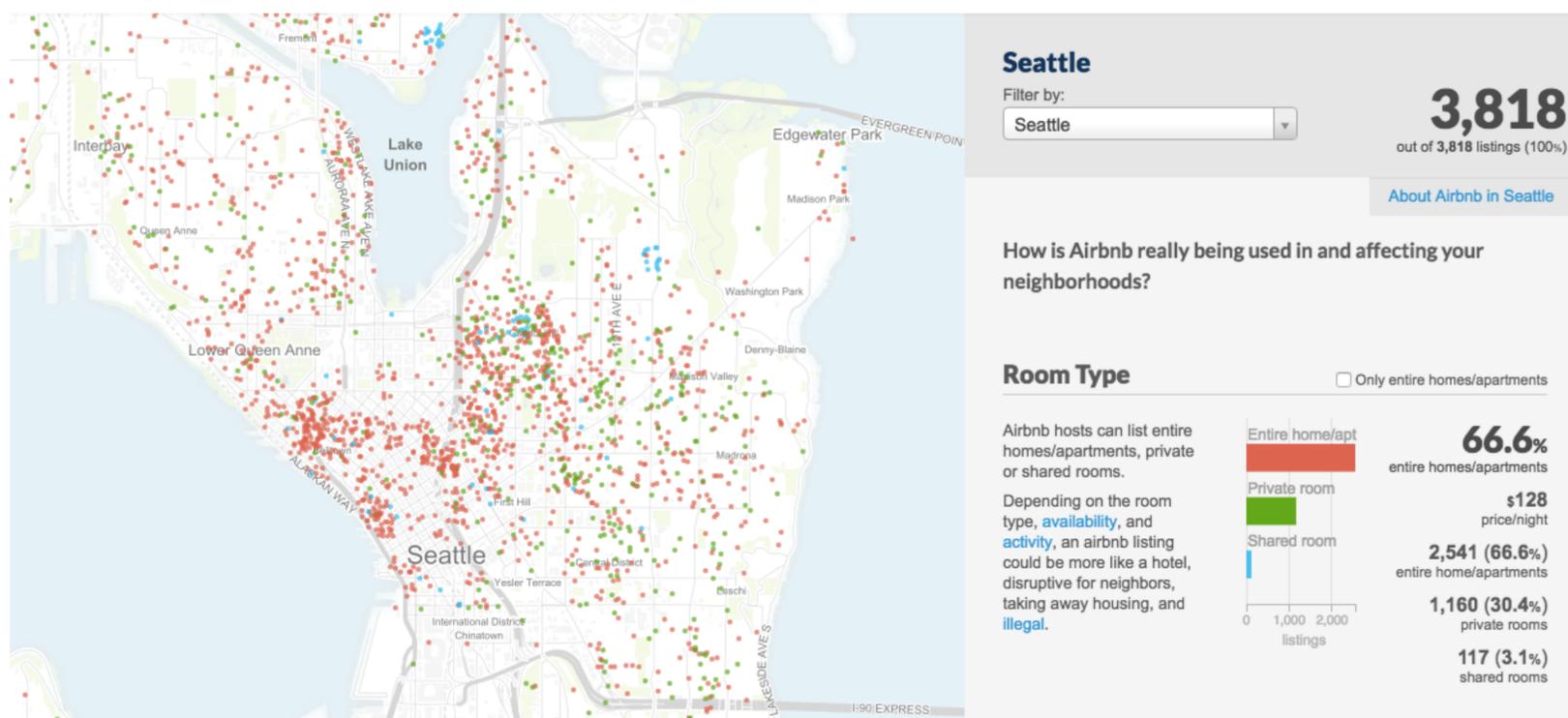
# 1. Research

Before making decisions, you need to understand the context for your regulation. While easy to overlook, comprehensive research will be the foundation for successful AirBnB regulation.

## Local Context

Begin the research process by getting a sense of the short-term rental market in your area. Here are questions to consider while conducting this research:

- How many listings are there in your community?
- Where are current listings located? Where are the areas of concentration, if any?
- Where are the most bookings happening?
- What type, size, and occupancy levels of housing are offered?
- What are the range and average listing prices?



Map of current AirBnB listings in Seattle



The website *insideairbnb.com* is a helpful resource for up-to-date data on current listings in larger cities. Smaller communities can gather data directly from *airbnb.com* and other online rental platforms.

It's also important to look at the local context indirectly related to AirBnB regulation.

- What is the picture of housing availability and affordability in your community?
- What are the other existing lodging options?
- How are socioeconomic demographics spread throughout the city?

Once you have a landscape of the STR market and pertinent local factors, you can start diving into other research areas.

## Qualitative Data

As any local government official knows, research gets more complicated when you start gathering data from local stakeholders. Creating effective policy for a controversial issue like short-term rentals means managing this complexity, and ultimately coming out with a better understanding of your community's values. Start by identifying the stakeholders:

- Who is concerned about the issue?
- Who might not know what's going on, but be inadvertently affected?
- What are their motivations? What are their fears?

Public comment forums will help get a pulse on residents' opinions. But Goodman emphasizes framing the issue around planning objectives. When you make STRs a yes or no issue—are you for or against them?—it's too easy for stakeholders to hold opinions without considering compromise or community goals.



Town hall meeting in Rexburg, Idaho is packed with community members ready to discuss Airbnb issues  
Source: Natalia Hepworth, EastIdahoNews.com, Sept. 2016

After you've identified relevant stakeholders, get a baseline on each group's motivations and fears. How are they currently affected by STRs? What are they most concerned about—housing availability, neighborhood preservation, economic development?

Discussions will evolve throughout the regulation process, so initial conversations do not need to cover every concern. You will return to do a deeper stakeholder analysis after the initial research phase.

## Policy Research

Do your due diligence on existing STR, B&B, and motel laws in your municipality. It's likely that at least some of the laws are outdated, and you'd be surprised at what you might find. According to Goodman, one city had banned B&B's from serving breakfast due to the influence of a "brunch lobby".

Look at the state level as well. There are currently 10-15 states that regulate hotels and/or STRs. This changes the value for cities looking to invest in creating and enforcing new policies. If the money collected from fees and permits goes back to the state, it might not be worth the investment at a local level. Additionally, some states have said municipalities cannot regulate STRs based on certain criteria (e.g. length of stay), and many states are changing laws rapidly, so keep up-to-date.



Amsterdam, one of AirBnB's closest partners, is currently discussing major reforms to their short-term rental regulations, trying to balance tourism and housing availability for residents.

Lastly, in doing policy research, look beyond your local neighbors and your state. How are communities of similar size (or other important factors) around the country and around the world effectively addressing AirBnB regulation?

## Enforcement Capabilities

Your policies will largely be shaped by what you can enforce. Take this into account early in the process, before you start publicly proposing things you don't have the capacity to enforce. Consider these questions:

- What types of regulations do we have the ability to enforce with our current resources?
- What are we willing to spend on new resources?
- What kind of regulatory environment do we want to impose on our community?
- What is the input from those who would be responsible for enforcing new laws?



Are you thinking of requiring every rental unit to get an inspection with only one part-time inspector on staff? Is the police department willing to enforce a policy prohibiting excessive noise after a certain hour?

Access to data can also limit certain types of regulation. For example, San Francisco has outlawed STRs being rented more than 90 days of the year. This type of policy would be hard to enforce without reliable access to booking data.



Members of HomeSharersSF, holding a rally at City Hall in San Francisco before vote on AirBnB regulation.

On top of your government's enforcement capabilities, consider what kind of environment you want to create in your community. How will residents feel if the police begin making extra rounds in residential areas? Will additional inspections be invasive to surrounding residents? Considering these scenarios will help you know what kinds of regulation options are realistic to bring to the table.



## 2. Framing the issue

Framing the issue for productive discussion is key to managing diverse opinions and producing successful compromises.

### Stakeholder Analysis

Public opinion matters, but so does the input of elected officials, relevant government departments, and local businesses. Think about which government departments/responsibilities will be affected by new regulations (e.g. code enforcement, planning and zoning, permitting and licensing, finance, tax collection, police department, etc.). Here are some basic questions to get you started:

- How will an increase in STRs affect each government department?
- Will any departments need new resources? Can the cost of new resources be covered by estimated increases in permitting and licensing fees?
- How many residents are actively concerned about the issue? Where do their fears and motivations overlap?
- Which businesses are for and against more STRs? How would an increase or decrease affect them?
- Where are areas of centralized commerce, entertainment, and tourism? How do we want STRs to affect their development?

Once you can map out the motivations, fears, and priorities for each interest group, you can move forward with the process. Understanding how policy changes may affect stakeholders and anticipating their reactions will help you judge the externalities of new regulation. More importantly, community voices will inform which planning objectives you choose to prioritize with AirBnB regulation.

### Messaging

A stakeholder analysis will also help you come up with effective messaging, so people aren't surprised by new policy proposals. Remember to frame the issue beyond a simple yes or no.



Most communities will not impose full bans nor leave STRs unregulated, there will likely be a solution somewhere in between. Making sure stakeholders know they must be open to compromise will make discussion more productive. Here are some foundational questions to help frame the issue:

- What problems are STRs actively causing in our community?
- What do we love and want to preserve about our community?
- How can STRs help us support our goals?
- How can policies address these issues and support these goals?

Goodman suggests allowing anecdotes in public comment, but to remain aware of biases. Most importantly, look for underlying patterns and the root causes of stakeholders' concerns.

## 3. Defining Planning Objectives

Some people will never compromise, and you must move past those voices to produce viable policies. The result of research and stakeholder analysis is a clear set of priorities to inform your planning objectives and therein your policy tactics.

### Context and Values

Community context and values will vary. For some, housing availability is a main concern, while for others it may be neighborhood preservation and safety. It's important to communicate clearly about how you came to prioritize certain planning objectives, avoiding confusion and frustration with the process moving forward.

The table below shows a list of common STR policy objectives and corresponding regulation tactics.



# Best Practices for Addressing Common Planning Objectives

| Common STR Policy Objectives | Best Regulatory Practices  |
|------------------------------|--|
| Housing Availability         | <ul style="list-style-type: none"> <li>- Only allow permanent residents to operate STRs</li> <li>- Disallow rentals in subsidized housing</li> </ul>   |
| Neighborhood Preservation    | <ul style="list-style-type: none"> <li>- Set neighborhood quotas</li> <li>- Ban signs</li> </ul>   |
| Protecting Quality of Life   | <ul style="list-style-type: none"> <li>- Require adequate parking and garbage disposal</li> <li>- Require hosts to post noise ordinance</li> <li>- Require a local contact person</li> </ul> |
| Economic Development         | <ul style="list-style-type: none"> <li>- Encourage hosting in certain areas and time frames</li> </ul>   |
| Safety                       | <ul style="list-style-type: none"> <li>- Require physical safety and habitability inspections</li> </ul>   |

These best practices were developed from Goodman's and Host Compliance's research on STR regulations in municipalities across the country. They are a good starting point, but no one knows the unique context of your community like you do. Don't be afraid to brainstorm creative policies that might work better in your area.



## Enforcement Capabilities

Remember that the ability to enforce a policy is the litmus test for what is realistic. Always ask yourself:

- Can you enforce it legally and physically?
- Would it cause undue burden on the government's resources?

Use local context and community values to decide on planning objectives, and then check corresponding policy measures against enforcement capabilities. This will give you a tailored, realistic set of policy measures specific to your community.

## 4. Ordinance Drafting

Once you've done the research and prep work, it's time to dig into the details. Planning discussions might happen in broader strokes, while ordinance drafting requires final decisions and precise language. This is a good time to refer back to the laws already on the books, as well as example AirBnB policies from other municipalities you've gathered in your research.

### STR Definition

You will need to specifically define short-term rentals beyond a "unit rented for less than 30 or 14 days." In addition to length of stays, the definition should speak to:

- Who is allowed to host (this can have significant implications for planning objectives)?
  - Owners, renters, management companies, etc.
- What types of units are allowed to be STRs (consider safety implications)?
  - Homes, bedrooms, accessory units, yards, etc.
- What type of insurance is required for a STR property (this is to protect both the municipality and host)?



AirBnB listings range from full houses to “camping in the backyard.”

Effective AirBnB regulation is grounded in a clear definition. You want to avoid future questions in the enforcement process over whether something qualifies as a STR. If you are going to change your existing definition, take into account how current rental operations might change in status (e.g. will AirBnB listings be subject to the same regulations as traditional B&Bs?).

## Land use and zoning

Use your STR land use and zoning policies to target your top planning objectives, like housing availability or economic development. For instance, if you want to preserve long-term housing options in certain areas, you can control density levels (i.e. only so many listings allowed in this area) or create buffers around units (i.e. no units within x distance of each other). Neighborhoods with a tight rental market may require harsher controls.

You also need to consider how to balance traditional lodging options with STRs.



- Should STRs populate the same areas as traditional lodging options? How will this affect businesses in those areas?
- How “commercial” does an STR have to be to reside in a commercial zone? Should STRs be allowed in residential areas?
- Should different types of STRs be zoned differently?

Prioritizing certain objectives means accepting tradeoffs. Ashland, Oregon prioritized neighborhood preservation in their AirBnB regulation, so they decided to keep all STRs near busy streets to avoid bothering residents. This might have the added effect of boosting the economy for local businesses, however it also precludes many homeowners from being able to earn extra income through online rental platforms.

## Unit Characteristics

Requiring units to have certain characteristics is not necessary, but it can help divert unwanted behaviors. Imposing bedroom/occupancy limits and providing adequate trash and parking can help prevent large groups and parties from disturbing neighbors. Building, safety, and ADA codes help ensure listings are in legal compliance and in accordance with insurance policies. Remember that including specific unit characteristics will require additional inspections.



A three-bedroom apartment in Portland, Oregon listed on AirBnB for \$400/night.



Permit fees can also help create the right balance of supply and demand for different types of units. Portland, Oregon requires different permits for rentals depending on the number of bedrooms (above 3 bedrooms is \$3,000, and units with more than 5 bedrooms are not allowed). Scaling permit fees also helps the city collect revenue proportionate to the amount earned by hosts' listing prices.

## Host Operation

Some communities impose host operation regulations to keep hosts accountable and to keep neighbors apprised of STRs in their area. Examples of this include:

- Requiring hosts to notify neighbors and allow a certain time period for neighbor input before booking a listing
- Requiring a host contact person to be available in case of emergency

Requiring a host contact person might affect who and how hosts are able to operate their STRs. If the contact has to be within a specific range of the listing, it might prevent homeowners from renting their houses while on vacation. Alternatively, the policy might specify that the host contact could be someone other than the property owner (e.g. a relative, or property manager), allowing hosts more flexibility.

## Guest Requirements

Many communities also include guest requirements in AirBnB regulation, especially in residential areas. Common areas to address include:

- Noise limits
- Pools & Spas (time restrictions for usage)
- Traffic limits
- Guest registration

Guests may also need to know community-specific information. For example, in one small Florida beach town, leaving the lights on at night is confusing for baby sea turtles looking for the ocean.



One Florida beach town must advise guests about leaving the lights on at night, which can confuse baby sea turtles looking for the ocean.

While this is a rare example, many communities will have unique considerations for new guests.

## Permitting Process

Permitting is one of your most powerful tools in implementing effective AirBnB regulation and collecting revenue for your government. If you do not currently require permits or licenses for STRs, writing this part of your policy will probably be the most time-consuming. Incorporate feedback from government departments that will be involved in the permitting process, and remain realistic about your processing capabilities.



- Will STR rentals require a permit, license, or both?
- What are the main categories of STRs in your community (e.g. single homeowners, commercial properties, full-time vs. part-time listings)? Will these require different permits or licenses?
- Do you want to affect the supply and demand for STRs in the area? Is permitting the appropriate way to accomplish this goal?
- What is the range of listing prices, and how does that correspond with the way current lodging options are being taxed? Do you want to use flat or percentage fees?
- How easy are your permit applications to navigate and do you have the software to allow people to apply and pay online?
- Are you willing to invest in new permitting technology to increase your processing capacity?

Always consider the capacities of your permit office and staff before including permit requirements that will inundate them with more applications than they can handle.

Maybe some use types will require permits, while others will be exempt or have lower fees. For example, listings with bookings over a certain number of days per year may require a license, while occasional hosts only need a permit.

Some communities may decide to affect supply and demand by distributing a limited amount of STR permits. If you take this route, consider which types and listing locations will be willing to pay higher permitting and licensing fees. Always remember to refer back to your planning objectives as your guide.

## Enforcement Process

AirBnB regulation should include clear, actionable consequences to listing violations. This might involve imposing fees and suspending or rescinding permits. Violation fees should be proportionate to the amount charged on average listings in the area—if hosts are making \$1,000/night they will not be discouraged by a \$50 fee.

Think carefully about what consequences are appropriate for what kind of violations, and how consequences might affect the supply and demand of STRs in the long-term. See the table below for example violations and corresponding consequences.



# STR Violation Examples

| Violation                       | Consequences                 |
|---------------------------------|------------------------------|
| 2+ Noise complaints             | \$50 fine                    |
| Failure to provide host contact | \$75 fine                    |
| Improper insurance policy       | \$200 fine                   |
| 3+ Violations                   | Permit suspension (6 months) |
| 5+ Violations                   | Permit revocation            |

Make sure you have an accessible violation reporting process. Maybe this means creating a specific hotline or email address and advertising it on your website and social media. The ordinance—particularly violation consequences—should be clearly accessible for all hosts and residents, so everyone knows what the rules are. Creating a digestible regulation guide for hosts will save you headaches down the road.

There are countless contextual factors that will inform the right enforcement process for your community. As with all regulatory aspects, if you have having trouble deciding the right course of action on a topic, use your planning objectives and enforcement capabilities to guide you.



## 5. Incorporate Feedback

With any new policy, you will probably need to make adjustments as you see it play out in real time. Provide channels for feedback from the stakeholders in your research. Additionally, some community members might have been unaware of early discussions, but have important input now that AirBnB regulation is directly affecting them.



Town hall meeting in San Francisco held by California State Assemblymember David Chiu and District 3 Supervisor Aaron Peskin, to discuss AirBnB and affordable housing. Source: Jennie Butler, Hoodline, May 2016.



Similarly, you can guess how the influx of permit and license applications will affect your departments, but you won't really know until they start coming in. Continuous lines of communication will help you know if you need additional resources (e.g. more staff, new software or hardware, etc.).

Advice for eliciting productive feedback:

- Remember to frame the policy around the planning objectives — avoid black and white stances
- Stay on topic
- Reference other comments so stakeholders understand they are compromising with other community members, not just the government

Depending on local laws, your ordinance might have a built-in expiration date, but you may want to make changes before the sunset. Keeping a record of stakeholder feedback and updating your research will help you reassess and make your ordinance more effective in addressing your community's goals.

Goodman emphasizes that there is no silver bullet to effective AirBnB regulation. Every community will need to assess their own local context and values before diving into this process. However, you are not in this alone. Use peer governments and expert research like Goodman's to help guide your process.



# Steps to Effective Short-Term Rental Regulation

|                               |  |
|-------------------------------|--|
| 1. Research                   | <ul style="list-style-type: none"> <li>- Local STR market</li> <li>- Local context</li> <li>- Identifying stakeholders</li> <li>- Existing policies</li> <li>- Enforcement capabilities</li> </ul>   |
| 2. Frame the Issue            | <ul style="list-style-type: none"> <li>- Stakeholder analysis</li> <li>- Tailored messaging</li> </ul>   |
| 3. Define Planning Objectives | <ul style="list-style-type: none"> <li>- Community values</li> <li>- Matching planning objectives with policy measures</li> </ul>  |
| 4. Draft the Ordinance        | <ul style="list-style-type: none"> <li>- Defining STRs</li> <li>- Land use &amp; zoning</li> <li>- Unit characteristics</li> <li>- Host operations</li> <li>- Guest requirements</li> <li>- Permitting process</li> <li>- Enforcement process</li> </ul> |
| 5. Incorporate Feedback       | <ul style="list-style-type: none"> <li>- Provide channels</li> <li>- Keep constructive</li> <li>- Adjust regulations accordingly</li> </ul>  |

By thoughtfully tackling this regulation area you are not only helping your residents achieve their goals as a community, but also paving the way for other governments looking to do the same thing. As technology and the sharing economy evolve, local governments will need to continue creating effective, adaptable regulation to match it.

## Regulation can be difficult, we'd like to help.

At ViewPoint Cloud, we strive to provide robust but easy-to-use software for code enforcement, permitting, and licensing. If you're looking to launch a program like this one, let us help you keep your back-office in check.

ViewPoint Cloud is the all-in-one, user-friendly software that helps local governments and citizens manage permits and licenses from intake through approval. The integrated front-end and back-end software streamlines payments, approvals, inspections, and permit issuance, all online. No more lines at city hall, no more shuffling papers between departments, and no manual data entry. ViewPoint Cloud's simple, intuitive design leads the industry and makes it a breeze to implement the software, train employees, integrate existing data, and adapt to new needs. ViewPoint's flexible pricing makes it an easy choice for any sized community.

Sign up for a demonstration, today!

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AGENDA SUMMARY FORM



Work Session Adjournment

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



Roll Call

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



Approval of Agenda

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



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



Visitors & Guests

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



Consent Agenda

Summary:

Notes:

Linda Little dba 3<sup>rd</sup> Street Bistro – Annual Liquor License Renewal

Ute Trails Car Club – Colorado Grand September 10, 2019

Possible Motions:

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

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

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

3RD STREET BISTRO  
 PO BOX 422  
 PAONIA CO 81428-0422

| Fees Due                       |                 |
|--------------------------------|-----------------|
| Renewal Fee                    | 500.00          |
| Storage Permit \$100 x _____   | _____           |
| Optional Premise \$100 x _____ | _____           |
| Related Resort \$75 x _____    | _____           |
| <b>Amount Due/Paid</b>         | <b>\$500.00</b> |

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

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

|  |  |   |                                      |                                   |
|--|--|---|--------------------------------------|-----------------------------------|
| Licensee Name<br><b>LITTLE LINDA M</b>                       |  | DBA<br><b>3RD STREET BISTRO</b>           |                                      |                                   |
| Liquor License #<br><b>03-77767-0000</b>                     | License Type<br><b>Hotel &amp; Restaurant (city)</b> | Sales Tax License #<br><b>03777670000</b> | Expiration Date<br><b>08/12/2019</b> | Due Date<br><b>06/28/2019</b>     |
| Operating Manager<br><b>Linda M. Little</b>                  | Date of Birth<br>[REDACTED]                          | Home Address<br>[REDACTED]                |                                      |                                   |
| Manager Phone Number<br>[REDACTED]                           | Email Address<br>[REDACTED]                          |   |                                      |                                   |
| Street Address<br><b>212 3RD STREET PAONIA CO 81428-1700</b> |  |   |                                      | Phone Number<br><b>9705276146</b> |
| Mailing Address<br><b>PO BOX 422 PAONIA CO 81428-0422</b>    |  |   |                                      |                                   |

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

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

|   |   |
|---|---|
| Type or Print Name of Applicant/Authorized Agent of Business<br><b>Linda's 3rd St. Bistro</b> | Title<br><b>OWNER</b>                   |
| Signature<br><i>Linda M. Little</i>   | Date<br><b>July 1<sup>st</sup> 2019</b> |

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**  
 The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

|   |        |
|---|--------|
| Local Licensing Authority For<br>[REDACTED] | Date   |
| Sig. [REDACTED]                             | Title  |
|   | Attest |

**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: Evelyn Roseberry and Kaspar Keil  
Organization, if speaking on behalf of a group: Ute Trails Car Club for the Colorado Grand

Is this a request for Board action?  Yes  No

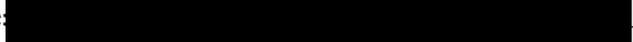
Please provide a summary of your comments:

This is the 31st year for the Colorado Grand. They are once again coming to Paonia for lunch on Tues., Sept. 10. They are also going to award an \$8500.00 scholarship to one of our Senior High school students.

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

Amanda  
Corrine Ferguson - She gave me the packet to be filled out and who all I needed to contact.

Contact information:

Name: Evelyn Roseberry  
Mailing Address:   
E-mail:   
Daytime Phone: 

Office Use Only:

Received: \_\_\_\_\_  
Approved for Agenda: \_\_\_\_\_  
Board Meeting Date: \_\_\_\_\_

## Town of Paonia Park/Event Registration Application

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

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

Applicant Name: Ute Trails Car Club & Lynn Krebs

Organization: Ute Trails Car Club

Mailing Address: 

Telephone Number: 

Event Manager (if different than Applicant): Evelyn Roseberry

Event Manager Telephone: 

Event Manager E-Mail: ev 

**Please describe the event:** Serving lunch at the Teen Center to the drivers and staff of the Colorado Grand car rally.

Event Date(s): Sept. 10, 2019 Event Hours: 10:00am. — 3:00pm

Event Date(s): \_\_\_\_\_ Event Hours: \_\_\_\_\_

Event Date(s): \_\_\_\_\_ Event Hours: \_\_\_\_\_

Event Date(s): \_\_\_\_\_ Event Hours: \_\_\_\_\_

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

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

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

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

**Will there be vendors?**

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

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

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

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

- No
- Yes Barricades entering and exiting the park around the Teen Center. Ute Trails Clubmembers will man the barricades to allow Colorado Grand Cars to enter and exit.

**Pricing:**

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

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

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

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

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

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

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

**TOTAL FEES SUBMITTED** \$ 50.00

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

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

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

**Promotion:**

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

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

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

Signed and submitted this 21st day of May, 2019.

Printed Name: Evelyn Roseberry

Signature: Evelyn Roseberry

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

**Date of Pre-Event Meeting:** \_\_\_\_\_

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

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

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

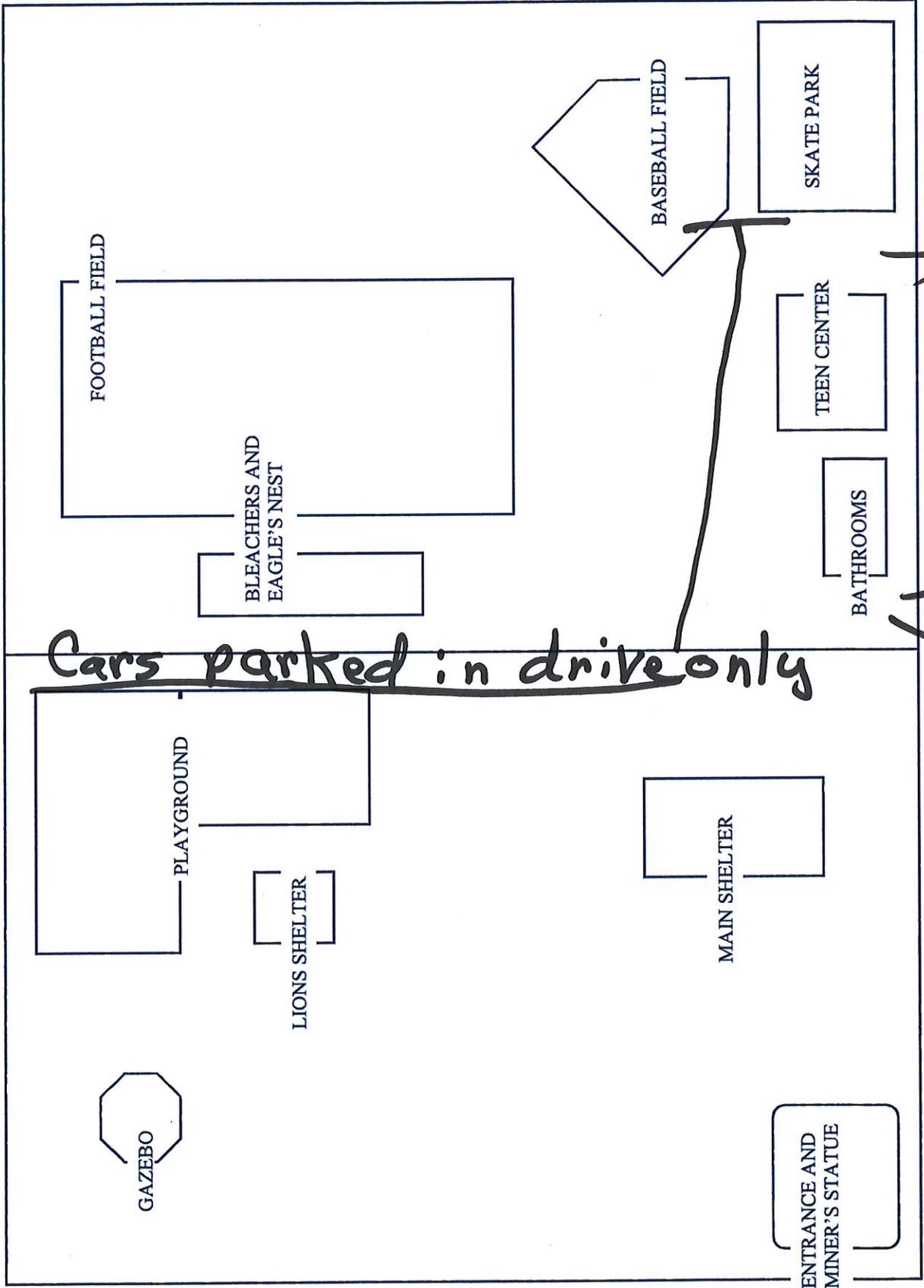
## **Ute Trails Car Club for the Colorado Grand**

1. **Liability Insurance**—Enclosed is a copy of our Club's insurance plan which is up for renewal again in August. We will bring in the new certificate then as soon as we receive it.
2. **Medical Plan**—We will have a first aid kit at the ready in the Teen Center if it is needed as well as being able to call 911 on our cell phones if the need would arise.
3. **Parking Plan**—The Ute Trails members who will be serving the lunch will park on the streets adjacent to the park so that the parking on the blacktop surrounding the park and Teen Center will be left for the Colorado Grand cars. We have orange safety vests that our members who are directing the parking will wear that day.
4. **Safety Plan**—Several of the Ute Trails car club members will be directing traffic and patrolling the area by the cars to be sure everything is safe and secure while the Colorado Grand participants are inside the Teen Center eating lunch.
5. **Security Plan**—Car Club members will be patrolling the area to watch for any violations of the rules and will report it to local police. There will also be a large presence of State Highway Patrol who are traveling with the Colorado Grand and will be a definite deterrent to anyone thinking about breaking any rules.

*6. Communications contacts  
met with Ken Knight.*

# TOWN PARK MAP

FIFTH STREET



FOURTH STREET

NORTH FORK AVENUE

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Ute Trails Car Club

is a

Nonprofit Corporation

formed or registered on 02/14/2013 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20131099674 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/07/2019 that have been posted, and by documents delivered to this office electronically through 05/08/2019 @ 15:01:00 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/08/2019 @ 15:01:00 in accordance with applicable law. This certificate is assigned Confirmation Number 11562239 .



A handwritten signature in blue ink that reads "Jena Griswold".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*  
*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

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



Staff Reports

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:   |



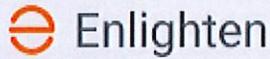
From the desk of: *Corinne Ferguson*

07/01/2019

**Included are:**

- Copies of the March, April, and May Energy Production Reports for the solar panels installed at Town Hall.
- After investigating the accessibility requirement of public bathroom stalls (mentioned to the staff and Board at a previous meeting) we found that the toilet seats were a violation and had them replaced.
- I have been working with Renee and Delta County Elections to have a permanent ballot box installed in front of Paonia Town Hall. This will alleviate staff time accepting and transferring a portable ballot box daily for 14 days prior to elections, and better serve voters who want to drop off their ballots instead of mailing them in. The last election 237 ballots were received ON election day alone. Delta County has approved the costs associated and plans are moving forward to have a ballot box installed by this November election. The Town will only be responsible for the costs associated with the actual installation, all other costs will be paid by Delta County.

**From:** Enlighten <donotreply@enphaseenergy.com>  
**Sent:** Thursday, June 13, 2019 8:22 AM  
**Subject:** Monthly Energy Production Report for Paonia Town Hall



## 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 |
|------------------------------|------------|-----------------|
| 03/01/2019 - 03/07/2019      | 4.23 kW    | 92.5 kWh        |
| 03/08/2019 - 03/14/2019      | 4.23 kW    | 99.2 kWh        |
| 03/15/2019 - 03/21/2019      | 4.24 kW    | 201 kWh         |
| 03/22/2019 - 03/28/2019      | 4.21 kW    | 160 kWh         |
| 03/29/2019 - 03/31/2019      | 4.25 kW    | 58.3 kWh        |
| <b>March 2019 Total:</b>     |            | <b>612 kWh</b>  |
| <b>Previous Month Total:</b> |            | <b>412 kWh</b>  |
| <b>Year to Date:</b>         |            | <b>1.33 MWh</b> |

Your **Carbon Offset** for this month: 932 lbs

You have offset the equivalent of: **11 Trees**

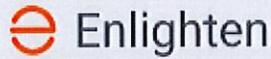


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This is an automated system notification from Enphase Energy Inc.,  
1420 N. McDowell Blvd., Petaluma, CA 94954, USA.

**From:** Enlighten <donotreply@enphaseenergy.com>  
**Sent:** Friday, June 14, 2019 3:13 AM  
**Subject:** Monthly Energy Production Report for Paonia Town Hall



## 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 |
|------------------------------|------------|-----------------|
| 04/01/2019 - 04/07/2019      | 4.36 kW    | 196 kWh         |
| 04/08/2019 - 04/14/2019      | 4.38 kW    | 154 kWh         |
| 04/15/2019 - 04/21/2019      | 4.38 kW    | 185 kWh         |
| 04/22/2019 - 04/28/2019      | 4.38 kW    | 176 kWh         |
| 04/29/2019 - 04/30/2019      | 4.18 kW    | 18.9 kWh        |
| <b>April 2019 Total:</b>     |            | <b>730 kWh</b>  |
| <b>Previous Month Total:</b> |            | <b>612 kWh</b>  |
| <b>Year to Date:</b>         |            | <b>2.06 MWh</b> |

Your **Carbon Offset** for this month: 1,112 lbs

You have offset the equivalent of: **13 Trees**

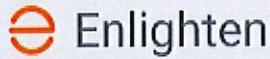


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This is an automated system notification from Enphase Energy Inc.,  
1420 N. McDowell Blvd., Petaluma, CA 94954, USA.

**From:** Enlighten <donotreply@enphaseenergy.com>  
**Sent:** Thursday, June 6, 2019 5:52 PM  
**Subject:** Monthly Energy Production Report for Paonia Town Hall



## 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 |
|------------------------------|------------|-----------------|
| 05/01/2019 - 05/07/2019      | 4.18 kW    | 197 kWh         |
| 05/08/2019 - 05/14/2019      | 4.24 kW    | 184 kWh         |
| 05/15/2019 - 05/21/2019      | 4.16 kW    | 135 kWh         |
| 05/22/2019 - 05/28/2019      | 4.34 kW    | 183 kWh         |
| 05/29/2019 - 05/31/2019      | 4.35 kW    | 94.8 kWh        |
| <b>May 2019 Total:</b>       |            | <b>794 kWh</b>  |
| <b>Previous Month Total:</b> |            | <b>730 kWh</b>  |
| <b>Year to Date:</b>         |            | <b>2.86 MWh</b> |

Your **Carbon Offset** for this month: 1,210 lbs

You have offset the equivalent of: **14 Trees**



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

# Advance Plumbing & Heating

20258 Fox Ridge Drive • Austin, CO 81410  
 (970) 549-6661

CONTRACT NO. 0608

DATE 6/27/19

TECHNICIAN PH

INVOICE #

JOB START DATE

JOB COMPLETION DATE

PURCHASE ORDER #

PAID  BY CHECK  C.C.  CASH

C.C. #

EXP. AUTH. #

30 DAY BILLING  10 DAY BILLING AUTHO BY

C.D.L. #

S.S. #

**JOBSITE**  
 NAME Town of Paonia  
 ADDRESS 214 Grand Ave  
 CITY Paonia STATE Co ZIP 81428  
 HOME PHONE WORK PHONE

**JOB SITE**  
 NAME  
 ADDRESS  
 CITY STATE ZIP  
 HOME PHONE WORK PHONE

DIAGNOSIS / SOLUTION: Replaced 4 Toilet Seats with open front Toilet seats Per Code

| QUAN | TASK / ADD-ON # | DESCRIPTION                          | STANDARD RATE | VALUE RATE |
|------|-----------------|--------------------------------------|---------------|------------|
| 0/25 |                 | Service Call                         |               | 112 500    |
| 2    |                 | Elong Gate Toilet Seat               |               | 41 26      |
| 2    |                 | Round Front Toilet Seat              |               | 95 44      |
|      |                 | Material List Available Upon Request |               |            |

Remove  Old Parts  YES  NO

**TOTAL** \$ 939  0

ACCEPTANCE OF WORK PERFORMED - I acknowledge satisfactory completion of the above described work, and that the premises have been left in a satisfactory condition. I understand that if my check does not clear, I could be held liable for three times the amount of the check, in no case more than \$500, nor less than \$100, plus the face value of the check. I agree that the amount set forth in the space marked "TOTAL" is the total flat price I have agreed to.

SERVICE TECHNICIAN - Prior to the customer entering into the contract, I have discussed the nature of the service and cost, and I have given a copy of the contract to the customer. All work I have done has been in compliance with company standards in a workmanship manner, to building codes when applicable.

I CERTIFY THAT THE WATER PRESSURE MEASURED TO BE

SIGNATURE X

LBS. / SQ. IN.

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:   |



# EAGLE WELDING



**ESTIMATE VALID THROUGH 7/31/2019**

| DESCRIPTION                     | COST            |
|---------------------------------|-----------------|
| HAND RAILING AT 3RD & MINNESOTA |                 |
|                                 |                 |
| MATERIAL - 1-5/8" OD PIPE       | 595.00          |
| POWDER COATING                  | 485.00          |
| LABOR                           | 4,420.00        |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
|                                 |                 |
| <b>ESTIMATED TOTAL PROJECT</b>  | <b>5,500.00</b> |

AGENDA SUMMARY FORM



Police 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:   |

# Paonia Police Department

## Law Incident Table, by Date and Time

---

**Date Occurred:** 06/15/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>                       | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|--------------------------------------|---------------|--------------|------------|
| 10:07:45    | Information     | GRAND AVE, Paonia, CO                | PPD           | PPD          |            |
| 13:11:47    | Parking Problem | 700 BLOCK OF 3RD St., Paonia, CO     | PPD           | PPD          | WW         |
| 13:25:01    | Parking Problem | 300 BLOCK OF POPLAR AVE., Paonia, CO | PPD           | PPD          | WW         |
| 15:22:20    | AGENCY ASSIST   | Reds RD./Stephens Gulch, Paonia, CO  | PPD           | DCSO         |            |
| 22:56:59    | CIVIL PROBLEM   | STAHL RD, Paonia, CO                 | PPD           | PPD          |            |

**Total Incidents for this Date: 5**

---

**Date Occurred:** 06/16/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>                        | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|---------------------------------------|---------------|--------------|------------|
| 15:11:22    | Code Enforce    | PAONIA AVE, Paonia, CO                | PPD           | PPD          | WW         |
| 15:23:14    | Code Enforce    | PAONIA AVE, Paonia, CO                | PPD           | PPD          | WW         |
| 15:27:48    | Code Enforce    | MEADOWBROOK CT, Paonia, CO            | PPD           | PPD          | WW         |
| 17:50:14    | Traffic Stop    | 70 BLOCK SAMUEL WADE ROAD, Paonia, CO | PPD           | PPD          | CAA        |
| 20:36:19    | Medical/transfe | CLARK AVE, Paonia, CO                 | PPD           | PPD          |            |

**Total Incidents for this Date: 5**

---

**Date Occurred:** 06/17/19

| <u>Time</u> | <u>Nature</u> | <u>Address</u>          | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|---------------|-------------------------|---------------|--------------|------------|
| 11:02:12    | SUSPICIOUS    | MAIN AVE, Paonia, CO    | PPD           | PPD          |            |
| 16:28:40    | Code Enforce  | ORCHARD AVE, Paonia, CO | PPD           | PPD          | WW         |
| 19:32:17    | Code Enforce  | DELTA AVE, Paonia, CO   | PPD           | PPD          | WW         |

**Total Incidents for this Date: 3**

---

**Date Occurred:** 06/18/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>               | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|------------------------------|---------------|--------------|------------|
| 11:46:13    | Parking Problem | Block Grand AVE., Paonia, CO | PPD           | PPD          |            |
| 13:47:12    | Code Enforce    | RIO GRANDE AVE, Paonia, CO   | PPD           | PPD          | WW         |
| 13:51:17    | Code Enforce    | RIO GRANDE AVE, Paonia, CO   | PPD           | PPD          | WW         |

**Total Incidents for this Date: 3**

---

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

| <u>Time</u> | <u>Nature</u> | <u>Address</u>                       | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|---------------|--------------------------------------|---------------|--------------|------------|
| 09:21:38    | 911/hangup    | GRAND AVE, Paonia, CO                | PPD           | PPD          |            |
| 15:26:29    | FRAUD         | DELTA AVE, Paonia, CO                | PPD           | PPD          |            |
| 16:25:28    | TAMPERING     | GRAND AVE, Paonia, CO                | PPD           | PPD          | CAA        |
| 18:48:05    | Traffic Stop  | 200 BLOCK OF ONARGA AVE., Paonia, CO | PPD           | PPD          | CIT        |

| <u>Time</u> | <u>Nature</u> | <u>Address</u>     | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|---------------|--------------------|---------------|--------------|------------|
| 19:01:09    | ALARM         | 3RD ST, Paonia, CO | PPD           | PPD          |            |

**Total Incidents for this Date: 5**

**Date Occurred:** 06/20/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>                       | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|--------------------------------------|---------------|--------------|------------|
| 09:27:21    | SUSPICIOUS      | 3RD ST, Paonia, CO                   | PPD           | PPD          |            |
| 18:35:17    | Traffic Stop    | 100 BLOCK OF ONARGA AVE., Paonia, CO | PPD           | PPD          | CIT        |
| 18:54:44    | Traffic Stop    | 400 BLOCK OF DELTA AVE., Paonia, CO  | PPD           | PPD          | CIT        |
| 23:11:27    | Medical/transfe | VISTA DR; Paonia, CO                 | PPD           | PPD          |            |

**Total Incidents for this Date: 4**

**Date Occurred:** 06/21/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>                           | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|--|---------------|--------------|------------|
| 09:30:54    | Medical/transfe | GRAND AVE, Paonia, CO                    | PPD           | PPD          |            |
| 11:21:20    | Information     | MEADOWBROOK BLVD; Paonia, CO             | PPD           | PPD          |            |
| 12:58:39    | ALARM           | GRAND AVE; paonia state bank, Paonia, CO | PPD           | PPD          |            |
| 15:12:56    | CITIZEN ASSIST  | GRAND AVE, Paonia, CO                    | PPD           | PPD          |            |
| 16:00:35    | Medical/transfe | BOX ELDER AVE, Paonia, CO                | PPD           | PPD          |            |
| 20:35:06    | CRIM MISCHIEF   | MAIN AVE, Paonia, CO                     | PPD           | PPD          |            |
| 22:23:03    | Traffic Stop    | 100 BLOCK 3RD St, Paonia, CO             | PPD           | PPD          | CIT        |
| 23:13:55    | AGENCY ASSIST   | PEACEFUL LN, Paonia, CO                  | PPD           | DIST3        |            |

**Total Incidents for this Date: 8**

**Date Occurred:** 06/22/19

| <u>Time</u> | <u>Nature</u>  | <u>Address</u>                   | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|----------------|----------------------------------|---------------|--------------|------------|
| 13:49:52    | CITIZEN ASSIST | BOX ELDER AVE, Paonia, CO        | PPD           | PPD          |            |
| 16:07:37    | AGENCY ASSIST  | PEACEFUL LN, Paonia, CO          | PPD           | DIST3        |            |
| 19:21:06    | Traffic Stop   | 200 BLOCK 2ND STREET, Paonia, CO | PPD           | PPD          | CIT        |
| 22:56:42    | Information    | 200 Block of Grand, Paonia, CO   | PPD           |              |            |

**Total Incidents for this Date: 4**

**Date Occurred:** 06/23/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>            | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|---------------------------|---------------|--------------|------------|
| 15:18:43    | Parking Problem | 200 CLARK AVE, Paonia, CO | PPD           | PPD          | CIT        |
| 17:19:35    | RESTR/PROT ORDR | pan american, Paonia, CO  | PPD           | PPD          | CAA        |

**Total Incidents for this Date: 2**

**Date Occurred:** 06/24/19

| <u>Time</u>                             | <u>Nature</u> | <u>Address</u>               | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|---------------|------------------------------|---------------|--------------|------------|
| 12:36:20                                | Information   | MEADOWBROOK BLVD, Paonia, CO | PPD           | PPD          |            |
| <b>Total Incidents for this Date: 1</b> |               |                              |               |              |            |

Date Occurred: 06/25/19

| <u>Time</u>                             | <u>Nature</u>   | <u>Address</u>                   | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|-----------------|----------------------------------|---------------|--------------|------------|
| 12:24:35                                | VIN INSPECTION  | GRAND AVE; PPD, Paonia, CO       | PPD           | PPD          |            |
| 13:09:02                                | VIN INSPECTION  | GRAND AVE; PPD, Paonia, CO       | PPD           | PPD          |            |
| 15:57:27                                | Parking Problem | 100 Block 2nd St., Paonia, CO    | PPD           | PPD          | CIT        |
| 16:14:53                                | Parking Problem | 200 Block Grand AVE., Paonia, CO | PPD           | PPD          | CIT        |
| 16:32:34                                | Parking Problem | 200 Block Grand AVE., Paonia,    | PPD           | PPD          | CIT        |
| <b>Total Incidents for this Date: 5</b> |                 |                                  |               |              |            |

Date Occurred: 06/26/19

| <u>Time</u>                             | <u>Nature</u>   | <u>Address</u>                      | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|-----------------|-------------------------------------|---------------|--------------|------------|
| 10:42:56                                | Information     | COLORADO AVE, Paonia, CO            | PPD           | PPD          |            |
| 12:56:39                                | ANIMAL CONTROL  | GRAND AVE; Paonia, CO               | PPD           | PPD          |            |
| 15:55:36                                | Wanted Person   | 200 BLOCK OF GRAND AVE., Paonia, CO | PPD           | PPD          | CAA        |
| 18:12:01                                | Medical/transfe | GRAND AVE, Paonia, CO               | PPD           | PPD          |            |
| <b>Total Incidents for this Date: 4</b> |                 |                                     |               |              |            |

Date Occurred: 06/27/19

| <u>Time</u>                             | <u>Nature</u> | <u>Address</u>       | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|---------------|----------------------|---------------|--------------|------------|
| 17:23:55                                | AGENCY ASSIST | CEDAR LN, Paonia, CO | PPD           | DIST3        |            |
| <b>Total Incidents for this Date: 1</b> |               |                      |               |              |            |

Date Occurred: 06/28/19

| <u>Time</u>                             | <u>Nature</u>   | <u>Address</u>                       | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|-----------------|--------------------------------------|---------------|--------------|------------|
| 12:00:37                                | Traffic Stop    | 200 BLOCK OF ONARGA AVE., Paonia, CO | PPD           | PPD          | CIT        |
| 16:30:37                                | Parking Problem | 200 BLOCK 2ND St, Paonia, CO         | PPD           | PPD          | WW         |
| 17:00:01                                | Information     | 1625 MEADOWBROOK BLVD; Paonia, CO    | PPD           | PPD          |            |
| 19:35:24                                | Traffic Stop    | 70 BLOCK SAMUEL WADE RD, Paonia, CO  | PPD           | PPD          | CIT        |
| 20:28:49                                | Traffic Stop    | 1000 GRAND AVE, Paonia, CO           | PPD           | PPD          | WW         |
| 23:40:10                                | CITIZEN ASSIST  | NORTH FORK AVE, Paonia, CO           | PPD           | PPD          |            |
| <b>Total Incidents for this Date: 6</b> |                 |                                      |               |              |            |

Date Occurred: 06/29/19

| <u>Time</u> | <u>Nature</u>   | <u>Address</u>                   | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|-------------|-----------------|----------------------------------|---------------|--------------|------------|
| 13:58:45    | Parking Problem | 700 BLOCK OF 4TH St., Paonia, CO | PPD           | PPD          | WW         |
| 14:28:38    | Parking Problem | 700 BLOCK OF 4TH St., Paonia, CO | PPD           | PPD          | WW         |
| 14:36:53    | Medical/transfe | MAIN AVE, Paonia, CO             | PPD           | PPD          |            |

| <u>Time</u>                             | <u>Nature</u>   | <u>Address</u>            | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|-----------------|---------------------------|---------------|--------------|------------|
| 20:18:48                                | Medical/transfe | BOX ELDER AVE, Paonia, CO | PPD           | PPD          |            |
| <b>Total Incidents for this Date: 4</b> |                 |                           |               |              |            |

**Date Occurred:** 06/30/19

| <u>Time</u>                             | <u>Nature</u>   | <u>Address</u>                      | <u>Agency</u> | <u>Loctn</u> | <u>Dsp</u> |
|---|-----------------|-------------------------------------|---------------|--------------|------------|
| 16:24:26                                | Utility Problem | DELTA AVE, Paonia, CO               | PPD           | PPD          |            |
| 16:33:39                                | CITIZEN ASSIST  | 200 BLOCK OF 3RD STREET, Paonia, CO | PPD           | PPD          |            |
| 17:16:38                                | WELFARE CHECK   | 100 BLOCK GRAND AVE, Paonia, CO     | PPD           | DIST3        |            |
| <b>Total Incidents for this Date: 3</b> |                 |                                     |               |              |            |

Total reported: 63

WW=13  
 CIT= 11  
 CAA=4

**Report Includes:**

All dates between `00:00:01 06/15/19` and `00:00:01 07/01/19`, All agencies matching `PPD`, All disposition's, All natures, All location codes, All cities

AGENDA SUMMARY FORM



Treasurer'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



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      |                      | 62,382.38   |
| ACCOUNTS PAYABLE              | 6/22/2019-07/08/2019 | (53,001.29) |
| PAYROLL TAXES                 | 7/5/2019             | (7,525.29)  |
| BALANCE AFTER PAYMENT         |                      | 1,855.80    |

| FSBC SUMMIT DISBURSEMENT SUMMARY |                  |              |
|----------------------------------|------------------|--------------|
| DESCRIPTION                      | DATES            | AMOUNT       |
| CURRENT FSBC SUMMIT BALANCE      |                  | 360,180.56   |
| TRANSFER TO NEW CD               | APPROVED 6/21/19 | (250,000.00) |
| CURRENT FSBC PAYROLL BALANCE     |                  | 25.00        |
| PAYROLL (DIRECT DEPOSIT)         | 7/5/2019         | (18,997.96)  |
| BALANCE AFTER PAYMENT            |                  | 91,207.60    |

| FSBC INTERNAL GRANT BALANCE |  |       |
|-----------------------------|--|-------|
| BALANCE                     |  | 35.77 |
| CD TOTAL                    |  | 35.77 |

| FSBC LOC BALANCE               |                          |            |
|--------------------------------|--------------------------|------------|
| FSBC CD#1 @ 2.00%              | GENERAL-APPROVED 6/21/19 | 250,000.00 |
| FSBC CD#2 @ 0.55%              | GENERAL                  | 200,770.78 |
| CD TOTAL                       |                          | 450,770.78 |
| LOC DRAW                       |                          |            |
| BALANCE AVAILABLE SECURING LOC |                          | 450,770.78 |

| CREDIT CARD |           |          |
|-------------|-----------|----------|
| CHASE       | 6/24/2019 | 9,491.19 |
| CITIBANK    | 6/25/2019 | -        |
| TOTAL       |           | 9,491.19 |

| COLOTRUST - GENERAL                       |  |            |
|---|--|------------|
| TOTAL                                     |  | 581,959.60 |
| COLOTRUST RESTRICTED - SEWER PROPERTY     |  |            |
| TOTAL                                     |  | 520,805.08 |
| COLOTRUST RESTRICTED - SEWER LOAN RESERVE |  |            |
| TOTAL                                     |  | 104,940.23 |
| COLOTRUST -BRIDGE RESTRICTED              |  |            |
| TOTAL                                     |  | 577,964.91 |

| GRANT FUNDS IN PROCESS |  |   |
|------------------------|--|---|
| TOTAL                  |  | - |

*Wok 7/8/19*

| BANK BALANCES      |                   |                     |
|--------------------|-------------------|---------------------|
|                    | FSBC              | COLOTRUST           |
| AS OF: 6/20/19     |                   |                     |
| WWTP               | 58,117.57         | 581,959.60          |
| SPACE-TO-CREATE    | 72,607.86         | 520,805.08          |
| INT GRANT          | 35.77             | 104,940.23          |
| PAYROLL            | 19,022.96         | 577,964.91          |
| SUMMIT             | 341,182.60        |                     |
| OPS                | 96,459.17         |                     |
| CONS.TRUST         | 2,675.48          |                     |
| PASS THRU          | 25.00             |                     |
| PARK CONTRIBUTIONS | 8,392.00          |                     |
| CD#1               | CLOSED            |                     |
| CD#2               | 200,770.78        |                     |
|                    | <u>799,289.19</u> | <u>1,785,669.82</u> |
|                    |                   | 2,584,959.01        |

| 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 |
|---------------|---------------|----------------------|----------------|----------------|-----------------|------------------|----------------|-----|-----------------|-------------------|
| 07/09/2019    | 1043          | Advance Plumbing     | 0608           | 239.20 ✓       | .00             | .00              | 239.20         | ✓   |                 |                   |
| 07/09/2019    | 1028          | Artspace Projects,   | INV3047        | 10,000.00 ✓    | .00             | .00              | 10,000.00      | ✓   |                 |                   |
| 07/09/2019    | 1045          | Bachran, Mary        | CML 062119     | 273.59 ✓       | .00             | .00              | 273.59         | ✓   |                 |                   |
| 07/08/2019    | 21            | Caselle, Inc         | 96126          | 989.00 ✓       | .00             | .00              | 989.00         | ✓   |                 |                   |
| 07/09/2019    | 1016          | Commercial Cleani    | 228            | 180.00 ✓       | .00             | .00              | 180.00         | ✓   |                 |                   |
| 07/09/2019    | 1091          | Dairy Specialists, L | RT114731       | 297.00 ✓       | .00             | .00              | 297.00         | ✓   |                 |                   |
| 07/09/2019    | 801           | Delta County         | 10203          | 40.00 ✓        | .00             | .00              | 40.00          | ✓   |                 |                   |
| 07/09/2019    | 46            | Dependable Lumb      | 1906-037317    | 2,129.56 ✓     | .00             | .00              | 2,129.56       | ✓   |                 |                   |
| 07/09/2019    | 48            | Don's Market         | 01-611877      | 35.25 ✓        | .00             | .00              | 35.25          | ✓   |                 |                   |
| 07/09/2019    | 48            | Don's Market         | 04-461173      | 3.69 ✓         | .00             | .00              | 3.69           | ✓   |                 |                   |
| 07/09/2019    | 48            | Don's Market         | 04-461207      | 113.99 ✓       | .00             | .00              | 113.99         | ✓   |                 |                   |
| 07/09/2019    | 48            | Don's Market         | 04-462405      | 1.59 ✓         | .00             | .00              | 1.59           | ✓   |                 |                   |
| 07/09/2019    | 48            | Don's Market         | 04-462444      | 3.18 ✓         | .00             | .00              | 3.18           | ✓   |                 |                   |
| 07/09/2019    | 1017          | Electrical Service   | 820161         | 210.00 ✓       | .00             | .00              | 210.00         | ✓   |                 |                   |
| 07/09/2019    | 56            | Enterprise Fund/La   | 299216-3014    | 2,981.50 ✓     | .00             | .00              | 2,981.50       | ✓   |                 |                   |
| 07/09/2019    | 62            | Feather Petroleum    | 5508182-550    | 1,031.62 ✓     | .00             | .00              | 1,031.62       | ✓   |                 |                   |
| 07/09/2019    | 1092          | Ferguson Waterwo     | 1015316        | 1,093.16 ✓     | .00             | .00              | 1,093.16       | ✓   |                 |                   |
| 07/09/2019    | 81            | High Country Printi  | 18421          | 51.23 ✓        | .00             | .00              | 51.23          | ✓   |                 |                   |
| 07/09/2019    | 1011          | J. David Reed, PC    | 76502-76507    | 3,120.00 ✓     | .00             | .00              | 3,120.00       | ✓   |                 |                   |
| 07/09/2019    | 482           | Larry D Gillenwate   | 909399         | 106.07 ✓       | .00             | .00              | 106.07         | ✓   |                 |                   |
| 07/09/2019    | 470           | Leon, Susan          | 070119-0731    | 700.00 ✓       | .00             | .00              | 700.00         | ✓   |                 |                   |
| 07/09/2019    | 103           | Master Petroleum     | CL-36127-IN    | 549.04 ✓       | .00             | .00              | 549.04         | ✓   |                 |                   |
| 07/09/2019    | 763           | Mesa County Healt    | 1942-19        | 20.00 ✓        | .00             | .00              | 20.00          | ✓   |                 |                   |
| 07/09/2019    | 763           | Mesa County Healt    | 1943-19        | 20.00 ✓        | .00             | .00              | 20.00          | ✓   |                 |                   |
| 07/09/2019    | 141           | North Fork Service   | 182731-1827    | 628.05 ✓       | .00             | .00              | 628.05         | ✓   |                 |                   |
| 07/09/2019    | 122           | Paonia Auto Parts    | 354242-3551    | 630.95 ✓       | .00             | .00              | 630.95         | ✓   |                 |                   |
| 07/09/2019    | 125           | Paonia Farm & Ho     | 15485-18029    | 358.36 ✓       | .00             | .00              | 358.36         | ✓   |                 |                   |
| 07/09/2019    | 499           | Phonz +              | 792            | 1,137.08 ✓     | .00             | .00              | 1,137.08       | ✓   |                 |                   |
| 07/09/2019    | 624           | Reich, Dennis        | 061919-0624    | 173.42 ✓       | .00             | .00              | 173.42         | ✓   |                 |                   |
| 07/03/2019    | 737           | Ricoh USA Inc        | 5056964837     | 128.19 ✓       | .00             | .00              | 128.19         | ✓   |                 |                   |
| 07/09/2019    | 451           | Roger Edwards        | BOOT ALLO      | 100.00 ✓       | .00             | .00              | 100.00         | ✓   |                 |                   |
| 07/09/2019    | 656           | Schmueser Gordo      | 2013-471.00    | 2,052.00 ✓     | .00             | .00              | 2,052.00       | ✓   |                 |                   |
| 07/09/2019    | 152           | Southwestern Syst    | 202518         | 1,161.50 ✓     | .00             | .00              | 1,161.50       | ✓   |                 |                   |
| 07/09/2019    | 152           | Southwestern Syst    | 202519         | 447.50 ✓       | .00             | .00              | 447.50         | ✓   |                 |                   |
| 07/09/2019    | 1087          | Stahly, Lester       | 061519-0621    | 325.00 ✓       | .00             | .00              | 325.00         | ✓   |                 |                   |
| 07/09/2019    | 1095          | Stripe A Lot Inc     | 1219           | 18,931.44 ✓    | .00             | .00              | 18,931.44      | ✓   |                 |                   |
| 07/09/2019    | 861           | The Paper-Clip LL    | 2032574-203    | 238.84 ✓       | .00             | .00              | 238.84         | ✓   |                 |                   |
| 07/09/2019    | 161           | UNCC                 | 219060784      | 45.44 ✓        | .00             | .00              | 45.44          | ✓   |                 |                   |
| 07/09/2019    | 162           | United Companies     | 1299876        | 2,454.85 ✓     | .00             | .00              | 2,454.85       | ✓   |                 |                   |
| Grand Totals: |               |                      | 39             | 53,001.29      | .00             | .00              | 53,001.29      |     |                 |                   |

Cash Requirements Summary

| Date          | Invoice Amount | Discount Amount | Partial Payments | Net Due Amount | Net Cumulative Amount |
|---------------|----------------|-----------------|------------------|----------------|-----------------------|
| 07/03/2019    | 128.19         | .00             | .00              | 128.19         | 128.19                |
| 07/08/2019    | 989.00         | .00             | .00              | 989.00         | 1,117.19              |
| 07/09/2019    | 51,884.10      | .00             | .00              | 51,884.10      | 53,001.29             |
| Grand Totals: | 53,001.29      | .00             | .00              | 53,001.29      |                       |

*lyle 7/8/19*

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            |                | 06/28/2019   | 74-00    | Federal Tax Deposit Social Security   | 10-0216    | 1,084.16 |
| 2                  | IRS Tax Deposit            |                | 06/28/2019   | 74-00    | Federal Tax Deposit Social Security   | 10-0216    | 1,084.16 |
| 2                  | IRS Tax Deposit            |                | 06/28/2019   | 75-00    | Federal Tax Deposit Medicare Pay P    | 10-0216    | 351.74   |
| 2                  | IRS Tax Deposit            |                | 06/28/2019   | 75-00    | Federal Tax Deposit Medicare Pay P    | 10-0216    | 351.74   |
| 2                  | IRS Tax Deposit            |                | 06/28/2019   | 76-00    | Federal Tax Deposit Federal Withhold  | 10-0216    | 1,725.15 |
| Total 2:           |                            |                |              |          |                                       |            | 4,596.95 |
| <b>4</b>           |                            |                |              |          |                                       |            |          |
| 4                  | Aflac                      |                | 06/28/2019   | 63-01    | Aflac Pre-Tax Pay Period: 6/28/2019   | 10-0225    | 120.18   |
| 4                  | Aflac                      |                | 06/28/2019   | 63-02    | Aflac After Tax Pay Period: 6/28/2019 | 10-0225    | 24.90    |
| Total 4:           |                            |                |              |          |                                       |            | 145.08   |
| <b>6</b>           |                            |                |              |          |                                       |            |          |
| 6                  | Colorado Dept of Labor     |                | 06/28/2019   | 98-00    | SUTA State Unemployment Tax Pay       | 10-0218    | 76.22    |
| Total 6:           |                            |                |              |          |                                       |            | 76.22    |
| <b>9</b>           |                            |                |              |          |                                       |            |          |
| 9                  | Colorado Dept of Revenue   |                | 06/28/2019   | 77-00    | State Withholding Tax Pay Period: 6/2 | 10-0217    | 701.00   |
| Total 9:           |                            |                |              |          |                                       |            | 701.00   |
| <b>31</b>          |                            |                |              |          |                                       |            |          |
| 31                 | Mutual of Omaha            |                | 06/28/2019   | 51-01    | Group# MOORetirement Plan Pay P       | 10-0220    | 491.53   |
| 31                 | Mutual of Omaha            |                | 06/28/2019   | 51-01    | Group# MOORetirement Plan Pay P       | 10-0220    | 840.19   |
| 31                 | Mutual of Omaha            |                | 06/28/2019   | 51-02    | Group# MOO Loan Payment Pay Pe        | 10-0220    | 129.07   |
| Total 31:          |                            |                |              |          |                                       |            | 1,460.79 |
| <b>33</b>          |                            |                |              |          |                                       |            |          |
| 33                 | FPPA - Fire & Police Pensi |                | 06/28/2019   | 50-00    | FPPA Pay Period: 6/28/2019            | 10-0219    | 723.44   |
| 33                 | FPPA - Fire & Police Pensi |                | 06/28/2019   | 50-00    | FPPA Pay Period: 6/28/2019            | 10-0219    | 551.19   |
| 33                 | FPPA - Fire & Police Pensi |                | 06/28/2019   | 90-00    | Death & Disability Pay Period: 6/28/2 | 10-0219    | 192.92   |
| Total 33:          |                            |                |              |          |                                       |            | 1,467.55 |
| <b>70</b>          |                            |                |              |          |                                       |            |          |
| 70                 | Rocky Mountain HMO         |                | 06/28/2019   | 60-01    | RMHMO - Employee Only Pay Period      | 10-0223    | 434.21   |
| 70                 | Rocky Mountain HMO         |                | 06/28/2019   | 60-01    | RMHMO - Employee Only Pay Period      | 10-0223    | 3,473.98 |
| 70                 | Rocky Mountain HMO         |                | 06/28/2019   | 60-03    | RMHMO - Employee + Family Pay Pe      | 10-0223    | 343.44   |
| 70                 | Rocky Mountain HMO         |                | 06/28/2019   | 60-03    | RMHMO - Employee + Family Pay Pe      | 10-0223    | 2,747.60 |
| 70                 | Rocky Mountain HMO         |                | 06/28/2019   | 60-04    | RMHMO - Vision Pay Period: 6/28/20    | 10-0223    | 33.58    |
| Total 70:          |                            |                |              |          |                                       |            | 7,032.81 |
| <b>71</b>          |                            |                |              |          |                                       |            |          |
| 71                 | The Harford                |                | 06/28/2019   | 65-01    | Group#013307460001 Hartford Basic     | 10-0226    | 27.56    |
| 71                 | The Harford                |                | 06/28/2019   | 65-02    | Group#013307460001 Hartford Suppl     | 10-0226    | 29.38    |

*MO.*

*OH*

*MO.*

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*WPK 7/2/19*

| Transmittal Number | Name                        | Invoice Number | Pay Per Date | Pay Code | Description                       | GL Account | Amount    |
|--------------------|-----------------------------|----------------|--------------|----------|-----------------------------------|------------|-----------|
| Total 71:          |                             |                |              |          |                                   |            | 56.94     |
| 73                 | 73 Delta Dental of Colorado |                | 06/28/2019   | 60-05    | Dental RMHMO - Dental Pay Period: | 10-0223    | 213.12    |
| Total 73:          |                             |                |              |          |                                   |            | 213.12    |
| Grand Totals:      |                             |                |              |          |                                   |            | 15,750.46 |

*MD.*

Report Criteria:

Unpaid transmittals included  
Begin Date: ALL  
End Date: ALL

003

0.\*

4,596.95+

1,460.79+

1,467.55+

7,525.29\*

|

| Employee Number | Name                  | 85-00 Net Pay Emp Amt |
|-----------------|-----------------------|-----------------------|
| 1057            | Adams, Curtis G       | 904.83                |
| 1054            | Beardslee, Dominic D  | 1,359.02              |
| 1052            | Edwards, Roger        | 884.67                |
| 1002            | Ferguson, J. Corinne  | 1,397.54              |
| 1020            | Ferguson, Neil        | 1,684.27              |
| 1022            | Hinyard, Patrick      | 1,087.57              |
| 1001            | Jones, Cynthia        | 1,618.03              |
| 1000            | Knight, Kenneth D     | 1,945.74              |
| 1050            | Loberg, Travis        | 2,100.51              |
| 1003            | Mojarro-Lopez, Amanda | 1,014.97              |
| 1025            | Patterson, Taffine A  | 851.95                |
| 1055            | Redden, Jordan        | 506.93                |
| 1051            | Reich, Dennis         | 933.56                |
| 1026            | Vassel, Andrew C      | 883.80                |
| 1056            | Voight, Steven P      | 865.56                |
| 1024            | Winnett, Lorin E      | 959.01                |

Grand Totals:

16 18,997.96

*Roll  
7/1/19*



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

New Balance  
**\$9,491.19**  
Minimum Payment Due  
**\$94.00**  
Payment Due Date  
**07/17/19**

**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:                      | [REDACTED]          |
| Previous Balance                     | \$2,752.39          |
| Payment, Credits                     | -\$2,919.67         |
| Purchases                            | +\$9,658.47         |
| Cash Advances                        | \$0.00              |
| Balance Transfers                    | \$0.00              |
| Fees Charged                         | \$0.00              |
| Interest Charged                     | \$0.00              |
| <b>New Balance</b>                   | <b>\$9,491.19</b>   |
| Opening/Closing Date                 | 05/23/19 - 06/23/19 |
| Credit Limit                         | \$45,000            |
| Available Credit                     | \$35,508            |
| Cash Access Line                     | \$9,000             |
| Available for Cash                   | \$9,000             |
| <b>Past Due Amount</b>               | <b>\$0.00</b>       |
| <b>Balance over the Credit Limit</b> | <b>\$0.00</b>       |

### 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 \$9,491.19 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 FIS33339 C 1

N Z 23 19/06/23

Page 1 of 3

05686 MA DA 35237 [REDACTED]

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



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

**AUTOPAY IS ON**  
See Your Account  
Messages for details.

|                   |            |
|-------------------|------------|
| Payment Due Date: | 07/17/19   |
| New Balance:      | \$9,491.19 |
| Minimum Payment:  | \$94.00    |

Account number: 4246 3152 5990 8901

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

35237 BEX Z 17419 C  
CINDY JONES  
TOWN OF PAONIA  
PO BOX 460  
PAONIA CO 81428-0460

CARDMEMBER SERVICE  
PO BOX 6294  
CAROL STREAM IL 60197-6294



Manage your account online:  
www.chase.com/ink

Customer Service:  
1-800-945-2028

Mobile: Download the  
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## YOUR ACCOUNT MESSAGES (CONTINUED)

See section titled 'Account Information Reported to Credit Bureau' for a new Disputes mailing address.

## ACCOUNT ACTIVITY

| Date of Transaction | Merchant Name or Transaction Description   | \$ Amount |
|---------------------|--|-----------|
| 06/12               | CREDIT FOR UNUSED REWARDS  | -135.69   |
| 06/17               | AUTOMATIC PAYMENT - THANK YOU  | -2,449.42 |
| 06/08               | MY BEST CELLULAR 970-872-2677 CO   | 35.00     |
| 06/08               | MY BEST CELLULAR 970-872-2677 CO   | 35.00     |
| 06/13               | AT&T*BILL PAYMENT 800-331-0500 TX  | 79.31     |
| 06/15               | MY BEST CELLULAR 970-872-2677 CO   | 15.00     |
| 06/16               | MY BEST CELLULAR 970-872-2677 CO<br>CINDY JONES<br>TRANSACTIONS THIS CYCLE (CARD 8901) \$2405.80-<br>INCLUDING PAYMENTS RECEIVED | 15.00     |
| 05/22               | BOOKCLIFF GARDENS 970-2427766 CO   | 162.04    |
| 06/18               | SHERWIN WILLIAMS 707739 DELTA CO<br>TRAVIS LOBERG<br>TRANSACTIONS THIS CYCLE (CARD 2935) \$1058.16                               | 896.12    |
| 06/17               | BLUE STAG BAR BRECKENRIDGE CO  | 93.37     |
| 06/19               | BEAVER RUN RESORT BRECKENRIDGE CO  | 409.20    |
| 06/18               | WASABI JAPANESE RESTAURA BRECKENRIDGE CO   | 50.88     |
| 06/19               | THE LOST CAJUN - BRECKENR BRECKENRIDGE CO  | 64.44     |
| 06/22               | DOUBLETREE BY HILTON BRECKENRIDGE CO   | 557.89    |
| 06/20               | BANGKOK HAPPY BOWL- BRECK BRECKENRIDGE CO<br>KENNETH D KNIGHT<br>TRANSACTIONS THIS CYCLE (CARD 3718) \$1233.56                   | 57.78     |
| 06/15               | DOUBLETREE BY HILTON 9704964971 CO   | -167.28   |
| 06/18               | DOUBLETREE BY HILTON 9704964971 CO   | -167.28   |
| 06/08               | AMZN Mktp US*M654Z1GU1 Amzn.com/bill WA  | 21.98     |
| 06/15               | DOUBLETREE BY HILTON 9704964971 CO   | 195.35    |
| 06/13               | DIAMOND VOGEL PAINT #751 GRAND JUNCTIO CO  | 327.40    |
| 06/17               | CONOCO - STOP N SAVE 9 PAONIA CO   | 43.00     |
| 06/18               | CONOCO - WEST VAIL 80 VAIL CO  | 36.00     |
| 06/18               | SKYWALK DELI BRECKENRIDGE CO   | 17.49     |
| 06/19               | DOUBLETREE BY HILTON 9704964971 CO   | 3.65      |
| 06/19               | DOUBLETREE BY HILTON 9704964971 CO<br>CORINNE FERGUSON<br>TRANSACTIONS THIS CYCLE (CARD 3742) \$314.31                           | 4.00      |
| 05/22               | OC AUTO CARPETS 855-622-8862 CA  | 206.07    |
| 06/21               | DRONE NERDS 786-708-7807 FL<br>NEIL FERGUSON<br>TRANSACTIONS THIS CYCLE (CARD 3775) \$6008.06                                    | 5,801.99  |
| 05/28               | USPS PO 0769660541 PAONIA CO   | 7.85      |
| 05/28               | USPS PO 0769660541 PAONIA CO   | 34.89     |
| 05/31               | USPS PO 0769660541 PAONIA CO   | 7.85      |
| 06/13               | USPS PO 0769660541 PAONIA CO   | 126.00    |
| 06/13               | MAVERIK #463 DELTA CO  | 32.02     |
| 06/13               | USPS PO 0769660541 PAONIA CO   | 44.10     |
| 06/13               | SQ *NORWOOD HOTEL LLC NORWOOD CO   | 85.00     |
| 06/13               | USPS PO 0769660541 PAONIA CO   | 144.90    |
| 06/14               | SQ *KRISTI'S KITCHEN Egnar CO  | 16.67     |
| 06/14               | SQ *KRISTI'S KITCHEN Egnar CO  | 11.22     |
| 06/15               | CONOCO - STOP N SAVE 9 PAONIA CO<br>TOWNOF PAONIA<br>TRANSACTIONS THIS CYCLE (CARD 8181) \$530.51                                | 20.01     |

| 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.

AGENDA SUMMARY FORM



Ordinance 2019-TBD – Business Registration

**Summary:**  
Continued discussion regarding business licensing and/or registering.

**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:   |



From the desk of: *Corinne Ferguson*

07/01/2019

**Violation notice received June 6, 2019 - for failure to meet Survey Compliance Ratio and Backflow Assembly Testing Compliance Ratio.**

To cure this violation, the Town needs an accurate and an up to date list of all businesses within the Town limits. A list of billed commercial locations will not fill this need, as there are multiple businesses often located under one billing account. The Town MUST provide an accurate list of the type and location of businesses and track the locations that have proper back-flow and cross connection devices. The business owner MUST complete the Town survey (provided twice in 2018) and provide documentation showing that the devices have been inspected annually.

To fulfill the requirements of notice for the violation the Town spent:

Paper: \$117.00

Envelopes (included postage): \$820.00

Clerk Time: \$320.00 (16 hours)

Deputy Clerk Time: \$ 112.00 (8 hours)

**TOTAL: \$1,369.00**

A common topic mentioned while discussing Business licensing/registration at the June 11<sup>th</sup> Board meeting was the time constraints for the Town office staff to add business registering to the tasks. I reached out via the Clerks list serve and received the following feedback:

**Fraser:** “We have 424 business licenses. Like the other clerks I spend most of my time at renewals and very little after that. In total I’d say I spend about 40-50 hours annually.”

**New Castle:** “I spend probably 1-2 hours per month. Between issuing licenses and updating information regarding insurance and state licenses. I truly don’t spend that much time per month on licensing.”

**FoxField:** “I spend perhaps 6 hours a year on this, mostly chasing the ones who don’t renew automatically (most do). At \$50 for the first year and \$35 for a renewal, this is not a revenue generator but it allows me to keep an updated list of businesses in the small retail center and their contact information.”

**Canon City:** “Most of my time is spent in November/December/January when license renewal takes place (ours runs from Jan 1 to Dec 31 regardless of when they get their license). Otherwise, I spend maybe 2 hours a month on new licenses and questions.”

So, as you can see from other communities already performing this task, the amount of time is minimum. This one violation notice took 24 hours of time, just for me and Amanda., I did not include Travis in my calculations because he would not have time in business registering. These notices must be sent out every three months until the deficiency is cleared. That equals approximately **96 hours** a year and \$5,476.00 out of tax paying dollars.

Again, I request the Board seriously consider implementing a business registry, at a nominal charge and minimal impact on businesses.

**ORDINANCE NO. 2019\_\_**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, ADDING CHAPTER 6, ARTICLE 5 TO 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**, the Board of Trustees of the Town had determined that the levy of an annual business registration fee on all persons doing business in the Town will promote the health safety and general welfare of the Paonia community.

**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.**

Chapter 6, Article 5 of the Town Code is added as follows:

**Sec. 6-5-1 Purpose.**

The purpose of this article shall be to require the registering and regulation of business activities, occupations and enterprises conducted within the Town and provide the Town with necessary information relating to businesses and professions operating within the Town in order to protect the health, welfare and safety of its inhabitants. It is the express intent and purpose of the business registration fee to cover the cost of processing such registration.

**Sec. 6-5-2 Business Registration Required.**

It shall be unlawful for any person, firm, association, partnership or corporation either as a principal, agent, clerk, employee or otherwise to commence or carry on any kind of business, profession or occupation without first having registered with the Town.

**Sec. 6-5-3 Application for Registration.**

(a) Any person, firm, association, partnership or corporation now engaged in any business, profession or occupation within the corporate limits of the Town shall on or before January 1, 2020, and annually thereafter, so long as such person, firm, association, partnership or corporation comes within the purview of this Article 5, supply the information necessary to register the business with the Town Clerk. An application for such registration shall be made

to the Town Clerk and in the form provided by the Town and accompanied by the appropriate fee as set by resolution.

(b) Upon receipt of a complete application for business registration, the Town Clerk will issue a registration certificate within fifteen (15) days of receipt.

**Sec. 6-5-4 Buildings, Premises to Comply with Town Requirements Prior to Issuance of a Business Registration Certificate.**

The Town Clerk shall not issue a business registration certificate for the conduct of any business, and no permit shall be issued for anything, or act, if the premises and building to be used for the purpose do not fully comply with the requirements of the Town. No such business registration certificate or permit shall be issued for the conduct of any business or performance of any act which would involve a violation of the zoning provisions of the Town.

**Sec. 6-5-5 Exemptions.**

All businesses located or performed within the Town shall be subject to this business registration fee as levied under this Article, except as follows:

- (a) Day care centers are hereby exempted from the terms of this Article.
- (b) Schools are hereby exempted from the terms of this Article.
- (c) Nonprofit Colorado corporations are hereby exempted from the payment of a fee but shall be required to register.

**Sec. 6-5-6 Term of Registration Certificate.**

All registration certificates shall cover a period of one (1) year beginning January 1 and ending December 31 of that year. No rebate or credit shall be given for registration certificate used or issued for fractions or portions of a year; nor shall such registration certificate be assignable or transferable as to person, but it may be transferred as to place at the discretion of the Town Clerk. Business registrations shall be renewed annually during the month of December.

**Sec. 6-5-7 Notification for Renewal.**

The Town Clerk shall be charged with the administration and collection of all registration fees authorized under this Article. It shall be his or her duty to notify every known business, trade, occupation and professional enterprise in operation within the Town of the fact that such registration fee is due prior to January 1 of each year. Said notification shall include full instructions as to procedures for remittance of the registration fee due, and penalties provided. Lack of receipt of such notification in any year shall not relieve any person engaging in business within the Town from the liability of paying such registration fee and complying with all other requirements of this Article.

**Sec. 6-5-8 Delinquent Charges.**

Any person failing to pay any registration fee levied under this Article by January 1 shall thereafter be deemed delinquent and the registration deemed expired. To renew their registration certificate, the businesses registering shall be subject to a delinquent fee in an amount to be approved by the Town Board of Trustees for each full month for which said fee is delinquent, assessed on the first day of the month, in addition to any other penalty which may be imposed for the violation of this Code.

**Sec. 6-5-9. Issuance of Registration Certificate.**

Upon receipt of a registration fee payment due under this Article, the Town Clerk shall issue a certificate which shall indicate that said registration fee has been paid for the specified year.

**Sec. 6-5-10. Display of Registration Certificate.**

Each registration certificate issued under this Article shall at all times while in force be displayed in a conspicuous place in the place of business and shall be removed after expiration thereof.

**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 adoption.

**INTRODUCED, READ AND REFERRED to public hearing before the Board of Trustees of the Town of Paonia, Colorado, on the 9<sup>th</sup> day of July, 2019.**

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

By: \_\_\_\_\_  
CHARLES STEWART, Mayor

ATTEST:

\_\_\_\_\_  
J. CORINNE FERGUSON, Town Clerk

**\HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.**

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

By: \_\_\_\_\_  
CHARLES STEWART, Mayor

ATTEST:

\_\_\_\_\_  
J. CORINNE FERGUSON, Town Clerk



## APPLICATION FOR 2020 BUSINESS REGISTRATION and/or ANNUAL RENEWAL

**NOTE:** Application will be rejected unless all questions are fully answered, and proper remittance is attached. The fee is \$\_\_.00 per year per business. **RENEWAL:** If NO changes, check box , fill in licensee and Trade Name sections, sign and date below, and return with renewal fee of \$\_\_.00

**Ownership Information (please print or type):**

|   |  |   |   |                                 |  |   |
|---|--|---|---|---------------------------------|--|---|
| Type of Ownership:<br>Please indicate by checking the appropriate box to the right. | Individual<br><input type="checkbox"/> | Partnership<br><input type="checkbox"/> | Corporation<br><input type="checkbox"/> | LLC<br><input type="checkbox"/> | Association/Club<br><input type="checkbox"/> | Other _____<br><input type="checkbox"/> |
|---|--|---|---|---------------------------------|--|---|

**Licensee Information (please print or type):**

|  |  |
|--|--|
| Full Legal Name of Licensee                              |  |
| Trade Name (DBA)   |  |
| Physical Address of Business                             |  |
| City   |  |
| State  |  |
| Zip Code   |  |
| Mailing Address  |  |
| City   |  |
| State  |  |
| Zip Code   |  |
| Contact Person   |  |
| Title  |  |
| Telephone  |  |
| Fax  |  |
| E-Mail   |  |
| Contact Person After Hours<br>(include Telephone number) |  |

**Business Information (please print or type):**

|   |  |
|---|--|
| Colorado State Sales Tax Number                     |  |
| Date you began making sales in Paonia, CO           |  |
| Principal product or service rendered in Paonia, CO |  |

|                      |       |
|----------------------|-------|
| Authorized signature | Date: |
| Printed Name         |       |

**214 Grand Avenue • P.O. Box 460 • Paonia, CO 81428-0460**  
**(970) 527-4101 • Fax (970) 527-4102**  
**www.TownofPaonia.com**

AGENDA SUMMARY FORM



Employee Health Plan Renewal

**Summary:**  
Discussion regarding employee health plan renewal options, deductibles, Town/Staff contribution.

**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:   |

| DEDUCTIBLE OUT OF POCKET MAX COVERAGE COPAY |      |       | 2000/4000 | 1500/3000 | 1750/3500 | \$2000 / \$4,000<br>\$7,300 / \$14,600<br>65% | \$2800 / \$5600<br>\$7,300 / \$14,600<br>65% | \$1000 / \$2000<br>\$6,500 / \$13,000<br>75% | 77.39/+S<br>79.1/+K<br>118.8/F<br>38.83/E | 12.56/+S<br>14.71/+K<br>20.6/F<br>6.64/E | \$ 82.81<br>\$ 84.64<br>\$ 127.12<br>\$ 41.55 | \$ 13.19<br>\$ 15.45<br>21.63<br>\$ 6.97 |                |          |               |          |
|---|------|-------|-----------|-----------|-----------|---|--|--|---|--|---|--|----------------|----------|---------------|----------|
|   |      |       | 2016      | 2017      | 2018      | CURRENT (2019)                                | FOR 2020                                     |  |   | FOR 2020                                 |   |  | CURRENT (2019) |          | EST. INCREASE |          |
| EMPLOYEE                                    | DEP  | STAT  |           |           |           | HEALTH  | AUGUST                                       | SEPTEMBER                                    | OCTOBER                                   | AUGUST                                   | SEPTEMBER                                     | OCTOBER                                  | DENTAL         | VISION   | DENTAL        | VISION   |
| KNIGHT                                      | EE   | H+D+V |           |           | 1141.14   | 1,163.87                                      | 1,153.19                                     | 1,153.19                                     | 1,177.41                                  | 1,392.57                                 | 1,392.57                                      | 1,421.79                                 | 38.83          | 6.64     | 41.55         | 6.97     |
| JONES                                       | EE   | H+V   | 587.48    | 566.82    | 784.16    | 808.50  | 783.51                                       | 818.84                                       | 836.03                                    | 946.15                                   | 988.81  | 1,009.56                                 |                | 6.64     | 41.55         | 6.97     |
| MOJARRO                                     | FA   | D+V   |           |           |           |   | 1,944.32                                     |  |   | 2,347.93                                 |   |  | 77.39          | 20.66    | 127.12        | 21.63    |
| FERGUSON                                    | FA   | H+D+V | 1511.4    | 1400.55   | 1601.95   | 1,775.22                                      | 1,732.00                                     | 1,732.00                                     | 1,768.38                                  | 2,091.52                                 | 2,091.52                                      | 2,135.40                                 | 77.39          | 20.66    | 127.12        | 21.63    |
| HINYARD                                     | EE   | H+D   | 412.54    | 385.29    | 513.81    | 509.45  | 496.92                                       | 496.92                                       | 507.39                                    | 600.07                                   | 600.07  | 612.66                                   | 38.83          |          | 41.44         | 6.97     |
| WINNETT                                     | +S   | D+V   |           |           |           |   | 1,373.15                                     |  |   | 1,658.19                                 |   |  | 77.39          | 12.56    | 82.81         | 13.19    |
| PATTERSON                                   | +S   | NONE  |           |           |           |   | 656.27                                       |  |   | 792.50                                   |   |  |                |          | 82.81         | 13.19    |
| VASSEL                                      | +S   | D+V   |           |           |           |   | 924.00                                       |  |   | 1,115.80                                 |   |  | 77.39          | 12.56    | 82.81         | 13.19    |
| LOBERG                                      | FA   | H     | 833.35    | 977.19    | 1568.31   | 1,659.25                                      | 1,607.96                                     | 1,624.02                                     | 1,648.29                                  | 1,941.74                                 | 1,961.13                                      | 1,990.40                                 |                |          | 127.12        | 21.63    |
| REICH                                       | EE   | H+D   | 538.23    | 58.9      | 717.31    | 739.74  | 748.59                                       | 748.59                                       | 764.31                                    | 903.98                                   | 903.98  | 922.95                                   | 38.83          |          | 41.55         | 6.97     |
| EDWARDS                                     | EE   | H+D   | 516.54    | 496.05    | 687.46    | 706.61  | 716.88                                       | 716.88                                       | 731.94                                    | 865.69                                   | 865.69  | 883.86                                   | 38.83          |          | 41.55         | 6.97     |
| BEARDSLEE                                   | EE   | H+D   |           |           | 420.47    | 414.19  | 401.39                                       | 401.39                                       | 409.82                                    | 484.71                                   | 484.71  | 494.88                                   | 38.83          |          | 41.55         | 6.97     |
| TBD   |      |       |           |           |           |   |  |  |   |  |   |  |                |          |               |          |
| ADAMS                                       | EE   | H+D+V |           |           |           | 1,055.36                                      | 1,022.74                                     | 1,022.74                                     |   | 1,235.04                                 | 1,235.04                                      |  | 38.83          | 6.64     | 41.55         | 6.97     |
| REDDEN                                      | PT   |       |           |           |           |   |  |  |   |  |   |  |                |          |               |          |
| VOIGHT                                      | TEMP |       |           |           |           |   |  |  |   |  |   |  |                |          |               |          |
| TOTAL/MO                                    |      |       |           |           |           | 8,832.19                                      | 13,560.92                                    | 8,714.57                                     | 7,843.57                                  | 16,375.89                                | 10,523.52                                     | 9,471.50                                 | 542.54         | 86.36    | 920.53        | 153.25   |
| TOTAL ANNUAL                                |      |       |           |           |           | 105,986.28                                    | 162,731.04                                   | 104,574.84                                   | 94,122.84                                 | 196,510.68                               | 126,282.24                                    | 113,658.00                               | 6,510.48       | 1,036.32 | 11,046.36     | 1,839.00 |
| 80% PER MO                                  | TOWN |       |           |           |           | 7,065.75                                      | 10,848.74                                    | 6,971.66                                     | 6,274.86                                  | 13,100.71                                | 8,418.82                                      | 7,577.20                                 |                |          |               |          |
| 80% ANNUAL                                  | TOWN |       |           |           |           | 84,789.02                                     | 130,184.83                                   | 83,659.87                                    | 75,298.27                                 | 157,208.54                               | 101,025.79                                    | 90,926.40                                |                |          |               |          |
| 20% PER MO                                  | EMP  |       |           |           |           | 1,766.44                                      | 2,712.18                                     | 1,742.91                                     | 1,568.71                                  | 3,275.18                                 | 2,104.70                                      | 1,894.30                                 |                |          |               |          |
| 20% ANNUAL                                  | EMP  |       |           |           |           | 21,197.26                                     | 32,546.21                                    | 20,914.97                                    | 18,824.57                                 | 39,302.14                                | 25,256.45                                     | 22,731.60                                | 6,510.48       | 1,036.32 | 11,046.36     | 1,839.00 |
| 90% PER MO                                  | TOWN |       |           |           |           |   | 12,204.83                                    | 7,843.11                                     | 7,059.21                                  | 14,738.30                                | 9,471.17                                      | 8,524.35                                 |                |          |               |          |
| 90% ANNUAL                                  | TOWN |       |           |           |           |   | 146,457.94                                   | 94,117.36                                    | 84,710.56                                 | 176,859.61                               | 113,654.02                                    | 102,292.20                               |                |          |               |          |
| 10% PER MO                                  | EMP  |       |           |           |           |   | 1,356.09                                     | 871.46                                       | 784.36                                    | 1,637.59                                 | 1,052.35                                      | 947.15                                   |                |          |               |          |
| 10% ANNUAL                                  | EMP  |       |           |           |           |   | 16,273.10                                    | 10,457.48                                    | 9,412.28                                  | 19,651.07                                | 12,628.22                                     | 11,365.80                                | 6,510.48       | 1,036.32 | 11,046.36     | 1,839.00 |

|  |   |
|--|---|
|  | CURRENTLY HAS INSURANCE                               |
|  | ELIGIBLE BUT WAIVE HEALTH - PURCHASES DENTAL & VISION |
|  | ELIGIBLE BUT WAIVE ALL                                |

|    |                      |          |      |     |      |      |        |
|----|----------------------|----------|------|-----|------|------|--------|
| 98 | CURRENT YEARS TIERS: | EMP ONLY | 20%  | 1YR | 50%  | 2YRS | 45%    |
|    |                      |          | 3YRS | 35% | 4YRS | 25%  | 5YRS > |

AGENDA SUMMARY FORM

|  |  |                   |                       |
|--|--|-------------------|-----------------------|
| <p>Agenda Item</p>    | <p>Smith – 215 Delta Avenue – Roof Height Variance</p> |                   |                       |
| <p>Summary:<br/>Property owners of 215 Delta Avenue request approval for a garage roof total height of 20ft. Paonia code only permits 15 ft for accessory buildings in the residential zone.</p>   |  |                   |                       |
| <p>Staff: A roof height of 20’ is not normally allowed within a residential zone. Staff believes that variances should be issued only in extreme and unusual circumstances. The Planning Board should give careful consideration as to whether or not this request rises to those circumstances.</p> |  |                   |                       |
| <p>Vote:</p>   | <p>Barb Heck:</p>                                      | <p>Bill Bear:</p> | <p>Monica Foguth:</p> |
| <p>Lucy Hunter:</p>  | <p>Charles Stewart:</p>                                |                   |                       |
|  |  |                   |                       |

# **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 Wednesday, June 26, 2019 on or after 6:00PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:**

**Variance Request for Shane Smith**

Garage Height

215 Delta 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, July 11, 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:**

**Variance Request for Shane Smith**

Garage Height

215 Delta 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](mailto:paonia@townofpaonia.com) until June 20, 2019.

## SPECIAL REVIEW/VARIANCE APPLICATION

Name Shane & Paige Smith Application Date 5-13-2019  
Property Address 215 Delta Ave. 81428 P&Z Hearing Date 6-26-19  
Telephone Number XXXXXXXXXX Council Hearing Date 7-9-19

11.01 Intent. 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: When Allowed. 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: Site Plan and Supporting Documents. 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.
- A list of the names and addresses of all property owners within 200 ft. of the property. *By Town*
- All off-street parking and loading areas. *Its a garage*
- The location of all ways for ingress and egress to all buildings, and parking areas.
- Service and refuse collection areas. *n/a*
- Major screening proposals. *none*
- The size, shape, height and character of all signs. *none*
- The area and location of all open space and recreation areas. *n/a*
- The location and type of outdoor lighting. *n/a*
- 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. *90 days after Variance is granted*

- All owners and lien-holders of the property shall sign the following agreement that will be placed on the original special review site plan.
- Home Owner's association Written plan approval (if applicable) *n/a*

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 \_\_\_\_\_  
Request to build unattached garage at 20' high rather than 15'
- b. Current Zoning of Property Residential R-2
- c. What land boundary changes are necessary? None
- d. What addition/changes to existing buildings/structures will be made? None
- e. What new buildings/structures will be constructed? Free-standing, one-car garage
- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric. Extension of electricity from main house
- g. Will property have Commercial/Private or Public Use? Private
- h. Anticipated traffic flow and volume? No Change

- i. Detail the Safety and Disabled Access accommodations? N/A
- j. Detail the possible environmental impact; such as noise, lighting glare, pollutants, etc. None

Comments: We are adding 5' to the garage's height to allow for more ideal placement of photovoltaic solar panels and to better take advantage of passive solar heating. In addition, the space will provide increased room for storage.

**III. Public Notice Requirements**

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](mailto: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**

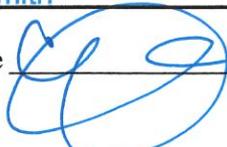
This application must be completed and a fee of **\$250.00** is assessed to include preliminary costs of administrative services, initial correspondence, publication and certified mailings to property owners within 200 feet of said property. **Payment must accompany this application.**

**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 

PRINTED NAME Shane Smith DATE: 5-13-2019

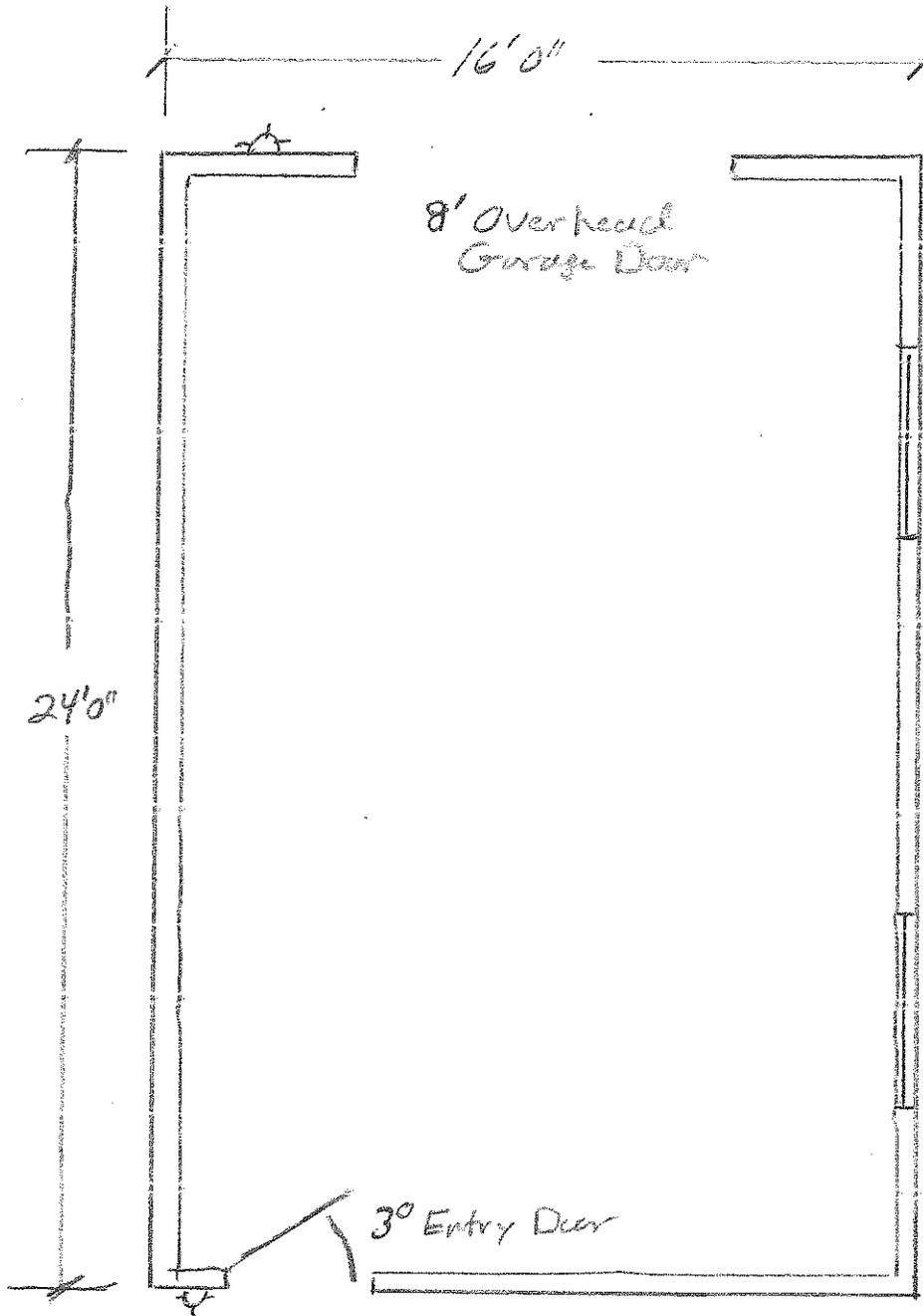
Clerks Acceptance  DATE 5.14.19

Smith Garage

← Alley →

215 Delta Ave

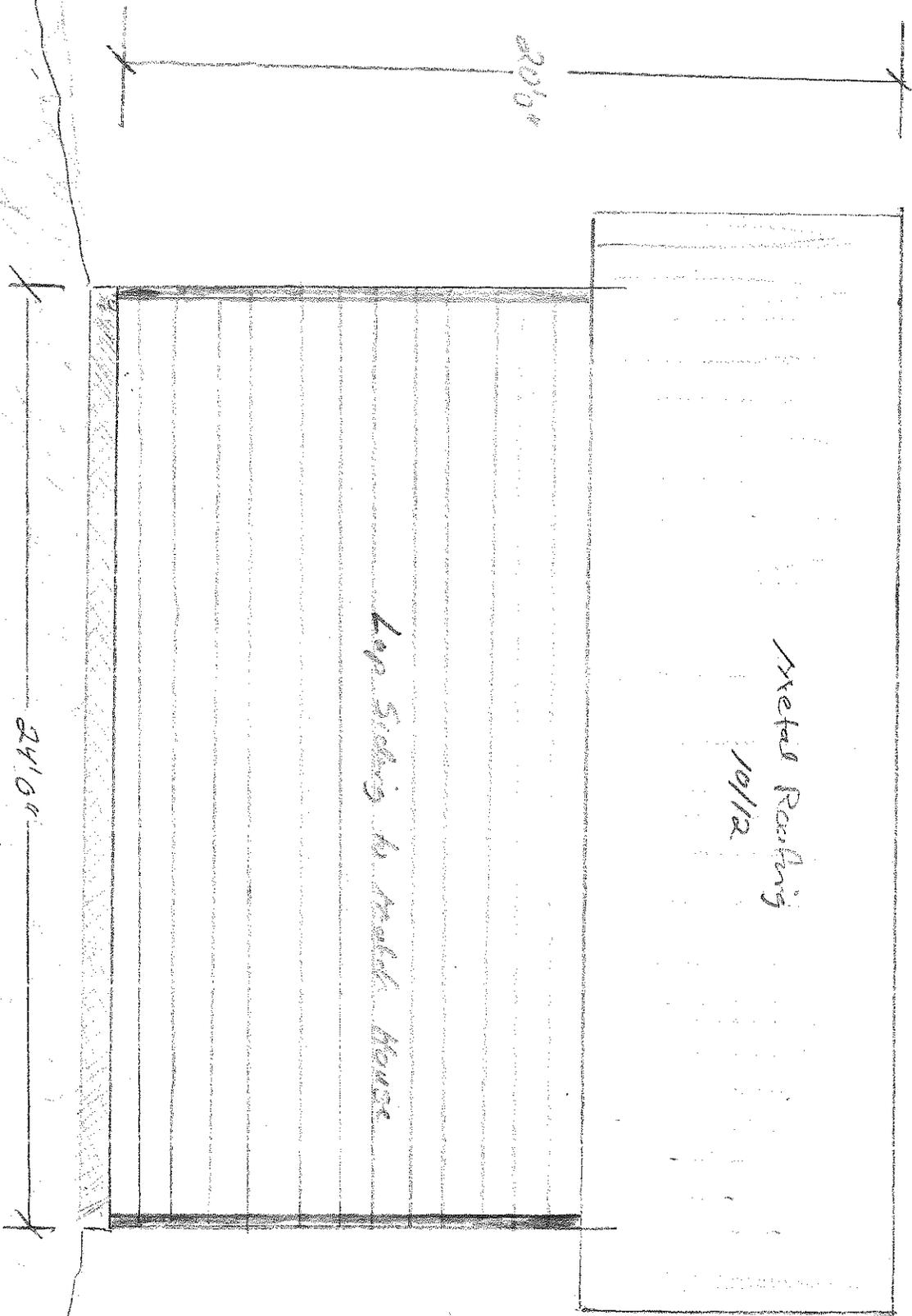
← North

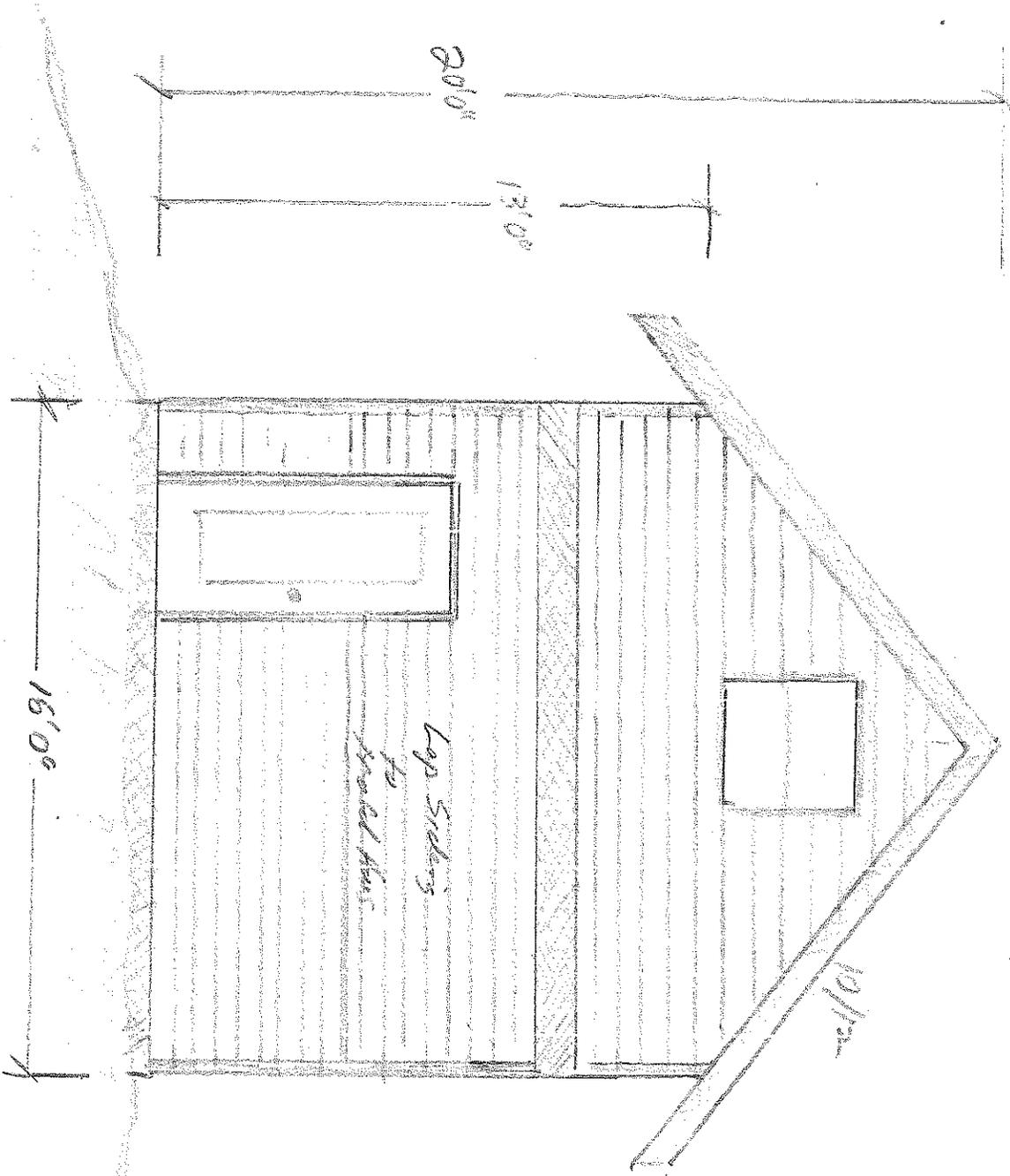


to House

North Elevation

Smith Garage  
215 Delta Ave



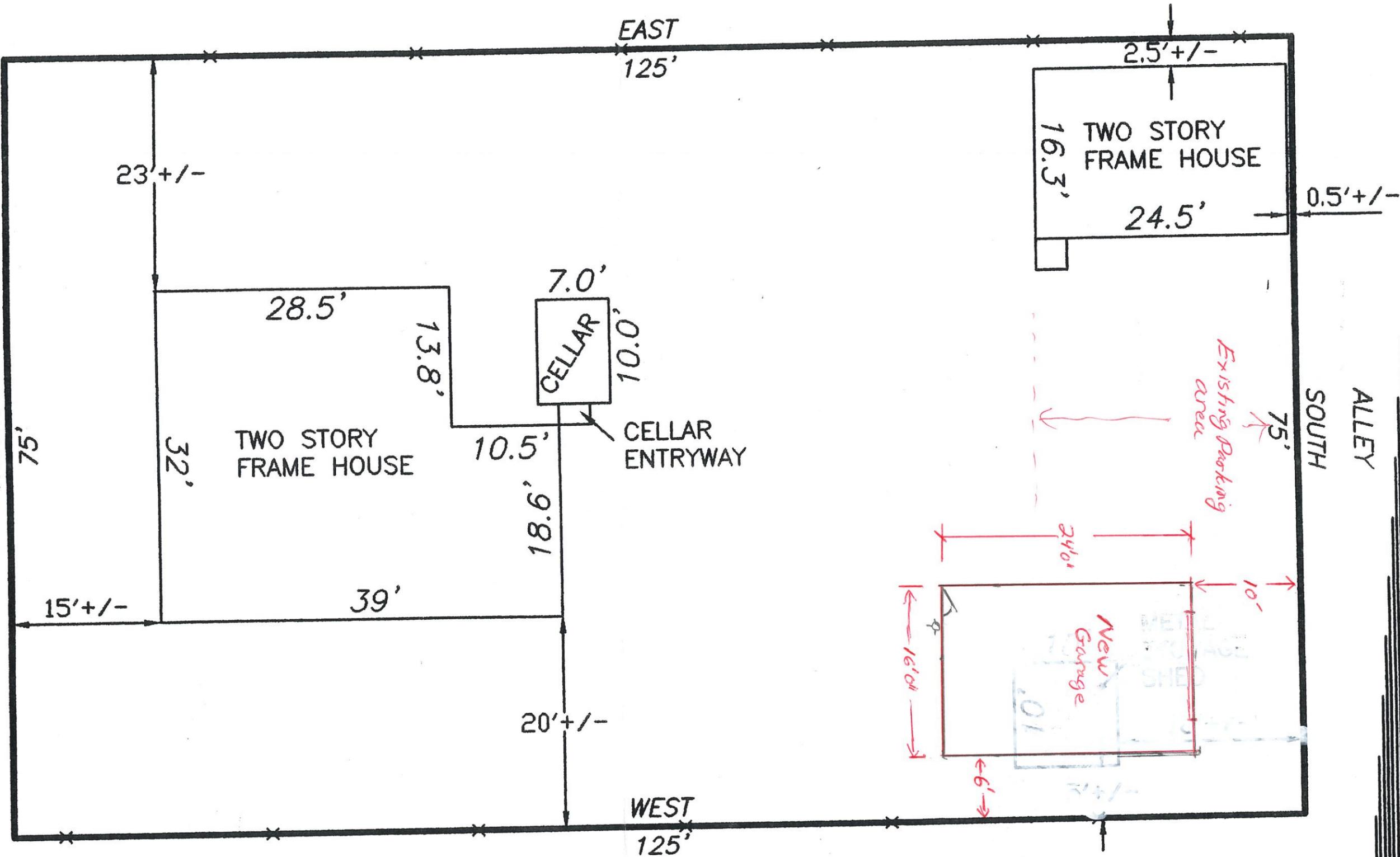


West Elevation

Smith Garage  
215 Drake Ave

DELTA AVENUE

NORTH



AGREEMENT TO AMEND/EXTEND CONTRACT

Date: 12/11/2009

1. This agreement amends the contract dated 10/28/2009 (Contract), between Paul & Jeanine Devlin (Seller), and Shane & Paige Smith Trust (Buyer), relating to the sale and purchase of the following legally described real estate in the County of Delta, Colorado: Lots 32, 33, & 34, Block 7, Hawkins and Moller's Addition to the town of Paonia including but not limited to: with/without warranty one (1) Town of Paonia water tap, One (1) Town of Paonia sewer tap, and One half (1/2) share of Stewart Ditch Irrigation Water. known as No.

215 & 215 1/2 Delta Avenue Paonia CO 81428 (Property). Street Address City State Zip

[NOTE: If any item is left blank or the term "No Change" is inserted, it means no change. The abbreviation "N/A" or the word "Deleted" means not applicable and when inserted on any line in Dates and Deadlines (§ 2.3) means that the corresponding provision of the Contract to which reference is made is deleted.]

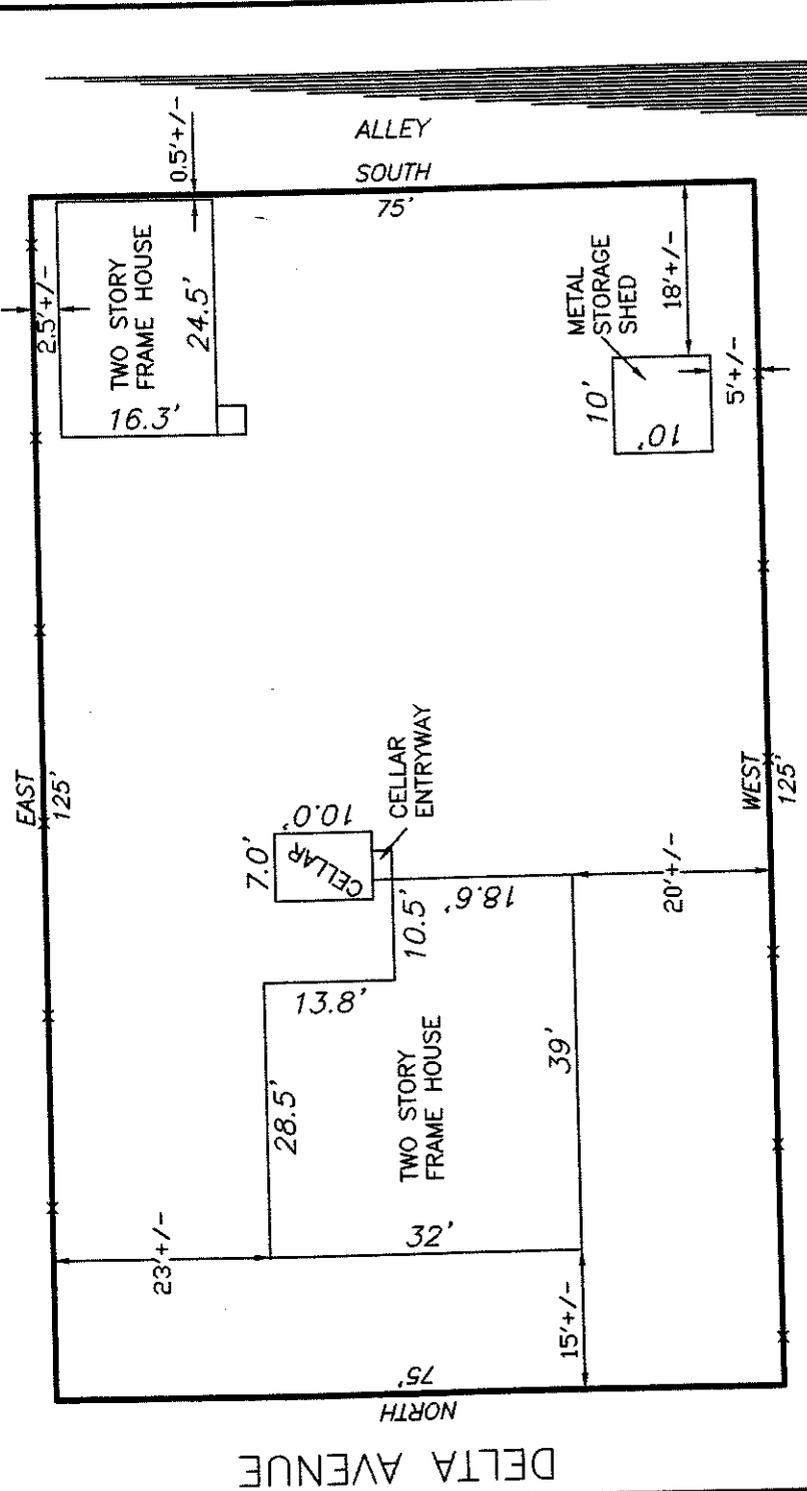
2. § 2.3. DATES AND DEADLINES. [NOTE: This table may be deleted if inapplicable.]

Table with 4 columns: Item No., Reference, Event, Date or Deadline. Lists various deadlines such as Alternative Earnest Money Deadline, Loan Application Deadline, etc., with a closing date of 12/21/2009.

# IMPROVEMENT LOCATION CERTIFICATE

THIS IS NOT A SURVEY

BORROWER(S): GEORGE K. AND DIANA McAFEE  
 LENDER: NORWEST MORTGAGE  
 PROPERTY ADDRESS: 215 & 215 1/2 DELTA AVENUE DATE: MARCH 24, 1998  
 GENERAL LOCATION: TOWN OF PAONIA



- TYPICAL LEGEND**
- Found pin with cap
  - Fencelines
  - Tel. line
  - Electric (overhead)
  - Gas line
  - Water line
  - Easement
  - Creek - River
  - Irrigation ditch
  - Concrete

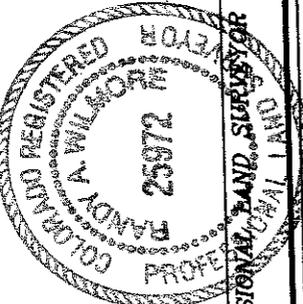
NOTE: BOUNDARY LINES ARE UNKNOWN WITHOUT A SURVEY. NO MONUMENTS WERE FOUND. THE IMPROVEMENTS APPEAR TO BE WITHIN THE BOUNDARY LINES.

LEGAL DESCRIPTION:  
 LOTS 32, 33 AND 34, BLOCK 7, HAWKINS AND MOLLER'S ADDITION TO THE TOWN OF PAONIA.

COUNTY OF DELTA  
 STATE OF COLORADO



INVESTIGATOR BY WILMORE AND COMPANY PROFESSIONAL LAND SURVEYING INC., 4053 GERMAN CREEK DRIVE, PAONIA, COLORADO 81428 (970)527-4200 FAX (970)527-4200  
 I hereby certify that this IMPROVEMENT LOCATION CERTIFICATE was prepared solely for NORWEST MORTGAGE, that it is NOT a survey plat, and that it is NOT to be relied upon for the establishment of fences, buildings, or other future improvement construction lines. I further certify that the improvements on the above described parcels on this 24TH day of MARCH, 1998, EXCEPT as may be shown above, that there are no encroachments upon the described parcel by improvements on an adjoining property, EXCEPT as indicated, and that there is no apparent evidence of any easement crossing or burdening this parcel, EXCEPT AS NOTED.



JOB# ILC98060 MARCH 24, 1998 PROFESSIONAL LAND SURVEYOR COLO# 25972

JUNE 17<sup>th</sup>/2019

I MARK TAYLOR DON'T HAVE A  
PROBLEM WITH SHANE'S REMODELING  
HIS GARAGE.

Mark Taylor

**Minutes**  
**Planning Commission Regular Meeting**  
**Town of Paonia, Colorado**  
**June 26, 2019**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Planning Commission held Wednesday, June 26, 2019, was called to order at 6:00 PM by Chairperson Barbara Heck, followed by the Pledge of Allegiance.

**Roll Call:**

Commission members present were as follows:

Chairperson Barbara Heck  
Commissioner Lucy Hunter  
Commissioner Monica Foguth  
Mayor Charles Stewart  
Trustee William Bear

Town Staff present were as follows:

Administrator Ken Knight  
Deputy Clerk Amanda Mojarro

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

**Approval of Agenda**

Motion made by Trustee Bear, Supported by Commissioner Hunter to approve the agenda.  
Motion carried unanimously

**Unfinished Business**

Minutes – May 30, 2019

Motion made by Mayor Stewart, Seconded by Trustee Bear to approve minutes as presented.  
Motion carried unanimously.

**Public Hearing: 215 Delta Ave. Variance – Shane Smith**

The purpose of the Public Hearing is to hear the applicants 20ft garage Variance request and to hear public comments.

Chairperson Barbara Heck opened the meeting to discuss, Mr. Smith's variance request for a garage roof height of 20ft.

Administrator Knight read staff notes to the planning commission.

Discussion ensued by Mr. Smith stating his reasons for a request for having a 20ft height roof, are the addition of solar panels and more storage area.

Mr. Smith's contractor communicated to the planning committee the mechanics behind having a 20 ft height roof.

Discussion ensued by Mayor Stewart the option of a wider roof.

Mr. Smith expressed that he would like to stay within the character and aesthetics of the house and not loose off-street parking, for this to happen the roof would need to be higher and not wider.

Discussion points:

- Loss of off-street parking
- House would lose the character
- Roof height explanation
- A taller garage door needs a higher ceiling
- A wider roof

Discussion ensued by Trustee Bear regarding the contentious of the past request of variances for having a higher roof.

Discussion points:

- Possible denial from the board of trustees
- contentious matter among the board of trustees and the community

Mayor Stewart read the ordinance of Sec. 16-11-60. - Requirements for accessory buildings and uses, (e) Accessory buildings shall not exceed fifteen (15) feet in height.

Administrator Knight stated that the ordinance has been in place since 1983 and was amended in 2000 and 2015, has not changed and has been the standard since 1983.

Motion by Trustee Bear Supported by Mayor Stewart to recommend to the Board of Trustees denial of Mr. Smith's 20 ft height garage roof variance. Motion carried unanimously.

### **Public Hearing: 419 Stahl Rd – Greenbelt Addition Annexation**

The purpose of the Public Hearing is to hear the applicant's Annexation request and to hear public comments.

Administrator Knight read staff comments regarding the Greenbelt Addition Annexation. Stating that the property is within the Delta County / Town of Paonia Highway 133 planning area.

Charris Ford, owner of 419 Stahl Rd communicated to the planning committee currently, he does not have a water or sewer tap and is requesting to be annexed into to the Town of Paonia to be able to have water and sewer tap and to be a part of the community. Mr. Ford disclosed the preference of the zoning to be zoned to have the ability of future commercial use.

Discussion points:

- Vegetable stand
- Small future retail business
- Zoning category
- Farming Avocation

Discussion ensued by Trustee Bear regarding the developing resources for Mr. Ford's property.

Administrator Knight read Sec. 16-2-110. - DR, Developing Resource District along with Sec. 16-2-20. - E-1, Estate Residential District.

Discussion ensued by planning committee members to take into consideration the zoning for the surrounding properties, to refrain from spot zoning. Planning Committee members in favor of the annexation with appropriate zoning for Mr. Ford's property according to the use.

Discussion point:

- DR, Developing Resource District.
- E-1, Estate Residential District.
- Future annexation

- Spot Zoning

Administrator Knight along with Commissioner Hunter recommended (2) two motion be made (1) one for the annexation (2) second for the zoning.

Motion by Commissioner Hunter Supported by Trustee Bear to recommend to the Board of Trustees approval Mr. Charris Ford's annexation. Motion carries unanimously.

Commissioner Hunter called a (5) five-minute recess at 7:05 pm. The meeting resumed at 7:10 pm

Discussion by Commissioner Foguth regarding Mr. Ford's concern with the type of the property will be zoned as.

Motion by Commissioner Foguth to recommend to the Board of Trustees approval to discuss with owner and research the zone for his property with the planning committee. Motion failed for lack of a Second.

Motion by Commissioner Hunter to recommend to the Board of Trustees approval to zoning Mr. Charris Ford's property - 419 Stahl rd. as E-1, Estate Residential District. Motion carried unanimously.

Chairperson called for a (1) one-minute recess at 7:17. The meeting resumed at 7:18 pm.

### **Public Hearing: Lynn Mattingly Major Subdivision - South Clark**

The purpose of the Public Hearing is to hear the applicant's Annexation request and to hear public comments.

Commissioner Hunter recused her self due to personal conflict.

Administrator Knight read staff comments regarding the South Clark subdivision. The Development Review Committee and Staff reviewed Ms. Lynn Mattingly's major subdivision on South Clark application. Recommends the approval of South Clark major subdivision with condition requested and be incorporated into the approval that the Paonia Volunteer Fire Department has set, a letter is included in the packet. The rights and uses of the irrigation water supply are incorporated into the covenants and conditions of the homeowners association.

Ms. Mattingly briefly explained to the planning committee, the property originally is zoned as R-2 it accommodates (8) eight residences currently. Requesting to build (7) seven townhomes with a cul-de-sac at the end of the street and to be re-zoned as R-1 PUD, to provide affordable housing for the community. Parcels will be sold in pairs each one will have its own deed.

Discussion ensued regarding the traffic, parking issues and access from Colorado Avenue with South Clark subdivision development.

Discussion points:

- Parking for family visiting
- Possible access through Colorado Avenue
- A concern with the back of the Properties facing Colorado Avenue is sloped.
- Colorado is part town and county
- Authorization of Colorado Avenue
- Parking along Colorado avenue

Discussion ensued regarding the request for (4) four variances. The preliminary plat submission - variance request are included in the packet.

Discussion ensued by Mayor Stewart addressed deems the (4) variances are permissible under zone R-1 PUD.

Administrator Knight communicated the (4) four variances are permissible under the R-1 PUD zone. Variances were furnished as (1) one in lieu of applying for (4) separate variance request.

Public comments regarding the South Clark subdivision:

- Fill Colorado Ave to be usable as access for traffic
- Square feet for developing in an R-2 zone
- Traffic density
- Parking
- Construction
- A (50%) fifty percent increase in street traffic

Discussion ensued issues to be analyzed by the board, traffic, parking and water pressure.

Discussion ensued by Trustee Bear what requirements will the applicant endure.

Administrator Knight communicated the requirement is to build to the town standards and there are no bond requirements on taps.

Motion by Mayor Stewart to recommend to the Board of Trustees approval of Lynn Mattingly Major Subdivision - South Clark with the condition by staff with some proposal of mitigation on traffic and parking issues Second by Commissioners Foguth. Motion carried unanimously.

**Adjournment**

Motion by Chairperson Heck supported by Trustee Bear to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Ms. Heck at 8:33 pm

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Amanda Mojarro, Deputy Clerk

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Barbara Heck, Chairperson

AGENDA SUMMARY FORM

|  |                                       |                   |                       |
|--|---------------------------------------|-------------------|-----------------------|
| <p>Agenda Item</p>    | <p>South Clark Avenue Subdivision</p> |                   |                       |
| <p>Summary:<br/>Property owners of TBD Clark Avenue parcels request a major subdivision approval recommendation for the development of residential lots on the south end of Clark Avenue.</p>  |                                       |                   |                       |
| <p>Staff: Staff and the Development Review Committee has reviewed the application for the major subdivision on Clark Avenue and Colorado Avenue. Staff recommends approval with the following conditions:</p> <ul style="list-style-type: none"> <li>All conditions requested by the Paonia Volunteer Fire Department be incorporated into the approval;</li> <li>The rights and uses of the irrigation water supply be incorporated into the covenants and conditions of the home owner's association.</li> </ul> |                                       |                   |                       |
| <p>Vote:</p>   | <p>Barb Heck:</p>                     | <p>Bill Bear:</p> | <p>Monica Foguth:</p> |
| <p>Lucy Hunter:</p>  | <p>Charles Stewart:</p>               |                   |                       |
|  |                                       |                   |                       |

# 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 Wednesday, June 26, 2019 on or after 6:00PM at Paonia Town Hall Community Center Room, 214 Grand Avenue, Paonia, Colorado to consider a request for:**

**Major Subdivision Application for Lynn Mattingly:  
TBD South Clark 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, July 09, 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 the above requests.**

If you are unable to attend but wish to comment, submit at Paonia Town Hall: 214 Grand Avenue, PO Box 460, Paonia, CO 81428, or [paonia@townofpaonia.com](mailto:paonia@townofpaonia.com) until July 3, 2019.

TOWN OF PAONIA  
APPLICATION FOR SUBDIVISION  
SKETCH PLAN

|                          |       |
|--------------------------|-------|
| For Town Use Only        |       |
| Date App. Received:      | _____ |
| Fee \$:                  | _____ |
| Deposit Paid \$:         | _____ |
| Application Received by: | _____ |

Important - Please Read The Following Information Carefully

Applicants are encouraged to prepare a separate project narrative to accompany all submitted materials. This narrative should be well organized and include a table of contents, page numbers and similar information to facilitate review by town staff and elected/appointed commissions. If a separate narrative is submitted, this application form shall reference the narrative as necessary.

*It is the applicant's responsibility to obtain, read and understand all of the relevant sections of the Paonia Municipal Code applicable to this procedure. Please keep in mind that more than one section of the code may apply to your application. These regulations are available through the Town of Paonia municipal offices at a nominal cost. If you do not understand portions of the Code concerning your application, please ask questions. Failure to complete the application, submit all of the required materials or answer questions completely and accurately may result in a delay and processing or a rejection of the application as incomplete. All fees must be paid in full at the time of application. Public meetings or public hearings will not be scheduled for an application until it is deemed complete by the Town. Each applicant should take the time necessary to submit a complete and comprehensive application. Town staff is available to direct the applicant to appropriate sources of information.*

**APPLICANT**

Date: April 9 2019  
Name: LYNN D. MATTINGLY Owner  Agent   
Mailing Address: \_\_\_\_\_  
Mailing Address for Notices, if different from above: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_ E-mail: \_\_\_\_\_

**PROPERTY SUBJECT TO APPLICATION**

Street Address: hd 050 Road Paonia Co 81428  
Practical Property Description: South end of Clark Avenue bordered on south by Colorado Ave (050R)  
Legal Descri: A tract of land situated in the Town of Paonia, County of Delta, State of Colorado, and being more particularly described as follows:

Beginning at a point, being the Northwest corner of said tract, which point bears South 01°00' East 300 feet from the point of intersection of the South boundary of Second Street of the Town of Paonia with the East boundary of Rovaarts Second Addition - said point being Southwest Corner of Hammond Addition to said Town of Paonia;  
Thence bear North 89°14' East for 250 feet; thence South 01°00' East for 150 feet; thence South 63°59' East for 96.8 feet; Thence South 03°18' West 114.6 feet to a point on the Northerly Boundary at The Paonia-Minnesota Creek County Road right of way; Thence North 63°59' West for 150.7 feet; thence North 63°00' West for 110.7 feet; Thence North 53° 33' West for 120.4 feet; Thence North 01°00' West for 115.6 feet more or less to a Point of Beginning.

PROPOSED SUBDIVISION/PROJECT NAME South Clark Avenue Subdivision

BRIEF DESCRIPTION OF SUBDIVISION PROPOSAL (include number of proposed lots and land use(s), (e.g., residential, commercial, etc.): Attach additional sheet(s) as necessary

The 1.3 acre parcel is to be divided into seven R1 housing units. These will consist of one single family unit and three "town home" shared lot line double home units. There is a cul-de-sac end of street solution and a proposed public pedestrian walkway.

Proposed Number of Lots and Type of Units (single-family, duplex, other): 7 lots = 1 single family + 3 town home  
Square Feet of Parcel: 1.3 acre Existing Zoning: R2

117

Surrounding Zoning - North: R1, South: Delta County, East: R1A, West: R1, *currently Agricultural*

Present Use of Subject Property: empty parcel

Uses Surrounding Subject Parcel - North: single family units, South: single family, East: agricultural tract  
West: single family unit

**UTILITY INFORMATION**

Existing utility main lines currently serving subdivision property: *adjacent or on property not currently in use*  
Water  Sewer  Electric  Gas

Proposed utility main line extensions to serve subdivision property:  
Water  Sewer  Electric  Gas

Proposed number of new utility service connections within subdivision property:  
Water 7 Sewer 7 Electric 7 Gas 7

**STREET INFORMATION**

Existing street(s) serving subdivision property: Clark Avenue

Are new streets/alleys or street/alley extensions proposed to serve subdivision? Yes  No  Explain: \_\_\_\_\_

Clark Avenue will extend into property as a cul-de-sac

**MISCELLANEOUS**

Variance/exception/waiver requested\* Yes  No  \* Separate application required *PVD Variance listed on plat. request*

Development/subdivision improvements agreement required/requested Yes  No

Other: \_\_\_\_\_

Property owner(s) if different from applicant (inclusive of mineral owners/lessees in accordance with C.R.S. § 24-65.5-103.):

| Name | Mailing Address | Telephone |
|------|-----------------|-----------|
| 1.   |                 |           |
| 2.   |                 |           |
| 3.   |                 |           |
| 4.   |                 |           |

Attach additional sheets if necessary.

**NOTE:** In the event the town must retain outside professional services to process or evaluate an application, the applicant shall bear the costs of same, inclusive of land planning, engineering and legal fees, in addition to the base application fee. A deposit to cover the reasonable anticipated costs for outside professional services will be required at the time of application.

I hereby certify that I am the applicant named above and that the information contained herein and, on any attachments, hereto is in all respects true and accurate to the best of my knowledge and belief. I also acknowledge that I must notify all owners of any severed mineral estates associated with the real property subject to this application in accordance with C.R.S. § 24-65.5-103.

[Signature] Applicant(s) Date: April 9, 2019

\_\_\_\_ Applicant(s) Date: \_\_\_\_\_

**AGREEMENT TO PAY CONSULTING FEES AND EXPENSES**

It is the policy of the Town of Paonia that all land use applications must be filed in the Office of the Town Clerk to receive formal consideration. Please refer to the Town Clerk's Office for all applicable procedures.

However, the Town encourages land use applicants to consult informally with members of the Town Staff, including outside consultants, prior to filing applications if the applicant has questions regarding areas within Staff members' particular expertise; PROVIDED THAT THE POTENTIAL APPLICANT AGREES TO REIMBURSE THE TOWN FOR ALL FEES AND EXPENSES RELATING TO SUCH INFORMAL MEETINGS.

The Town employs outside consultants for engineering, surveying, planning, and legal advice. These consultants bill the Town on an hourly basis as well as for expenses including but not limited to copies, facsimile transmissions, and long-distance telephone calls.

It is the Town's policy that all persons wishing to hold informal meetings with members of the Town Staff acknowledge responsibility for all fees and expenses charged by outside consultants by signing this Agreement below.

**I acknowledge and agree to pay the Town of Paonia all actual costs incurred by the Town in relation to legal, engineering, surveying, planning, or other services performed by consultants to the Town as a result of such consultants' review and comment upon, or other services related to, land use proposals and/or applications proposed by me or on my behalf, regardless of whether or not such application is formally filed with the Town. Interest shall be paid at the rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect all costs of collection in addition to the amount due and unpaid, including but not limited to reasonable attorney's fees and costs.**

SO AGREED this 7<sup>th</sup> day of April, 2019.

Type of application:

Major Subdivision

Name:

*Lynn D Mattingly*  
LYNN D MATTINGLY

Address:



Telephone

Property description:

Relationship to applicant or potential applicant:

A tract of land situated in the Town of Paonia, County of Delta, State of Colorado, and being more particularly described as follows:

Beginning at a point, being the Northwest corner of said tract, which point bears South 01°00' East 300 feet from the point of intersection of the South boundary of Second Street of the Town of Paonia with the East boundary of Rovaarts Second Addition - said point being Southwest Corner of Hammond Addition to said Town of Paonia; Thence bear North 89°14' East for 250 feet; thence South 01°00' East for 150 feet; thence South 63°59' East for 96.8 feet; Thence South 03°18' West 114.6 feet to a point on the Northerly Boundary at The Paonia-Minnesota Creek County d right of way; Thence North 63°59' West for 150.7 feet; thence North 63°00' West for 110.7 feet; Thence North 53° West for 120.4 feet; Thence North 01°00' West for 115.6 feet more or less to a Point of Beginning.

**Written Information Provided by Property Owner for Preliminary Plat for R1 PUD major subdivision Request**

**PROOF OF OWNERSHIP (DEED) FOR PROJECT PROPERTY**  
attached is deed to property

**WRITTEN AUTHORIZATION FROM PROPERTY OWNER(S) FOR AGENT (IF APPLICABLE)**  
Not applicable

**DESCRIPTION OF PROPOSED LAND USES**

The 1.3 acre parcel is to be divided into seven R1 housing units. These will consist of one single family unit, and three "town home" shared lot line double home units. There is a cul-de-sac end of street solution and a proposed public pedestrian walkway.

**A STATEMENT OF PLANNING OBJECTIVES**

This unique property can not be developed in block configuration because if Clark Avenue were extended to Colorado Avenue (O50 Lane) the level of the street would be much higher than the surrounding home lots. This makes a cul-de-sac the solution for Clark Avenue.

The furthest East lot will continue using existing access off of Colorado Avenue. The remaining parcels will open pie shaped from the cul-de-sac.

The goal of this project is to offer mid sized townhomes on lots maximised for open space at a modest price point.

**DESCRIPTION OF ADJOINING LAND USES**

To the North, the approach on Clark Avenue is lined on both the east and west sides by 5,700 square foot lots hosting small single family dwellings. To the West is a single family dwelling on a large lot. To the East is a large tract of agricultural land. To the South across the County Road (Colorado Ave or O50) are two single family dwellings on parcels shaped by Stewart Ditch that runs above.

**EXISTING AND PROPOSED ZONING**

Existing zoning is R2. Proposed zoning is R1, so as not to require town home owners to subdivide when separate ownership is desired.

**ESTIMATE OF PROPOSED NUMBER OF RESIDENTIAL UNITS, ESTIMATE OF POPULATION (SEE SECTION 11.02) OR SQUARE FOOTAGE OF COMMERCIAL AREA**

The project is designed to build out to be one single family unit and three townhomes, a total of seven residential units. The population is projected (at 2 ½ to 3 per household) to be 18 to 21 people.

NAME AND ADDRESS OF OWNER, APPLICANT, AND THE INDIVIDUAL(S) WHO  
PREPARED THE SKETCH PLAN.

Lynn D. Mattingly, [REDACTED]

TOTAL SITE AREA

1.331 acres

A STATEMENT AS TO HOW THE DEVELOPMENT WILL BE SERVED BY UTILITIES

The Town of Paonia has recently run a water line, north to south, across the property from the proposed cul-de-sac to Colorado Ave., installing fire hydrants at the north and south points. (see plat)

An existing Town of Paonia Sewer line runs in the same vicinity. (see plat)

Electricity is available along Colorado Avenue from power lines.

I am consulting with Black Hills Energy about extending natural gas to the cul-de-sac. They have given me a estimate of costs for the project.

A GENERAL STATEMENT DESCRIBING THE GEOLOGICAL CHARACTERISTICS OF THE  
LAND, SOIL TYPES, SLOPE AND STABILITY. THIS INFORMATION MAY BE BASED ON  
SECONDARY DATA AVAILABLE FROM THE TOWN, SOIL CONSERVATION SERVICE OR  
OTHER SOURCES.

Copy of Web Soil Survey attached (Source – National Cooperative Soil Survey)

## PRELIMINARY PLAT SUBMISSION – VARIANCES REQUESTED

I am requesting four variances for the South Clark Subdivision  
These are also listed on the plat.

- 1) Cul-de-sac radius of 45' consisting of 40' of pavement, a roll-over curb and 5' of sidewalk
- 2) Two of the lots (Lots 5 and 6) are less than the 6,000 square feet size requirement for single family.
- 3) The Required Public Street access of 25 linear feet will not be met for Lots 3 and 4
- 4) Two of the units (Lot 3 and 4) will have a shared driveway.

I am requesting this in the spirit of a request for Exception to the Regulations (Section 17.1.50) offered to PUD developments.

I believe that the configuration of the property and the Town of Paonia are best served by the design that is being presented.

**WARRANTY DEED**

**THIS DEED**, is dated January 15, 2019, and is made between  
A. Paul Douglas

(whether one, or more than one), the "Grantor," of the \* County of Delta and  
State of Colorado, and Lynn D. Mattingly

(whether one, or more than one), the "Grantee," whose legal address is  
of the County of Delta

**WITNESS**, that the Grantor, for and in consideration of the sum of One hundred seventy-five thousand and  
no/100ths \_\_\_\_\_ DOLLARS,  
(\$ 175,000.00 \_\_\_\_\_), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains,  
sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together  
with any improvements thereon, located in the County of Delta and  
State of Colorado, described as follows:

A tract of land situated in the Town of Paonia, County of Delta, State of Colorado, and being more particularly described  
as follows:

Beginning at a point, being the Northwest corner of said tract, which point bears South 01°00' East 300 feet from the  
point of intersection of the South boundary of Second Street of the Town of Paonia with the East boundary of Rovaarts  
Second Addition - said point being Southwest Corner of Hammond Addition to said Town of Paonia;  
Thence bear North 89°14' East for 250 feet; thence South 01°00' East for 150 feet; thence South 63°59' East for 96.8  
feet; Thence South 03°18' West 114.6 feet to a point on the Northerly Boundary at The Paonia-Minnesota Creek County  
Road right of way; Thence North 63°59' West for 150.7 feet; thence North 63°00' West for 110.7 feet; Thence North 53°  
33' West for 120.4 feet; Thence North 01°00' West for 115.6 feet more or less to a Point of Beginning.

Delta County, State of Colorado

Together with, without warranty, 2.5 shares of the Stewart Ditch.

also known by street address as: tbd O50 Road, Paonia, Co 81428  
and assessor's schedule or parcel number: R 008625

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise  
appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim  
and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the  
hereditaments and appurtenances:

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the  
Grantee and the Grantee's heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with  
the Grantee, and the Grantee's heirs and assigns; that at the time of the ensembling and delivery of these presents, the  
Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of  
inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and  
convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants,  
bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and  
subject to:  none; or  the following matters:

Taxes and assessments for the current year and subsequent years and those specific exceptions described by  
reference to recorded documents as reflected in the Title Documents accepted by the Buyer in accordance with Section  
8.1 ("Title Review") of the contract between the parties hereto for the sale and purchase of the herein described property

VICINITY MAP FOR  
SOUTH CLARK AVENUE SUBDIVISION  
PREPARED FOR LYNN MATTINGLY

Pacina Pacina SOUTH CLARK AVE SUB.

133

**W & M**  
Wilmore and Company  
Professional Land Surveying Inc.  
P.O. Box 1652/406 Grand Ave. Pacina, CO 81428  
Phone: (970) 527-4200 Fax: (970)-527-4202

11903 VICINITY MAP APRIL 2019 DRAWN BY: KC SCALE 1" = 1000'



- Roads in Delta Co.
- Private
- Parcel Boundary
- Parcels within 200 Ft
- Parcel# 324505249007

# Paonia, Colorado 1:2,500



## GIS Disclaimer:

This GIS map data is not a legal document or a survey instrument. Delta County assumes no responsibility for any use of the map data or any loss from using the map data. The data is provided on an "as is" basis with no guarantee to be spatially accurate, complete or current. Due to the dynamic nature of data, some inconsistencies will exist.



# STEVEN K. HARPER, LLC

Attorneys at Law

P.O. Box 2099

HOTCHKISS, CO 81419

(970) 872-3173

Fax: (970) 872-3186

Steven K. Harper

Kathryn A. Pennetta

April 26, 2019

Ken Knight  
Town Administrator  
P.O. Box 460  
Paonia, CO 814128

**Re: South Clark Avenue Subdivision; Lynn Mattingly**

Dear Mr. Knight:

I have met with Lynn Mattingly who, as you know, is submitting a proposal to the Town of Paonia for the development of property on South Clark Avenue to be known as South Clark Avenue Subdivision. Ms. Mattingly has asked me to inform the Town of her intentions regarding covenants and a Homeowners Association which are required by the Town Code.

For the Town's information, Ms. Mattingly intends to have me draft Covenants and form a Homeowners Association to manage the distribution and payment of Stewart Mesa ditch water among the proposed subdivided lots. The Covenants will also address matters pertaining to the shared lot line double home units proposed. I intend to draft these documents later as Ms. Mattingly gets further along in the process of approval.

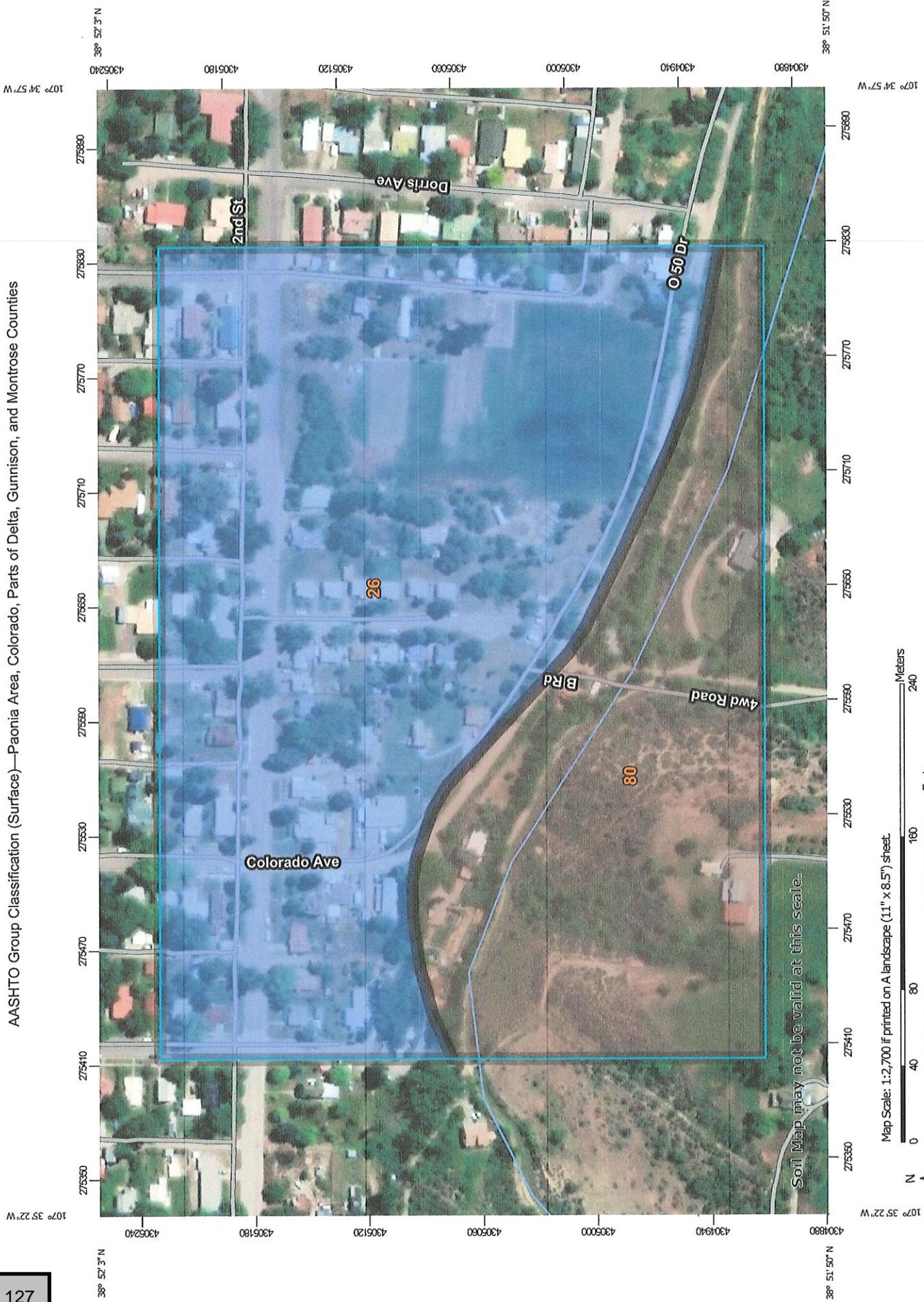
Please let me know if you have any questions.

Sincerely,



Steven K. Harper

AASHTO Group Classification (Surface)—Paonia Area, Colorado, Parts of Delta, Gunnison, and Montrose Counties



Map Scale: 1:2,700 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

Soil Map may not be valid at this scale.

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Paonia Area, Colorado, Parts of Delta, Gunnison, and Montrose Counties  
 Survey Area Data: Version 11, Sep 10, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Jul 29, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## MAP LEGEND

**Area of Interest (AOI)**  
 Area of Interest (AOI)

**Soils**  
 Soil Rating Polygons

A-1

A-1-a

A-1-b

A-2

A-2-4

A-2-5

A-2-6

A-2-7

A-3

A-4

A-5

A-6

A-7

A-7-5

A-7-6

A-8

Not rated or not available

**Soil Rating Lines**

A-1

A-1-a

A-1-b

A-2

A-2-4

A-2-5

A-2-6

A-2-7

A-3

A-4

A-5

A-6

A-7

A-7-5

A-7-6

A-8

Not rated or not available

**Soil Rating Points**

A-1

A-1-a

A-1-b

A-2

A-2-4

A-2-5

A-2-6

A-2-7

A-3

A-4

A-5

A-6

A-7

A-7-5

A-7-6

A-8

Not rated or not available

**Water Features**

Streams and Canals

**Transportation**

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

**Background**

Aerial Photography

## AASHTO Group Classification (Surface)

| Map unit symbol                    | Map unit name                                 | Rating | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------|--------------|----------------|
| 26                                 | Colona silty clay loam, 1 to 6 percent slopes | A-6    | 22.0         | 65.6%          |
| 80                                 | Utaline-Torriorhents complex                  | A-4    | 11.6         | 34.4%          |
| <b>Totals for Area of Interest</b> |   |        | <b>33.6</b>  | <b>100.0%</b>  |

### Description

AASHTO group classification is a system that classifies soils specifically for geotechnical engineering purposes that are related to highway and airfield construction. It is based on particle-size distribution and Atterberg limits, such as liquid limit and plasticity index. This classification system is covered in AASHTO Standard No. M 145-82. The classification is based on that portion of the soil that is smaller than 3 inches in diameter.

The AASHTO classification system has two general classifications: (i) granular materials having 35 percent or less, by weight, particles smaller than 0.074 mm in diameter and (ii) silt-clay materials having more than 35 percent, by weight, particles smaller than 0.074 mm in diameter. These two divisions are further subdivided into seven main group classifications, plus eight subgroups, for a total of fifteen for mineral soils. Another class for organic soils is used.

For each soil horizon in the database one or more AASHTO Group Classifications may be listed. One is marked as the representative or most commonly occurring. The representative classification is shown here for the surface layer of the soil.

### Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Lower

*Layer Options (Horizon Aggregation Method):* Surface Layer (Not applicable)

# Town of Paonia



Date: May 23, 2019

To: Utilities/Special Districts/County Planning

From: Town of Paonia *KJC*

Re: Subdivision Proposal

Please find the Preliminary Plats and application for a proposed subdivision. Should you have any comments, questions, or concerns the Town is scheduling a Development Review Committee meeting for June 17, 2019 at 9:30 or please respond with your comments or no comments in writing to the Paonia Town Office, PO Box 460, Paonia, CO 81428 by June 14, 2019 at 4:30.

Thank you.

## Ken Knight

---

**From:** Paonia  
**Sent:** Wednesday, June 12, 2019 2:52 PM  
**To:** Ken Knight  
**Subject:** FW: South Clark Avenue Subdivision

---

**From:** Darleen Carron <darleen.carron@dmea.com>  
**Sent:** Wednesday, June 12, 2019 2:35 PM  
**To:** Paonia <paonia@townofpaonia.com>  
**Subject:** South Clark Avenue Subdivision

Good afternoon.

Comments regarding the new South Clark Ave Subdivision are:

Utility easements are noted, but vary in size.

Three phase power will be required for the subdivision. Three phase power is available along Lot 7.

Contact DMEA system design to have electric service designed for the new subdivision.



### *Darleen L Carron*

System Design Department  
System Design Aide  
Delta-Montrose Electric Association  
11925 6300 Road  
PO Box 910  
Montrose CO 81402  
Phone: (970) 240-1273  
Fax: (970) -240-6806  
1-877-687-3632  
[darleen.carron@dmea.com](mailto:darleen.carron@dmea.com)

**PAONIA VOLUNTEER FIRE DEPT**  
**PO BOX 1023**  
**PAONIA, CO 81428**

MIKE BYERS, CHIEF  
KIRBY CLOCK, CAPTAIN  
BLAKE KINSER, LIEUT

ROBERT SIMINEO, ASST CHIEF  
SCOTT LEON, SEC/TRES  
MATT VANVLEET, LIEUT

6-12-19

Regarding: Mattingly Subdivision

To Whom it May Concern

After reviewing the preliminary plats for Mattingly subdivision, the fire department would like no parking allowed within the cul-de-sac, to help eliminate any bottle necks for emergency vehicles going in and out. Second, we would like to see a rollover type of curb and gutter, allowing us more room to maneuver some of the bigger engines. Third, if there are to be mailboxes at the residences, we would like them to not encroach the sidewalks of the cul-de-sac.

Sincerely



Mike Byers  
Cheif

## Members of the Planning Commission

The following concerns the TBD South Clark Subdivision

The proposed plan allows for four (4) separate buildings, seven (7) family units. One building (1) one (1) family having access via Colorado Avenue, an existing and planned course. The other three (3) buildings, six (6) family units would use Clark Avenue (CA) for access.

Estimating two (2) motor vehicles per family units multiplies to (12). One roundtrip for each equals (24) more motor vehicles using (CA) to turn onto 2nd Street. Two trips per day is very likely, that's (48). Three trips for some is likely plus visitor and delivery vans would result in an oppressive traffic situation daily.

The following two options would better ~~serve~~ <sup>serve</sup> all concerned.

1. Deduce the Subdivision's family units to four (4) One (1) using Colorado Ave. for access as planned. The other three family units using (CA) and cablesac.
2. If more than four (4) family units are allowed then all would use the existing and planned access onto Colorado Ave. A second access ~~via~~ onto Colorado can be constructed, improved as it is.

Either of these two options will accomplish an orderly progression and arrangement of the subdivision. Please physically review the site.

Thanking you all  
Dwydos

## **Regarding the proposed South Clark Subdivision:**

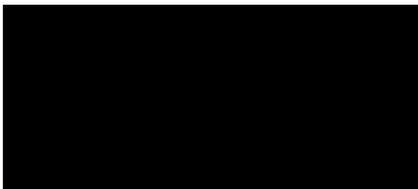
**Traffic and parking impacts on the 100 block of Clark Ave. would be too great with the proposed plan.**

**The majority of the the lots should have access from Colorado Ave. with only 1 or 2 having addresses on Clark.**

**Elevation differences can be mitigated as seen last year when the South entrance road was used during the work on the water line.**

**Construction traffic should be routed through this South entrance.**

**Tricia and David Snider**



Members of the Planning Commission June, 20, 2019

I live on the corner of Clark Ave and 2nd Street. I've been informed of a housing project proposal at the top of the 100 block of Clark Ave.

I have serious concerns regarding the project. Clark Ave is already in a state of disrepair. Increased traffic will only exacerbate the issue for current homeowners. Conservative estimates will increase the number of trips on the road by 30-50 cars daily. The road can not handle the current capacity. Not to mention the destruction that construction equipment will cause.

Drainage on Clark Ave is terrible. There are already flooding issues. Minimal rain or simply neighbors watering their lawns cause the road to flood. Additional houses will further this issue for current homeowners.

Paonia's water supply has already proven how fragile it is. Increased demand will affect the town as a whole not just those who live on Clark Ave.

Homeowners who currently live near or around the proposed building site will have their property values and taxes affected.

I strongly oppose the proposed housing project on Clark Ave.

Sincerely,  
Edouard Andin 

To whom this concerns,

This letter is to address my concerns with the development of South Clark.

My main concern is the amount of traffic that will now be on the street. Our street is fairly narrow and when everyone of the current residents are home the street becomes a one way street, meaning only one car can take up the width of the street. due to the parked cars street side. Also, this winter our street was never plowed, not once, making it a unsecure road.

One possible solution to limit extra cars on the street would be to make the duplexes that backyards are facing Colorado have their driveways be at the rear of the house accessed by Colorado instead of Clark.

My second concern is the light pollution. I don't know what the plans are for street lights but I would not like to see anymore installed because I have an extreme light sensitivity at night and find it difficult to sleep with white light penetrating the dent.

Please consider these topics and suggestions in your next meeting.

Thank you,

Kirby M Wade

**Minutes**  
**Planning Commission Regular Meeting**  
**Town of Paonia, Colorado**  
**June 26, 2019**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Planning Commission held Wednesday, June 26, 2019, was called to order at 6:00 PM by Chairperson Barbara Heck, followed by the Pledge of Allegiance.

**Roll Call:**

Commission members present were as follows:

Chairperson Barbara Heck  
Commissioner Lucy Hunter  
Commissioner Monica Foguth  
Mayor Charles Stewart  
Trustee William Bear

Town Staff present were as follows:

Administrator Ken Knight  
Deputy Clerk Amanda Mojarro

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

**Approval of Agenda**

Motion made by Trustee Bear, Supported by Commissioner Hunter to approve the agenda.  
Motion carried unanimously

**Unfinished Business**

Minutes – May 30, 2019

Motion made by Mayor Stewart, Seconded by Trustee Bear to approve minutes as presented.  
Motion carried unanimously.

**Public Hearing: 215 Delta Ave. Variance – Shane Smith**

The purpose of the Public Hearing is to hear the applicants 20ft garage Variance request and to hear public comments.

Chairperson Barbara Heck opened the meeting to discuss, Mr. Smith's variance request for a garage roof height of 20ft.

Administrator Knight read staff notes to the planning commission.

Discussion ensued by Mr. Smith stating his reasons for a request for having a 20ft height roof, are the addition of solar panels and more storage area.

Mr. Smith's contractor communicated to the planning committee the mechanics behind having a 20 ft height roof.

Discussion ensued by Mayor Stewart the option of a wider roof.

Mr. Smith expressed that he would like to stay within the character and aesthetics of the house and not loose off-street parking, for this to happen the roof would need to be higher and not wider.

Discussion points:

- Loss of off-street parking
- House would lose the character
- Roof height explanation
- A taller garage door needs a higher ceiling
- A wider roof

Discussion ensued by Trustee Bear regarding the contentious of the past request of variances for having a higher roof.

Discussion points:

- Possible denial from the board of trustees
- contentious matter among the board of trustees and the community

Mayor Stewart read the ordinance of Sec. 16-11-60. - Requirements for accessory buildings and uses, (e) Accessory buildings shall not exceed fifteen (15) feet in height.

Administrator Knight stated that the ordinance has been in place since 1983 and was amended in 2000 and 2015, has not changed and has been the standard since 1983.

Motion by Trustee Bear Supported by Mayor Stewart to recommend to the Board of Trustees denial of Mr. Smith's 20 ft height garage roof variance. Motion carried unanimously.

### **Public Hearing: 419 Stahl Rd – Greenbelt Addition Annexation**

The purpose of the Public Hearing is to hear the applicant's Annexation request and to hear public comments.

Administrator Knight read staff comments regarding the Greenbelt Addition Annexation. Stating that the property is within the Delta County / Town of Paonia Highway 133 planning area.

Charris Ford, owner of 419 Stahl Rd communicated to the planning committee currently, he does not have a water or sewer tap and is requesting to be annexed into to the Town of Paonia to be able to have water and sewer tap and to be a part of the community. Mr. Ford disclosed the preference of the zoning to be zoned to have the ability of future commercial use.

Discussion points:

- Vegetable stand
- Small future retail business
- Zoning category
- Farming Avocation

Discussion ensued by Trustee Bear regarding the developing resources for Mr. Ford's property.

Administrator Knight read Sec. 16-2-110. - DR, Developing Resource District along with Sec. 16-2-20. - E-1, Estate Residential District.

Discussion ensued by planning committee members to take into consideration the zoning for the surrounding properties, to refrain from spot zoning. Planning Committee members in favor of the annexation with appropriate zoning for Mr. Ford's property according to the use.

Discussion point:

- DR, Developing Resource District.
- E-1, Estate Residential District.
- Future annexation

- Spot Zoning

Administrator Knight along with Commissioner Hunter recommended (2) two motion be made (1) one for the annexation (2) second for the zoning.

Motion by Commissioner Hunter Supported by Trustee Bear to recommend to the Board of Trustees approval Mr. Charris Ford's annexation. Motion carries unanimously.

Commissioner Hunter called a (5) five-minute recess at 7:05 pm. The meeting resumed at 7:10 pm

Discussion by Commissioner Foguth regarding Mr. Ford's concern with the type of the property will be zoned as.

Motion by Commissioner Foguth to recommend to the Board of Trustees approval to discuss with owner and research the zone for his property with the planning committee. Motion failed for lack of a Second.

Motion by Commissioner Hunter to recommend to the Board of Trustees approval to zoning Mr. Charris Ford's property - 419 Stahl rd. as E-1, Estate Residential District. Motion carried unanimously.

Chairperson called for a (1) one-minute recess at 7:17. The meeting resumed at 7:18 pm.

### **Public Hearing: Lynn Mattingly Major Subdivision - South Clark**

The purpose of the Public Hearing is to hear the applicant's Annexation request and to hear public comments.

Commissioner Hunter recused her self due to personal conflict.

Administrator Knight read staff comments regarding the South Clark subdivision. The Development Review Committee and Staff reviewed Ms. Lynn Mattingly's major subdivision on South Clark application. Recommends the approval of South Clark major subdivision with condition requested and be incorporated into the approval that the Paonia Volunteer Fire Department has set, a letter is included in the packet. The rights and uses of the irrigation water supply are incorporated into the covenants and conditions of the homeowners association.

Ms. Mattingly briefly explained to the planning committee, the property originally is zoned as R-2 it accommodates (8) eight residences currently. Requesting to build (7) seven townhomes with a cul-de-sac at the end of the street and to be re-zoned as R-1 PUD, to provide affordable housing for the community. Parcels will be sold in pairs each one will have its own deed.

Discussion ensued regarding the traffic, parking issues and access from Colorado Avenue with South Clark subdivision development.

Discussion points:

- Parking for family visiting
- Possible access through Colorado Avenue
- A concern with the back of the Properties facing Colorado Avenue is sloped.
- Colorado is part town and county
- Authorization of Colorado Avenue
- Parking along Colorado avenue

Discussion ensued regarding the request for (4) four variances. The preliminary plat submission - variance request are included in the packet.

Discussion ensued by Mayor Stewart addressed deems the (4) variances are permissible under zone R-1 PUD.

Administrator Knight communicated the (4) four variances are permissible under the R-1 PUD zone. Variances were furnished as (1) one in lieu of applying for (4) separate variance request.

Public comments regarding the South Clark subdivision:

- Fill Colorado Ave to be usable as access for traffic
- Square feet for developing in an R-2 zone
- Traffic density
- Parking
- Construction
- A (50%) fifty percent increase in street traffic

Discussion ensued issues to be analyzed by the board, traffic, parking and water pressure.

Discussion ensued by Trustee Bear what requirements will the applicant endure.

Administrator Knight communicated the requirement is to build to the town standards and there are no bond requirements on taps.

Motion by Mayor Stewart to recommend to the Board of Trustees approval of Lynn Mattingly Major Subdivision - South Clark with the condition by staff with some proposal of mitigation on traffic and parking issues Second by Commissioners Foguth. Motion carried unanimously.

### **Adjournment**

Motion by Chairperson Heck supported by Trustee Bear to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Ms. Heck at 8:33 pm

---

Amanda Mojarro, Deputy Clerk

---

Barbara Heck, Chairperson

AGENDA SUMMARY FORM



Ordinance 2019- TBD - Home Occupation Process

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:   |

**ORDINANCE NO. 2019\_\_**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AMENDING CHAPTER 16, ARTICLE 11, SECTION 20 TO 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 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 administratively facilitate the process for obtaining a Home Occupation provision of the Town 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. 16-11-20 shall be repealed and amended to the Town Code as follows:

**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) An application shall for home occupation shall be made to the Town Administrator, or its designee, in the form provided by the Town and accompanied by the appropriate fee as set by Resolution of the Board of Trustees.

(b) Upon the receipt of a completed application for a home occupation permit, the Town Administrator, or its designee, shall notify the applicant within ten (10) days that such application is complete.

(c) Thereafter the Town Administrator, or its designee, shall notify the applicant and set a date of public hearing before the Town Board of Trustees that will allow time for publication and notification of adjoining property holders.

(d) Upon the setting of a public hearing before the Board of Trustees the Town Clerk 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.

(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.

### **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 adoption.

**INTRODUCED, READ AND REFERRED to public hearing before the Board of Trustees of the Town of Paonia, Colorado, on the \_\_\_ day of July 2019.**

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

By: \_\_\_\_\_  
CHARLES STEWART, Mayor

ATTEST:

\_\_\_\_\_  
J. CORINNE FERGUSON, Town Clerk

**HEARD AND FINALLY ADOPTED** by the Board of Trustees of the Town of Paonia,  
Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

By: \_\_\_\_\_  
CHARLES STEWART, Mayor

ATTEST:

\_\_\_\_\_  
J. CORINNE FERGUSON, Town Clerk

DRAFT



Stahl Addition - Acceptance of Annexation Petition

Summary:

Board acceptance of the petition annexation provided by Vaquero Paonia Partners, LP for the Stahl Addition.

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:   |

**PETITION FOR ANNEXATION**

**TOWN OF PAONIA, COLORADO**

**TO: BOARD OF TRUSTEES, TOWN OF PAONIA, COLORADO**

The undersigned, in compliance with the "Municipal Annexation Act" as set forth in Article 12, Chapter 31, of the Colorado Revised Statutes, hereby petition the Board of Trustees of the Town of Paonia, Colorado, for annexation to the Town of Paonia, Colorado, the following described unincorporated territory located in the County of Delta, State of Colorado, to wit:

**AS PER EXHIBIT "A" ATTACHED**

1. It is desirable and necessary that the above-described territory be annexed to the Town of Paonia, Colorado;
2. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Paonia, Colorado;
3. A community of interest exists between the territory proposed to be annexed and the Town of Paonia, Colorado;
4. The territory proposed to be annexed is urban or will be urbanized in the near future;
5. The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Paonia, Colorado;
6. The undersigned are the owners of 100 (%) percent of the real property included in the territory to be annexed, exclusive of streets and alleys; and hereby consent to the establishment of the boundaries of this territory as shown on the annexation plat herewith;
7. The territory proposed for annexation is not presently a part of any incorporated city, city and county, or town, nor have annexation proceedings been commenced for the annexation of part or all of such territory to another municipality;
8. Annexation of the above-described territory will not result in the detachment of territory from any school district.

**WHEREFORE**, the undersigned request the Town of Paonia, Colorado, approve the annexation of the territory proposed to be annexed.

Signed this 3<sup>rd</sup> day of May, 2019.

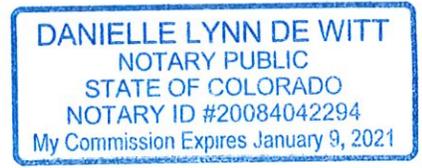
Arvin Stahl \_\_\_\_\_

Linda Stahl \_\_\_\_\_

STATE OF COLORADO    )  
  ) §  
County of Delta         )

The foregoing Petition for Annexation was subscribed and sworn to before me this 3<sup>rd</sup> day of May, 2019, by Arvin Stahl and Linda Stahl.

Witness my hand and official seal.



My Commission Expires: January 9, 2021

Notary Public: Danielle DeWitt

Address: 200 Grand Ave  
Grand Junction, CO 81501

**EXHIBIT "A"**

The Property

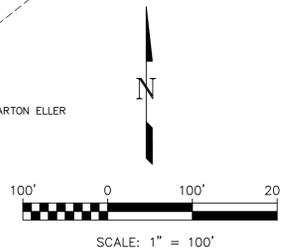
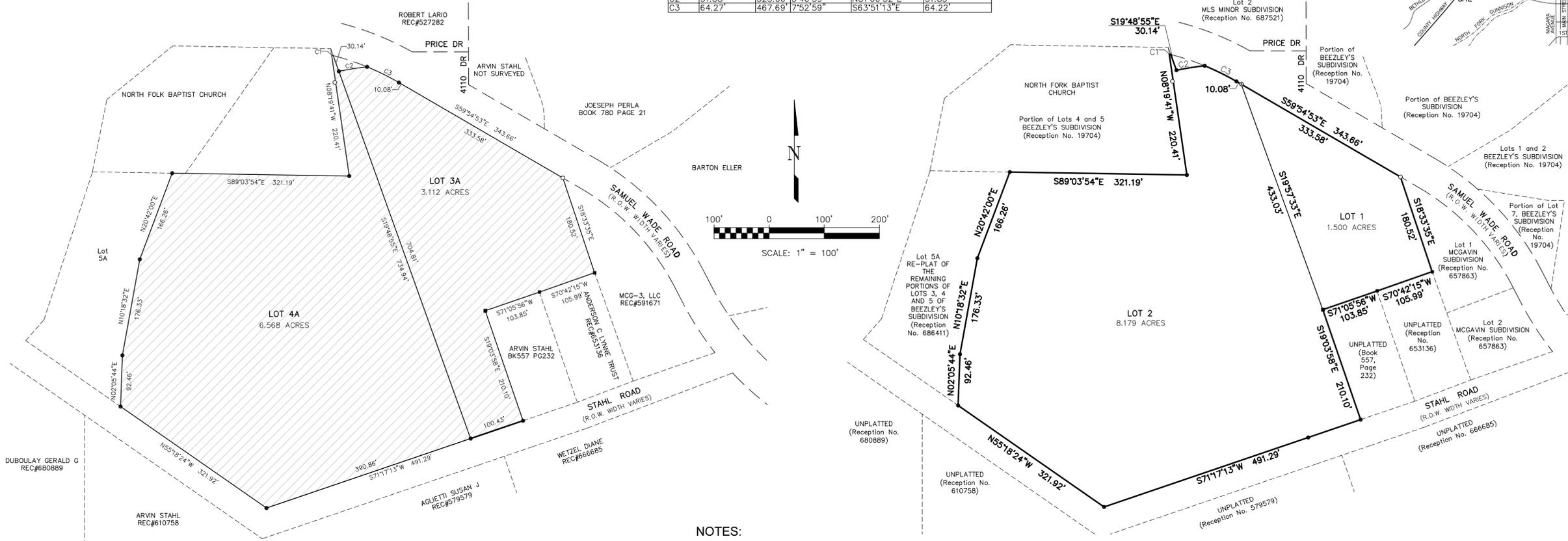
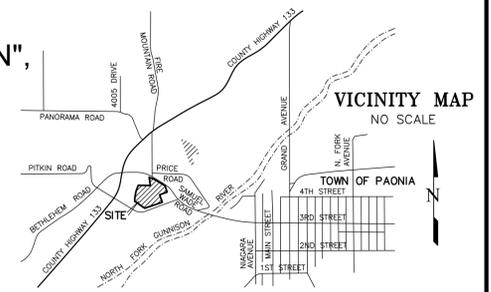
A portion of the Northwest Quarter of the Northwest Quarter of Section 6, Township 14 South, Range 91 West of the 6th P.M., also being a portion of Lot 3A, RE-PLAT OF THE REMAINING PORTIONS OF LOTS 3, 4 AND 5 OF BEEZLEY'S SUBDIVISION (Reception No. 686411, Delta County, Colorado records), situate in the County of Delta, State of Colorado, more particularly described as follows:

Beginning at the most Westerly Northeasterly corner of said Lot 3A (the following three (3) courses are along the lines of said Lot 3A); 1) S18°33'35"E along the Westerly lot line of that tract described by document (Reception No. 591671, said Delta County records), 180.52 feet to the most Northerly corner of that tract described by document (Reception No. 653136, said records); 2) S70°42'15"W along said tract's Northerly line, 105.99 feet to the Northwesterly corner thereof, said corner also being the most Northerly corner of that tract described by document (Book 557, Page 232, said records); 3) S71°05'56"W along said tract's Northerly line, 103.85 feet to the Northwesterly corner thereof; thence N19°57'33"W, 433.03 feet to a point on the Northeasterly line of said Lot 3A; thence S59°54'53"E along said Lot 3A's Northeasterly line, said line also being coincident with the Southwesterly right-of-way line of Samuel Wade Road (r.o.w. width varies), 333.58 feet to the Point of Beginning;

Containing 1.500 acres (65,360 square feet), more or less.

**STAHL SUBDIVISION**  
**A RE-PLAT OF LOTS 3A AND 4A, "RE-PLAT OF THE REMAINING PORTIONS OF LOTS 3, 4 AND 5 OF BEEZLEY'S SUBDIVISION",**  
**BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER**  
**OF SECTION 6, TOWNSHIP 14 SOUTH, RANGE 91 WEST OF THE 6TH P.M., COUNTY OF DELTA, COLORADO**

| CURVE | ARC LENGTH | RADIUS  | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|------------|---------|-------------|---------------|--------------|
| C1    | 2.91'      | 467.69' | 0°21'18"    | S75°53'52"E   | 2.91'        |
| C2    | 51.88'     | 523.00' | 5°40'59"    | N81°00'32"E   | 51.85'       |
| C3    | 64.27'     | 467.69' | 7°52'59"    | S63°51'13"E   | 64.22'       |



**AS PLATTED**

**AS RE-PLATTED**

**NOTES:**

- - Found 5/8" rebar with 2" aluminum cap PLS 37758 or as noted.  
 ● - Found 5/8" rebar 30" long w/2 aluminum cap PLS 25972.  
 ■ - Found 5/8" rebar 1 1/2" aluminum cap RLS 1456.  
 ◉ - Found 1/2" rebar with red plastic cap PLS 20681.
- Basis of Bearings: S89°03'25"E from the Section corner common to Sections 1, 6, 31 and 36 to the Section corner common to Sections 31, 32, 5 and 6, Delta County local coordinate system.
- FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map, Map Numbers 08023C0501 D, effective date August 19, 2010, indicates this parcel of land is located in Zone X "white" (area determined to be out of the 500 year flood plain).
- According to Colorado law, any legal action based upon a defect in this survey must be commenced within three years after such defect is discovered. In no event may any action based upon any defect in this survey be commenced more than ten years from the date shown on the certification hereon.

**DELTA COUNTY PLANNING DEPARTMENT APPROVAL:**

This plat of the above subdivision has been checked by \_\_\_\_\_  
 on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**BOARD OF COUNTY COMMISSIONERS APPROVAL:**

The within plat of STAHL SUBDIVISION is approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and the private dedication of roads and common areas is approved on the condition that such roads and common areas shall be maintained and snowplowed, by and at the expense of the lot owners and not by Delta County or any public agency.

\_\_\_\_\_  
 Chairman  
 Attest:  
 \_\_\_\_\_  
 County Clerk

**CERTIFICATE OF TAXES PAID:**

I, the undersigned, do hereby certify that the entire amount of taxes and assessments due and payable as of \_\_\_\_\_ upon all parcel of real estate described on this plat or paid in full.  
 Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
 \_\_\_\_\_  
 County Clerk

**COUNTY SURVEYOR CERTIFICATE:**

Approved for content and form only and not as to the accuracy of survey, computations or drafting, pursuant to CRS 38-51-106.

County Surveyor \_\_\_\_\_ Date \_\_\_\_\_

**SURVEYOR'S CERTIFICATION:**

The undersigned Professional Land Surveyor licensed in the State of Colorado, hereby states and declares that the accompanying plat was surveyed and drawn under his responsible charge and accurately shows the described tract of land, and replat thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his professional knowledge and belief.

David V. Hostetler  
 Colorado Professional Land Surveyor No. 20681

PRELIMINARY COPY  
 SUBJECT TO  
 COUNTY APPROVAL

**RECORDING:**

STATE OF COLORADO }  
 COUNTY OF DELTA } SS  
 I hereby certify that this instrument was filed for record in my office at \_\_\_\_ o'clock \_\_\_\_m. this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D., and is duly recorded under Reception No. \_\_\_\_\_ of the records of Delta County, Colorado.  
 \_\_\_\_\_  
 Teri A. Stephenson, Recorder  
 Surcharge: \_\_\_\_\_  
 Fee: \_\_\_\_\_ By: \_\_\_\_\_ Deputy

**BE IT KNOWN BY THESE PRESENTS:**

We, Arvin L. Stahl and Linda S. Stahl, being the owners of land described as follows:

A tract of land being a portion of the Northwest Quarter of the Northwest Quarter of Section 6, Township 14 South, Range 91 West of the 6th P.M., situate in Delta County, Colorado, more particularly described as follows:

Lots 3A and 4A, RE-PLAT OF THE REMAINING PORTIONS OF LOTS 3, 4 AND 5 OF BEEZLEY'S SUBDIVISION (Reception No. 686411, Delta County, Colorado records);

Containing 9.680 acres, more or less.

**DEDICATION:**

In Delta County, Colorado, under the name of STAHL SUBDIVISION, have laid out, platted and/or subdivided the same as shown on this plat and do hereby dedicate and convey to the owners of lots, tracts or parcels within this minor subdivision and their invitees and licensees, but not to the public at large, the common right to use the streets, alleys, roads and other areas as shown hereon and do hereby dedicate those portions of land labeled as easments for the installation and maintenance of public utilities as shown hereon.

In witness whereof Arvin L. Stahl and Linda S. Stahl have subscribed their names this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D.

By: \_\_\_\_\_ By: \_\_\_\_\_

**NOTARIAL:**

STATE OF COLORADO }  
 COUNTY OF DELTA } SS

The above and aforementioned was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A.D., by Arvin L. Stahl and Linda S. Stahl.

My commission expires \_\_\_\_\_

My address is \_\_\_\_\_

Witness my hand and seal \_\_\_\_\_

CALL BEFORE YOU DIG ...  
**811**  
 DIAL 811  
 48 HOURS BEFORE YOU DIG, CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND FIBER OPTIC.

| No. | Date     | By  | Description        |
|-----|----------|-----|--------------------|
| 1   | 05/22/19 | DVH | DATA CLARIFICATION |

|              |           |
|--------------|-----------|
| H Scale:     | 1" = 100' |
| V Scale:     | N/A       |
| Designed By: | N/A       |
| Drawn By:    | SLG       |
| Checked By:  | DVH       |
| Date:        | 03/18/19  |

**Land Development Consultants, Inc.**  
 PLANNING · SURVEYING  
 www ldc inc com · TEL: (719) 528-6133 · FAX: (719) 528-8548  
 3888 MAZELAND ROAD · COLORADO SPRINGS, CO 80909

**STAHL SUBDIVISION  
 FINAL RE-PLAT**

Project No.: **19005**  
 Sheet: **1 of 1**

AGENDA SUMMARY FORM



Resolution 2019-11 Initiating Annexation Proceedings – Stahl Rd.

Summary:

Colorado Revised Statutes and Paonia Municipal Code require the Board of Trustees to adopt a resolution to initiate the annexation proceedings and set the special review hearing.

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, COLORADO**

**RESOLUTION NO. 2019-11**

**A RESOLUTION OF THE TOWN OF PAONIA, COLORADO, PURSUANT TO C.R.S. 31-12-108, FINDING THE PETITION FOR ANNEXATION OF THE STAHL ADDITION SUBSTANTIALLY COMPLIES WITH STATUTORY REQUIREMENTS AND SETTING THE PETITION FOR PUBLIC HEARING**

**WHEREAS**, a Petition for Annexation was filed the 10<sup>th</sup> of June 2019 with the Town of Paonia, Colorado, by the property owner, Vaquero Paonia Partners, LP; and

**WHEREAS**, the Town Administrator reviewed the documentation; and

**WHEREAS**, C.R.S. 31-12-108, as amended, requires a public hearing and notice thereof.

**NOW, THEREFORE**, be it resolved by the Board of Trustees for the Town of Paonia, Colorado, as follows:

1. The Annexation Petition filed herein substantially complies with the requirements of C.R.S. 31-12-107 and 31-12-108.
2. The Petition is scheduled for a public hearing on the 13<sup>th</sup> of August 2019 at 6:30 PM.
3. Notice of the public hearing shall be published as required by C.R.S. 31-12-108, with necessary documents to be sent to the Delta County Board of Commissioners, Delta County Attorney, any special district and school district having territory within the area proposed to be annexed, pursuant to C.R.S. 31-12-108(2).

**Adopted** by the members of the Town Board of Trustees of the Town of Paonia, Colorado this 9<sup>th</sup> day of July 2019.

**TOWN OF PAONIA, COLORADO**

\_\_\_\_\_  
Charles Stewart, Mayor

**ATTEST:**

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

AGENDA SUMMARY FORM



AARP – Memorandum of Understanding

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:   |

## MEMORANDUM OF UNDERSTANDING

### Grant Agreement

This MEMORANDUM OF UNDERSTANDING (“Agreement”) serves as an agreement between **AARP**, a social welfare organization located at 601 E Street, NW, Washington, DC 20049 and Town of Paonia, a municipality, located at 214 Grand Avenue, PO Box 460, Paonia, CO 81428 (“Organization”). Whereas, AARP wishes to grant Organization funding for the purposes set forth herein, and Organization wishes to perform the grant activities described herein. Therefore, the parties agree as follows:

**AARP Grant Terms and Conditions.** AARP shall provide Organization with grant funding of **\$10,000.00** (“Grant Funds”) so that Organization may improve livability by offering a safe gathering place that invites all residents, especially older adults, to engage in social and physical activities (“Goal”). Organization will perform the activities described herein between July 15, 2019 and November 4, 2019 (“Grant Period”). Payment shall be provided according the schedule herein, and subject to the following terms and conditions:

- a. *Grant Fee Schedule.* AARP shall disburse Grant Funds to Organization, according to the schedule below.
  - i. AARP will provide a one-time payment of **\$10,000.00**
- b. *Scope of Grant and Anticipated Activities to be Funded.* Organization shall use the Grant Funds to undertake the following activities and achieve the following deliverables (collectively “Grant Activities”):
  - i. Organization will perform Grant Activities at Poulos Park, at or near 219 Grand Avenue, Paonia, Colorado.
  - ii. Organization will work with community members and students to construct a Cob Bench/Conversation Circle The benches will include comfortable back support and will be position in a shaded area to encourage use and social interaction.
  - iii. Organization will install Solar LED lighting to increase safety and to illuminate the shaded areas of the park for evening use.
  - iv. Organization will improve current grass and crushed stone pathways to accommodate users with mobility issues and to comply with ADA standards.
  - v. Organization will replace steps with ramps.
  - vi. Organization will install tables with built- in game boards to encourage all generations to engage in social activity.
  - vii. In collaboration with the Paonia Creative District, Organization will install branded signage at the street entrance to Poulos Park. Organization will also reposition and maintain a historic marker that is currently at the site.
  - viii. Organization shall procure and keep in full force and effect, at its sole cost and expense, from governmental authorities having jurisdiction over the Grant activities' location (s), any and all licenses, permits, bonds or other authorizations necessary to conduct the Grant activities contemplated under this Agreement. Organization will notify AARP immediately if Organization fails

to obtain the required permits and licenses prior to commencement of the Grant activities. A copy of any required permits or licenses shall be provided to AARP upon request.

- ix. Organization will include AARP provided and approved branding and language that indicates AARP's support for the Challenge project as applicable:
  - 1.b.ix.1 Events and Temporary Demonstrations: Signs, banners, or similar signage associated with the activity will indicate that the event or activity was funded with support from AARP
  - 1.b.ix.2 Permanent Structures: Structures (benches, wayfinding signs, community gardens, tables, seating, shelters, art installations, murals, or similar structures) will include a permanent plaque or other sign that indicates support from AARP
  - 1.b.ix.3 Printed, Digital Resources or similar communications: Materials will include the AARP logo and mention of support from AARP
- x. Project(s) will be complete by November 4, 2019.

c. *Reporting Requirements.* Grantee shall submit a financial and programmatic report to AARP within thirty (30) days of the expiration of the grant period, detailing all progress or achievement of the activities described herein. The report shall include an itemized listing of any and all expenditures and draw-downs of the Grant Funds made during the Grant Period. Organization will submit After Action Report with visuals (photos and/or video) to AARP national office by December 6, 2019.

d. *Documentation and Right to Audit.* Organization shall retain invoices, receipts, accounting records and other supporting documentation for at least five (5) years following the expiration of the Grant Period. Organization shall maintain books and records consistent with generally accepted accounting principles and good business practices. AARP retains the right to audit Organization's books and records upon reasonable notice, for the limited purpose of confirming that funds are expended and drawn down solely to conduct Grant Activities and in accordance with the terms of this Agreement.

**2. Permissible Use of Funds, Repayments, and Refunds.** Organization shall use the Grant Funds exclusively for the performance of Grant Activities. AARP retains the right to receive an immediate refund of all improperly expended or unearned funds, as determined in AARP's sole reasonable discretion, from Organization upon written demand. If Organization anticipates a change in the scope or direction of Grant Activities, it must procure prior written approval from AARP before expending Grant Funds for any activity not specifically detailed herein. Furthermore, upon the expiration of the Grant Period or if Organization fails to comply with any term of this Agreement, Organization agrees to return any unexpended portion of the Grant Funds in Organization's possession upon written demand from AARP.

**3. Term and Termination.** The effective date of this agreement shall be the date of execution, and the Agreement shall automatically terminate on December 6, 2019. The Agreement may be terminated by AARP at any time and for any reason upon written notification to Organization. Upon such termination, Organization shall not be required to return any portion of the paid Grant Funds to AARP, and AARP shall have no further obligation to provide Organization with any unpaid portion of the Grant Funds.

4. **No Implied Agency.** Nothing in this Agreement shall be deemed to create any partnership, joint venture, joint enterprise, or agency relationship among the parties, and no party shall have the right to enter into contracts on behalf of, to legally bind, to incur debt on behalf of, or to otherwise incur any liability or obligation on behalf of, the other party hereto, in the absence of a separate writing, executed by an authorized representative of the other party. Each party shall be solely responsible for its employees and contractors used to provide the Agreement.
5. **No commercial or political activity.** Both parties recognize that AARP is a non-profit, non-partisan tax-exempt organization and agree that the Grant Funds will not be used to support or oppose political candidates or initiatives. Notwithstanding any specific deliverable herein, Grant Funds shall not be used to promote any commercial product or for-profit corporation.
6. **Indemnification.** Each Party (an "Indemnifying Party") shall indemnify, hold harmless, and defend the other Party, its affiliates, and their respective partners, officers, directors, employees, contractors, agents and representatives (each of whom is an "Indemnified Party") against all liability, costs, actions, suits, judgments, damages, and expenses (including reasonable attorneys' fees and court costs) arising out of or resulting from (a) the negligent, reckless or willful acts or omissions of Indemnifying Party, its officers, directors, employees, members, independent contractors, or agents, (b) Indemnifying Party's breach of this MOU, including failure to provide the services and work as set forth in this MOU; and (c) any claim that the services or work product of the Indemnifying Party provided under this MOU infringe or violate the intellectual property or other rights of third parties, except to the extent caused by the Indemnified Party. The Parties acknowledge and agree that the indemnity specified herein will include, without limitation, indemnification for settlements or compromises of matters covered by this indemnity. The Indemnifying Party shall not settle any such suit or claim without the Indemnified Party's prior written consent if such settlement would be adverse to the Indemnified Party's interest. The Indemnified Party may, at its option, conduct the defense in any third party action arising as described above and the Indemnifying Party agrees fully to cooperate with such defense. The obligations and rights granted in this Section 6 shall survive the expiration and termination of the Agreement.
7. **Insurance.** Both parties agree to carry and maintain comprehensive general liability and professional liability in an amount not less than one million dollars (\$1,000,000) and workers' compensation insurance in an amount as required by applicable law covering all personnel engaged in the furnishing of services under this Agreement for the duration of the Grant Period.
8. **Acknowledgment and Trademark Licenses.** Organization shall acknowledge AARP in any press release, public announcement, or publicly-released documents related to the Grant Activities detailed herein. To that end, AARP grants Organization a royalty-free non-exclusive, revocable license to use its name and corporate logo solely for that purpose upon the advance written approval of AARP in each instance. In addition, Organization grants AARP a non-exclusive, royalty-free, world-wide, license to use Organization's corporate trademark, including its name and/or logo for the limited purpose of communications regarding the grant between AARP and Organization to AARP members, the 50+ and the general public in promotion of AARP in all media and mediums, including without limitations, broadcast, print, online and AARP membership materials until the expiration or termination of this Agreement. All trademark licenses granted under this section are

non-transferrable and shall automatically terminate at the expiration or termination of this Agreement.

9. **Publicity.** Notwithstanding any specific deliverable herein, neither party may issue a press release, hold a press conference, or otherwise refer to the other party in any manner with respect to this Agreement without the prior written consent of such other party.
10. **Warranties.** Each Party hereby represents and warrants that: (a) it has full power and authority to enter into this Agreement and perform its obligations hereunder; (b) it is duly organized, validly existing and in good standing under the laws of the jurisdiction of its origin; (c) it has not entered into, and during the Term will not enter into, any agreement that would prevent it from complying with this Agreement; (d) it will comply with all applicable laws and regulations in its performance of this Agreement; and (e) the content, media and other materials used or provided as part of the Agreement shall comply with all applicable laws and regulations and shall not infringe or otherwise violate the intellectual property rights, rights of publicity or other proprietary rights of any third party. If necessary, Organization shall enter into written agreements and obtain written releases from third parties, in order to ensure that any work product can be used by AARP as contemplated herein.
11. **Confidentiality and Privacy.** Both parties agree to take commercially reasonable measures to protect information obtained from the other, provided information is marked “confidential” or is of such a nature that the recipient party has reason to believe it is confidential. Organization shall not rent, sell, lease, distribute, or otherwise knowingly make available to any third party any information obtained from AARP about AARP, AARP members, or any AARP activity, unless (i) prior written authorization has been obtained; or (ii) Organization is required to release information by valid subpoena or court order. This section shall survive the expiration or termination of this Agreement.
12. **Additional Terms.** Organization shall not assign or otherwise transfer the Agreement, including by change of control, to any party without the prior written consent of AARP. This Agreement represents the entire agreement between Parties and replaces any prior agreement or proposed variation. Should there be any conflict between any forms or documents exchanged by the Parties, the terms and conditions of this Agreement shall govern. This Agreement shall be amended only by mutual written agreement executed by all Parties or their respective designees. The Parties agree that this Agreement will be governed by the Laws of the District of Columbia without regard to District of Columbia conflict of laws statutes/rules. If any portion of this Agreement shall be declared illegal, void or otherwise unenforceable, the remaining provisions will not be affected, but will remain in full force and effect.
13. **Notice.** For purposes of this Agreement, the following individuals shall serve as points of contact, including delivery of reports, for both AARP and the Organization:

**AARP**

Jean Setzfand  
SVP, Programs  
601 E Street, NW, WDC 20049

**Town of Paonia**

Ken Knight  
Town Administrator  
**Town of Paonia**

214 Grand Avenue, PO Box 460, Paonia, CO  
81428  
kdknight@townofpaonia.com

**AND AGREED TO BY:**

**AARP**

**Town of Paonia**

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: Jean Setzfand

Printed Name: \_\_\_\_\_

Title: Senior Vice President, Programs

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

AGENDA SUMMARY FORM

|  |   |                  |                  |
|--|---|------------------|------------------|
|     | CHC – Colorado Oil & Gas Conservation Commission - Rulemaking |                  |                  |
| <b>Summary:</b><br>See agenda request form submitted.                                |   |                  |                  |
| <b>Notes:</b>  |   |                  |                  |
| <b>Possible Motions:</b><br><br>Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____ |   |                  |                  |
| Vote:  | Trustee Bachran:  | Trustee Bear:    | Trustee Bookout: |
| Trustee Budinger:  | Trustee Hart:   | Trustee Knutson: | Mayor Stewart:   |

COGCC Proposed Rulemaking Calendar

|    | TASK TITLE                        | PHASE I  |                       |           |          |           | PHASE II |  |          |   |  |          |                                       |                                       |           |           | PHASE III |  |  |  |
|----|-----------------------------------|----------|-----------------------|-----------|----------|-----------|----------|--|----------|---|--|----------|---------------------------------------|---------------------------------------|-----------|-----------|-----------|--|--|--|
|    |                                   | MAY 2019 | JUNE 2019             | JULY 2019 | AUG 2019 | SEPT 2019 | OCT 2019 | NOV 2019                                 | DEC 2019 | JAN 2020                                | FEB 2020                                 | MAR 2020 | APRIL 2020                            | MAY 2020                              | JUNE 2020 | JULY 2020 | AUG 2020  | SEPT 2020  | OCT 2020                               |  |
| 1  | 500 Series                        |          | June 17, 2019 Hearing |           |          |           |          |  |          |   |  |          |                                       |                                       |           |           |           |  |  |  |
| 2  | Alternative Site Analysis (CDPs)  |          |                       |           |          |           |          | November 20-21, 2019 Hearing (tentative) |          |   |  |          |                                       |                                       |           |           |           |  |  |  |
| 3  | Local Government Provisions       |          |                       |           |          |           |          | November 20-21, 2019 Hearing (tentative) |          |   |  |          |                                       |                                       |           |           |           |  |  |  |
| 4  | Technical Review Board            |          |                       |           |          |           |          | November 20-21, 2019 Hearing (tentative) |          |   |  |          |                                       |                                       |           |           |           |  |  |  |
| 5  | Cumulative Impacts (CDPs)         |          |                       |           |          |           |          |  |          |   |  |          | March 25-26, 2020 Hearing (tentative) |                                       |           |           |           |  |  |  |
| 6  | PHSWE (CDPs)                      |          |                       |           |          |           |          |  |          |   |  |          |                                       | April 22-23, 2020 Hearing (tentative) |           |           |           |  |  |  |
| 7  | Flowlines (inactive wells etc.)   |          |                       |           |          |           |          |  |          |   | February 26-27, 2020 Hearing (tentative) |          |                                       |                                       |           |           |           |  |  |  |
| 8  | Application Fees                  |          |                       |           |          |           |          |  |          |   |  |          |                                       |                                       |           |           |           | Hearing between August 31 - September 10, 2020 (tentative) |  |  |
| 9  | Financial Assurance               |          |                       |           |          |           |          |  |          |   |  |          |                                       |                                       |           |           |           | Hearing between July 1-11, 2020 (tentative)                |  |  |
| 10 | Wellbore Integrity                |          |                       |           |          |           |          |  |          | January 29-30, 2020 Hearing (tentative) |  |          |                                       |                                       |           |           |           |  |  |  |
| 11 | Worker Certification              |          |                       |           |          |           |          |  |          |   |  |          |                                       |                                       |           |           |           |  | September 16, 2020 Hearing (tentative) |  |
| 12 | Wildlife                          | TBD      |                       |           |          |           |          |  |          |   |  |          |                                       |                                       |           |           |           |  |  |  |
| 13 | Incorporate CDPHE rules as needed | TBD      |                       |           |          |           |          |  |          |   |  |          |                                       |                                       |           |           |           |  |  |  |



July 2, 2019

Board of Trustees for the Town of Paonia  
P.O. Box 460  
214 Grand Avenue  
Paonia, CO 81428

Re: Colorado Oil and Gas Conservation Commission Rulemakings

Dear Trustees for the Town of Paonia,

In April 2019, Governor Polis sign SB 181 into law. This law is a sea change for the State of Colorado and the Colorado Oil and Gas Conservation Commission (COGCC). At its most fundamental level, it changes the mission of the COGCC from *fostering* oil and gas development to *regulating* oil and gas development. The law goes further. It mandates that the COGCC prioritize public health, safety, and welfare, the environment, and wildlife resources, and explicitly grants local jurisdictions the authority to regulate certain aspects of oil and gas activity.

To achieve that prioritization, and to implement the new mission, SB 181 directed the COGCC (and the Colorado Department of Public Health and Environment) to kick off a series of sweeping rulemaking efforts. These rulemakings will essentially result in the incremental overhaul of the entire COGCC rulebook.

**What Rules Are Being Amended?**

By the end of 2020, virtually every COGCC rule will have undergone some level of amendment. Attachment A to this letter is a draft schedule of the rulemakings from the COGCC. They will address 13 specific issues: 500 Series – Administrative Law Judges, alternative site analysis, local government provisions, a technical review board, cumulative impacts, defining “public health, safety, welfare, the environment, and wildlife (PHSWE), flowlines, application fees, financial assurances, wellbore integrity, worker certification, wildlife, and incorporating CDPHE rules as needed. In addition to these 13 categories, the COGCC has proposed an additional topic to implement the Agency’s mission change, making 14 categories total. The Director of the COGCC intends to complete all 14 of these rulemakings before the end of 2020.

### **What Does This Mean For Paonia?**

A lot. The Town's jurisdiction largely ends at its borders, but the oil and gas operations that impact the town are high in the watershed. SB 181 outlines a general intention to protect public health, safety, welfare, the environment, and wildlife resources. These rulemakings are how that will be achieved. SB 181 also describes an intention to empower local governments. The bill clearly grants local governments certain powers within their bounds, but it also clearly intends to grant other impacted jurisdictions more say in the application process. Several of these specific rulemakings will help define the rule of local governments in that regard. Specifically, the mission statement, Local Government Provisions, definitions, wildlife, and the CDPHE Rulemakings will all have significant impacts on the Town and its authority.

### **How Can The Town Engage?**

Like the RMP, there are several avenues for the Town to possibly engage in the rulemakings, either as an official party, with a 510 statement, or with public testimony at the start of the hearing.

**Party Status:** Becoming a party to a rulemaking is the most effective, but most time-consuming option. Stakeholder Party Status is an individual or group that has a stake or interest in the rule at hand. Party status in a stakeholder process or Rulemaking process means that you receive the statements, comments, and recommendations filed by all of the other parties involved. It also means that you will have the opportunity to provide your own feedback, statements, testimony and information regarding what you should believe should be in the rules being considered. It also guarantees that you will be allotted some amount of time during the hearing to present your arguments.

Party status does not create an obligation to do any of the above, and while it sounds like a highly legal process, you do not have to be represented by an attorney. Your participation as a party can include anything from drafting your own detailed statements and presenting testimony and questioning witnesses to simply concurring with other parties. Your time at a hearing can be used or allocated to a different group, at your discretion. In the one rulemaking hearing that has taken place so far, participation by various parties has varied greatly.

**510 Statements and public testimony:** Anyone who is NOT a party to the proceeding may submit a 510 statement or make public testimony at a rulemaking hearing. 510 statements are so-called because they are allowed under COGCC Rule 510. 510 Statements may be submitted in advance, but makers of such statements are not entitled to the same notice or service as formal parties. Likewise, every rulemaking hearing begins with time for public statements. These statements are generally very brief, and members of the public are not entitled to present witnesses or respond to the statements of parties.

### What's Next?

The draft schedule for the SB 181 mandated rulemakings has been attached here, but it is very much a draft. COGCC Director Robbins is holding a meeting in Thornton on July 18<sup>th</sup> to provide more information about the timeline and the COGCC's next steps. As of right now, no stakeholder processes or rulemaking have been formally engaged for any of the proposed subjects, so we must wait until that process begins. For now, we encourage you to review the draft schedule, and to begin considering which subjects would be the highest priorities for engagement.

Sincerely,



Andrew Forkes-Gudmundson

AGENDA SUMMARY FORM

|   |   |                  |                  |
|---|---|------------------|------------------|
|  | CHC – Bureau of Land Management – Revised Master Plan |                  |                  |
| Summary:<br>See agenda request form submitted.                                    |   |                  |                  |
| Notes:  |   |                  |                  |
| Possible Motions:<br><br>Motion by: _____ 2 <sup>nd</sup> : _____ vote: _____     |   |                  |                  |
| Vote:   | Trustee Bachran:                                      | Trustee Bear:    | Trustee Bookout: |
| Trustee Budinger:   | Trustee Hart:   | Trustee Knutson: | Mayor Stewart:   |

# Final Proposed Resource Management Plan Bureau of Land Management, Uncompahgre Field Office Factsheet

## What is a Resource Management Plan?

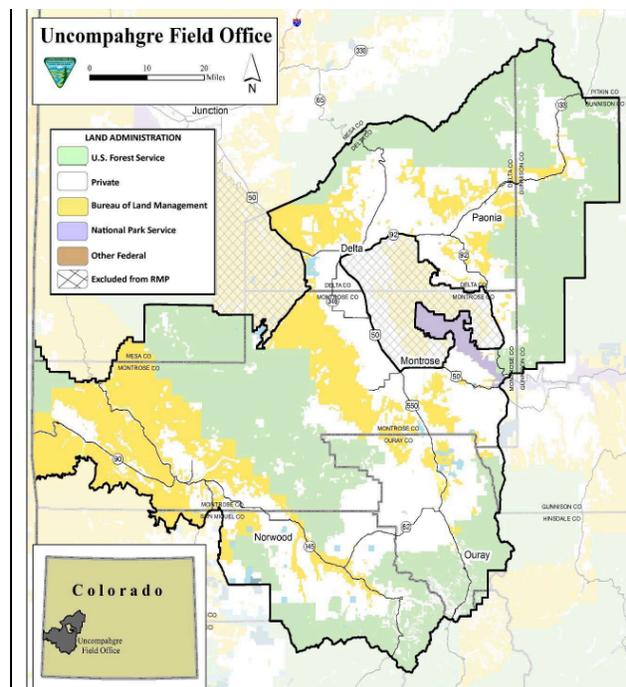
- The Resource Management Plan (RMP) guides the BLM's decision making on all resources under their jurisdiction. This includes everything from grazing to recreation, to hard rock minerals, and (most importantly for us) **oil and gas**. The Final RMP will guide oil and gas leasing in the Field Office for the next 20-30 years.
- The Draft RMP was released by the BLM for public comment on June 3, 2016. The BLM received 53,000 total comments, 42,000 of which requested the BLM consider a "No-Leasing" Alternative.
- This Proposed RMP and Final Environmental Impact Statement **did not** consider that "No-Leasing" alternative, nor did it consider many of the issues raised by the public. CHC and our friends are putting together a complete list of issues the BLM failed to address.
- This Proposed RMP developed a 5<sup>th</sup> alternative, not previously available for public comment, and represents the most development-friendly alternative of those proposed in the Final EIS, opening 95% of the available acreage to unfettered oil and gas leasing.

## Uncompahgre Field Office Statistics (in acres):

- Total Surface Acreage – 3,096,780
- Surface Administration:
  - US Forest Service – 1,248,390
  - Private Ownership – 1,125,350
  - **BLM – 675,800**
  - National Park Service – 27,130
  - State of Colorado – 20,110
- **Federally owned subsurface minerals: 971,220**

## Acres Open to Oil and Gas Leasing in Each Alternative:

- Alternative A – 871,810 (95%)
- Alternative B1 – 609,360 (67%)
- Alternative C – 871,810 (95%)
- Alternative D (BLM Draft EIS Preferred) – 867,970 (94%)
- **Alternative E – FEIS Proposed RMP – 871,810 (95%)**



**Issues with this RMP:** Not only does this RMP open up 95% of the planning area to oil and gas leasing it guts any semblance of public lands protections:

- Removes virtually all ecological emphasis areas.
- Removes proposed management direction for energy development in or near raptor or other special status species habitat.

- Significantly weakens protections within existing Areas of Critical Environmental Concern (ACECs), and eliminates or denies 12 existing or proposed ACECs
- May affect (with potential for “adversely affect”) numerous threatened and endangered species, including Gunnison sage-grouse.

### **Next Steps**

The final phase of the environmental review process for this RMP is a formal protest period. Federal law mandates a 30-day public protest period, and a 60-day governor’s consistency review.

### **Protest**

- The protest period started June 28, and will end July 29, 2019.
- Participation in the protest process is tightly regulated. According to federal rules:
  - Only those who have previously participated in the planning process, and have an interest that may be harmed by the proposed RMP may protest. This means that in order to protest, you **must** have submitted a comment in some form in some other phase of this process. Any protest by someone who has not previously engaged will be dismissed out of hand by the Agency.
  - The protest must be in writing, or submitted through the BLM’s ePlanning page, and contain:
    - Name, mailing address, telephone, and interest of person filing the protest
    - A statement of the issues being protested,
    - A statement of parts of the plan being protested,
    - A copy of all documents addressing those issues and parts submitted during the planning process, and
    - A concise state explaining why the decision of the State Director is wrong.
  - Only issues previously discussed in the planning process may be the subject of a protest. You cannot raise wholly new issues in a protest.
- CHC is working with our partner organizations to determine the best way for anyone who is either uncertain if they previously commented, or knows they have not participated, to engage in this protest period.

### **Governor’s Consistency Review**

This tool allows the governor to review the proposed RMP for consistency with existing state policies and programs. This proposed RMP is obviously at odds with both SB 181, the oil and gas reform bill, and HB 1261, the greenhouse gas emissions reductions bill, among several other policies.



AGENDA SUMMARY FORM



Thomas Markle – Proposed Ordinance: Amend Zoning to Account for Formula Business

Summary:

Community member request to discuss “formula business” defined as: “*businesses* that adopt standardized services, methods of operation, decor, uniforms, architecture, or other features virtually identical to *businesses* elsewhere.” <https://thenewlocalization.com>

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:   |

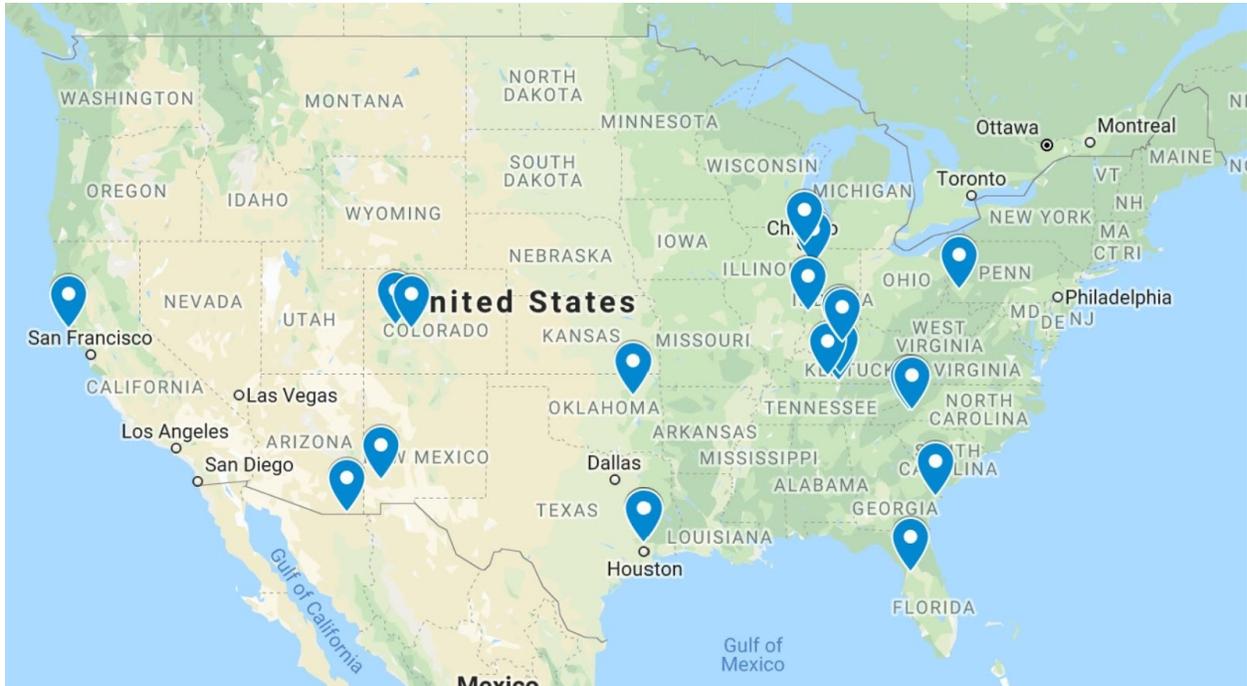
# Formula Businesses in Paonia

Paonia is an entirely unique place. It may share aspects with other towns, but I have traveled the United States extensively and I have seen no combination of traditionally scaled agriculture, arts, food, friendship, music, generous and gregarious people all set in a backdrop of matchless beauty providing adventure and exercise.

*I believe that the uniqueness of character in Paonia is its primary economic and aesthetic asset.*

In order to retain that valuable asset I propose an amendment to the zoning ordinance to include language that protects the unique character of the Town of Paonia.

Here is a map of all the places I've lived or visited enough to know the street layout:



Can you tell which picture goes with which place?





(answers at the bottom)

### Background

Based on information from the Paonia Message Board, I met with the town administrator on Tuesday the 2nd when he informed me that a parcel on Samuel Wade had been sold to a strip mall developer. The legal term for a chain store, franchise, etc. is a “Formula Business”. These are businesses that, essentially, can be found elsewhere and are copied in appearance, service, product, and/or operations.

[This article](#) describes the decreased tax value of formula business vs. mixed-use areas like we have now on Grand Ave.

[This article](#) describes some of the problems associated with formula retail centers.

[This](#) is an article describing some of the impacts a formula business can have on a community.

In short, a formula business detracts from the beauty and character of the town, it drains money from the local economy, it reduces the interest of visitors to town, it generates less sales tax per unit area, and it risks the destruction of other existing and future local businesses.

This is not a new problem and other communities have taken action to protect the unique character of their towns through local ordinances. The Institute for Local Self Reliance provides introductory information regarding formula businesses ordinances dating back to 2008 in [this article](#).

It is important to note that the language does not place restrictions on a particular class of services, rather it prevents duplication of businesses that can be found elsewhere.

Here are some examples of municipal codes that restrict formula businesses

[York, ME](#) (PDF, pg 39)

[Bristol, RI](#)

[Excelsior, MN](#)

[Crested Butte, CO](#) (PDF)

[Fredricksburg, TX](#)

[Chesapeake City, MD](#) (PDF)

[McCall, ID](#) (3.4.02)

[Port Townsend, WA](#) - exemptions for certain business types

Here are examples Specifically Addressing 'dollar stores'

[Tulsa, Okla.](#) — Adopted a dollar store dispersal policy in 2018.

[Mesquite, Texas](#) — Adopted a dollar store restriction policy that makes dollar stores a “conditional use” and imposes a dispersal standard in 2018.

[Kansas City, Kans.](#) — Adopted an updated dollar store dispersal policy in 2019.

[Oklahoma City, Okla.](#) — Enacted a moratorium on new dollar store development in 2019, while the city considers other dollar store restrictions.

[New Orleans, La.](#) — Completed a study of dollar store impacts in 2018, which recommended further policy actions the city could take to address these impacts.

There are risks involved with placing such ordinances; I have found three lawsuits filed against municipalities:

[Coronado, CA](#) was challenged in court by property owners, the court decided in favor of the town, as it was decided the language was prohibiting standardized features rather than certain ownership.

[Islamorada, FL](#) was similarly challenged and lost because it was designed to protect particular existing businesses.

[Jersey City, NJ](#) is currently being sued to remove their ordinance under the charge that they have selectively enforced it.

Here are some articles regarding the legality of the issue:

[https://ilsr.org/wp-content/uploads/2008/12/Legal-Guide-to-Formula-Business-Ordinances\\_89\\_D\\_AS-and-JY-NY-Zoning-Law-and-Practice-Report-big-box-regulation\\_clear.pdf](https://ilsr.org/wp-content/uploads/2008/12/Legal-Guide-to-Formula-Business-Ordinances_89_D_AS-and-JY-NY-Zoning-Law-and-Practice-Report-big-box-regulation_clear.pdf) (references

Colorado municipalities)

<https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=1787&context=caselrev>

Summary of Proposal

I propose that the board amend the zoning ordinance to include definitions for formula businesses, prohibit them expressly from C1 and permit them with special review in C2, I1, and I2.

Proposed Ordinance:  
ORDINANCE NO. 2019-05

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO,  
AMENDING CHAPTER 16 TO 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, pursuant to C.R.S. § 29-20-104(1)(g), the Town has the power to regulate the use of land on the basis of the impact thereof on the community or surrounding areas; 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. 16-1-100 shall be amended to the Town code as follows:

*Formula business* means a business which is required by contractual or other arrangement to maintain one or more of the following items: standardized ("formula") array of services and/or merchandise, trademark, logo, service mark, symbol, decor, architecture, layout, uniform, or similar standardized features and which causes it to be substantially identical to more than five other businesses regardless of ownership or location. Formula businesses can include, but are not limited to: restaurants, retail stores, banks, real estate sales offices, spas, hair and nail salons, and hotel/motel/inn/B&B.

Section 3. Amendment of Town Code. Sec. 16-3-70 shall be amended to the Town Code as follows:

| USE              | C-1 | C-2 | I-1 | I-2 |
|------------------|-----|-----|-----|-----|
| Formula Business | X   | S   | S   | S   |

Section 4. 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 5. Repeal of Prior Ordinances. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. 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 7. Effective Date. This Ordinance shall take effect thirty days after publication.

Photos: Beverly Hills, FL; Chicago, IL; Bowling Green, KY; Floyds Knobs, IN; Oak Ridge North, TX;

AGENDA SUMMARY FORM



Finance & Personnel

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



Public Works/Utilities/Facilities

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



Governmental Affairs/Public Safety

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



Space to Create

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



Tree Board

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



Adjournment

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:   |