

Minutes
Town Board Regular Meeting
Town of Paonia, Colorado
November 8, 2016

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Board of Trustees held Tuesday, November 8, 2016 was called to order at 7:00 PM by Mayor Charles Stewart, followed by the Pledge of Allegiance.

Trustees present were as follows:

Mayor Charles Stewart
Trustee Bill Bear
Trustee Chelsea Bookout
Trustee David Bradford
Trustee Karen Budinger
Trustee Suzanne Watson

Trustee Bill Brunner was absent.

Town Staff present were as follows:

Town Manager Dan Dean
Town Clerk Corinne Ferguson
Sergeant Neil Ferguson
Finance Officer Cindy Jones
Public Works Director Travis Loberg
Treasurer Ross King

A quorum was present and Mayor Stewart proceeded with the meeting.

Approval of Agenda

Motion by Trustee Bear, Supported by Trustee Bradford to approve agenda as presented. Motion carried with five (5) ayes and zero (0) nays.

Announcements

Trustee Watson reminded the public to watch for wildlife activity on Second Street.

Visitors

John Records presented an overview of Hope West which provides palliative care, hospice, and grief support. Mayor Stewart read a Proclamation declaring the month of November *as Hospice and Palliative Care Month*.

Constantine Hirschfeld – 336 Rio Grande – Mr. Hirschfeld shared his frustration regarding graffiti present on Highway 133 referencing hydraulic fracturing and stated he believes it is inappropriate for alcohol to be sold at the Paradise Theatre.

Unfinished Business

None

New Business

Blue Sage Center for the Arts Liquor License Renewal Application

The liquor license renewal and supporting documents were presented to the Board in the meeting

packet. All required fees have been paid and staff recommended the renewal of the Blue Sage Center for the Arts liquor license.

Motion by Trustee Bradford, Supported by Trustee Bookout to approve the Blue Sage Center for the Arts liquor license renewal. Motion carried with five (5) ayes and zero (0) nays.

Temporary Tasting Room for Chamber of Commerce Holiday Event

The Chamber of Commerce requested the Board approve a temporary tasting room for Stone Cottage Cellars at Lizzy's Market – 101 Grand Avenue – during the Chamber Downtown Holiday Event to be held December 2, 2016 from 4 to 8PM.

Trustee Bradford noted a conflict of interest and did not participate in discussion or motion.

Motion by Trustee Watson, Supported by Trustee Budinger to approve the temporary tasting room for Stone Cottage Cellars. Motion carried with four (4) ayes, zero (0) nays, and one (1) abstention from Trustee Bradford.

Optional CIRSA Insurance Coverages

A memo provided four (4) optional insurance coverages for the Town in 2017.

1. Equipment Breakdown Optional Coverage
2. Excess Cyber Optional Coverage
3. Occupational Accidental Death and Dismemberment
4. Excess Crime Optional Coverage

Staff recommends the acceptance of option four (4), excess crime optional coverage, for an additional cost of \$255.00 a year. The coverage increases coverage from \$150,000 to \$500,000 per incident.

Motion by Trustee Bear, Supported by Trustee Bradford to accept option four (4) Excess Crime Coverage in the amount of \$255. Motion carried with five (5) ayes and zero (0) nays.

Resolution 2016-07, a Resolution Removing and Adding Name of Authorized Officers to the Drinking Water Revolving Fund Loan Agreement

Mayor Stewart read Resolution 2016-07 title for the record. Mayor Neal Schwieterman, Town Manager Jane Berry, Town Clerk Barbara Peterson, and Deputy Town Clerk J. Corinne Ferguson are to be removed and Mayor Charles Stewart, Interim Town Administrator Dan Dean, Town Clerk J. Corinne Ferguson are to be added.

Motion by Trustee Bookout, Supported by Trustee Budinger to adopt Resolution 2016-07 as presented. Motion carried with five (5) ayes and zero (0) nays.

Ordinance 2016-07, an Ordinance Replacing Ordinance 2016-01 Dealing with Water Service and Water Fees for the Town of Paonia

Mayor Stewart read Ordinance 2016-07 title for the record. The ordinance allows the Board to set rate changes by resolution. Town Manager needs to be replaced with Town Administrator throughout the ordinance. Trustee Watson suggested the Board re-visit the special use rates that were removed in 2015.

Motion by Trustee Bookout, Supported by Trustee Watson to table Ordinance 2016-07 and Resolution 2016-08 discussion until the next regular Board meeting. Motion carried with a role call vote, Three (3) ayes from Trustees Bookout, Budinger, and Watson, and two (2) nays from Trustees Bear and Bradford.

Mary Bachran requested the draft ordinance and resolution be placed on the Town website for public review.

Park Maintenance Request for Proposal

Interim Town Administrator Dan Dean provided a brief overview of the proposed Park

Maintenance RFP. All applications are to be submitted by end of business November 28, 2016.

Motion by Trustee Bear, Supported by Trustee Bookout to approve the Park Maintenance RFP. Motion carried with five (5) ayes and zero (0) nays.

Regular Business

Mayor's Report: Mayor Charles Stewart reported:

1. Trustee Bradford provided a written report regarding the Office of Management of Budget meeting in Washington, D.C.

Town Administrator's Report: Town Administrator Dan Dean reported:

1. A written report was provided in the packet.
2. The wastewater rate study was provided to the Board. The draft ordinance and resolution is expected at the next meeting for review and adoption.
3. The easement agreements for the out of town waterlines are in process.

Motion by Trustee Bradford, Supported by Trustee Bookout to authorize Mayor Stewart to sign the easement agreements for the out of town landowners pending town attorney review, Motion carried with five (5) ayes and zero (0) nays.

4. The Coussen property subdivision public hearing is scheduled for December 14, 2016.

Public Works Department Report: Public Works Director Travis Loberg reported:

1. Multiple repairs have been completed on the eight (8) inch waterline.
2. Trustee Bear requested a quicker response time for repair in the future,
3. Public works Director Loberg updated the Board regarding multiple ongoing projects as requested by Trustee Bradford.

Police Department Report: Sergeant Neil Ferguson reported:

1. A written report was provided in the packet.
2. State statistics regarding the drug take-back program were provided.
3. Software installation to assist the speed machine in analyzing data is underway.
4. Numerous complaints regarding odors at the hemp processing plant have been received. The police department are working with the business owners to come up with a plan to avoid the nuisance.
5. The police department continues to work with compliance issues for all greenhouses and out buildings.
6. Discussion regarding snow shoveling compliance during winter ensued.

Treasurer's Report: Town Treasurer Ross King reported:

1. Disbursements have been reviewed.
2. Continuing the review of the Elevate Fiber Franchise Agreement in conjunction with the Montrose County Attorney and CCUA.

Committee Reports

1. Finance and Personnel: Nothing to report.
2. Public Works: Nothing to report.
3. Governmental Affairs: Nothing to report.
4. Services & Recreation: Nothing to report.
5. Facilities & Development: Trustee Bookout provided a brief summary regarding the community leadership training attended in Durango.
6. Public Safety: Nothing to report.

Minutes

Motion by Trustee Bear, Supported by Trustee Budinger to approve the Regular Town Board Meeting Minutes as amended for October 25, 2016. Motion carried with five (5) ayes and zero (0) nays.

Disbursements

Motion by Trustee Bear, Supported by Trustee Budinger to authorize the disbursements as reviewed by the Finance Committee with the Town Treasurer Ross King, in the amounts of \$47,735.86 for accounts payable, \$13,424.85 for payroll taxes, and \$14,625.52 for payroll. Motion carried with five (5) ayes and zero (0) nays.

Executive Session

Motion by Trustee Bookout, supported by Trustee Budinger to go in to executive session to discuss the sale of real property and to determine positions, develop strategy for negotiators, and instruct negotiators regarding the sale of real property pursuant to C.R.S. 24-6-402(a)&(e) - Regarding the Marsh Road and Highway 133 property. Motion carried with five (5) ayes, and zero (0) nays.

The Town Board entered Executive Session at 8:35PM.

The Board returned to open session at 9:00PM.

As provided by Town Administrator Dan Dean:

The Board discussed the sale of property located at 38784 Marsh road.

Trustee Bear made a motion to accept the counter offer for 38784 Marsh Road, Paonia, CO of \$220,000 with the condition that the improvements not be subject to the inspections and authorizing the Mayor to sign the offer. After a second by Trustee Bookout the motion was approved.

The Board discussed the sale of property located at 38976 Highway 133.

Trustee Bookout moved to accept the inspection resolution dated November 1, 2016, for the property located at 38976 Highway 133, Paonia, CO, and authorizing the Mayor to sign the acceptance. After the motion was seconded by Trustee Bradford it was approved.

Adjournment

The meeting was adjourned by Mayor Charles Stewart at 9:07 PM

_____/s/_____
J. Corinne Ferguson, Town Clerk

_____/s/_____
Charles Stewart, Mayor