

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**January 29, 2014**

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Wednesday, January 29, 2014 was called to order at 7:01 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Brian Ayers, Eric Goold, Ross King, Amber Kleinman and Sarah Sauter; Attorney David Marek; Chief Scott Leon; Public Works Director Travis Loberg; Finance Officer Cindy Jones; Deputy Clerk Corinne Ferguson and Town Clerk Barbara Peterson. Trustee Larry Wissbeck was absent.

Mayor Schwieterman determined a quorum was present and proceeded with the meeting.

**Approval of Agenda**

Mayor Schwieterman suggested changing the minutes to reflect the previous meeting of January 14, 2014. Trustee Goold moved to approve the agenda as amended. Trustee Ayers seconded and the motion passed unanimously.

**Paonia High School Update**

William Austin reported the wrestling and basketball seasons are ending soon, and both sport teams are doing well. The Speech and Knowledge Bowl teams are competing and also doing very well competitively. It is scholarship and college application season. Next Thursday is the last home dual meet for wrestling.

**Announcements**

Mayor Schwieterman thanked everyone for the flexibility of being able to change the meeting to tonight. The Town was awarded full funding from the Colorado Water Conservation Board (CWCB) in the amount of \$310,000 for the 2MG water treatment project. At this point, approximately half of the project has been funded with grant money. Every grant dollar the Town receives, reduces the loan debt ratio, making the rate increases smaller. Staff has become wonderful grant writers.

**Visitors**

Constantine Hirschfeld reported a street light out at the corner of Second Street and Rio Grande Avenue. Staff will advise Delta-Montrose Electric Association (DMEA).

Suzanne Watson voiced disappointment at the resignation of Officer Rogers and wanted to know the reason for the resignation. Mayor Schwieterman cited family reasons. Discussion regarding an exit interview ensued with Trustees Goold and Ayers expressing an interest in doing to interview. Trustee Sauter noted it was Officer Roger's preference to fill out the papers and submit later.

Steve Keenan submitted information on local currency for review with the intent that it might provide incentive to invest in the local economy.

**Unfinished Business**

None

**New Business**

**Western Slope Conservation Center – Letter of Support Request**

Trustee Sauter recused herself. Mayor Schwieterman noted the sample letter of support regarding air quality as it relates to emissions from oil and gas development in the packets. Ms. Sauter, representing the Western Slope Conservation Center (WSCC), read a prepared statement detailing the draft rules and why the Town might want to support these regulations. Draft regulations would require the oil and gas industry to use best available technologies to prevent or capture oil and gas leaks and provide for the inspection of industry equipment to find and fix leaks. Ms. Sauter indicated that the draft rules seem to have broad public support, with the oil and gas lobby organization and five (5) Western Slope counties opposing these air quality regulations on the Western Slope. The North Fork Valley frequently experiences air inversions, and air pollution from all sources accumulate, leading to possible magnified harmful health effects. With notable changes in air quality in counties that already have

significant oil and gas development, it seems prudent to have these regulations state-wide. Trustee King moved to approve sending the letter of support. Trustee Kleinman seconded. Discussion regarding the policy of sending letters of support ensued with the determination in this case that the Town of Paonia is part of the state and these regulations will have an impact on the citizens of Paonia. Supporting these standards, and providing comments during this comment period, does not hinder any development. This request is asking for the state to apply the regulations uniformly. Trustee King moved to amend the motion to reflect approving the mayor to sign the letter of support. Trustee Kleinman seconded. The amended motion was brought to a vote and passed unanimously. The main motion was brought to a vote and passed with Trustee Goold voting “nay”.

#### Western Slope Conservation Center – Special Event Liquor License Request

WSSC is requesting a special event liquor license for the Mountain Film on Tour at the Paradise Theatre, located at 215 Grand Avenue, between the hours of 6:00 p.m. and 11:00 p.m. on February 28, 2014. Trustee King moved to approve the special event liquor license request as presented. Trustee Kleinman seconded. Chief Leon indicated no problems. Motion was brought to a vote and passed unanimously. Trustee Sauter resumed her seat.

#### Mountain Harvest Festival - Update

Sarah Bishop thanked the Board and staff for their continued support of the festival. Bill Bishop provided a written report of financial activity and impact to Delta County as a result of the festival. Trustee King opined the festival is worth every ounce of effort and thanked the festival committee for all their work. Trustee Sauter specifically thanked Mr. Bishop for his volunteer time in helping with the Town Manager search.

#### Resolution 2014-02 – 2013 Budget Amendment

A copy of the proposed 2013 budget change was provided in the packets by the Finance Officer. Mayor Schwieterman read the resolution title for visitor benefit. The main reason for this amendment was caused by the sewer collapse and resulting repair on Third Street. Mayor Schwieterman noted that typically budget amendments are for cost overruns. As an example, the one-million gallon water storage tank roof may be on overage, depending upon the insurance carrier. Trustee Ayers moved to approve Resolution 2014-02 as presented. Trustee Sauter seconded. During discussion, Finance Officer Jones noted receiving information regarding audit adjustments were received today, sales tax and mineral lease revenue funds were down and the Town used bridge funds for the street and culvert repairs. Motion was brought to a vote and passed unanimously.

#### State Internet Portal Authority – Eligible Entity Agreement

Mayor Schwieterman noted the agreement in the packets, allowing the Town to be an eligible entity to obtain a \$3,800 grant to update the Town’s website. The agreement was reviewed by legal counsel. Trustee King is concerned that the Town will be obligated to using the Authority’s contractors. Deputy Clerk Ferguson noted that is an option, but not an obligation. After more discussion, Trustee Goold moved to sign the agreement as presented. Trustee Ayers seconded and the motion passed with Trustee King voting “nay”.

#### Additional Business

Mayor’s Report: Mayor Schwieterman reported receiving a letter from Senator Udall, who has requested funding from the United States Department of Commerce to address how the agency may be able to help displaced miners. A meeting with representatives Schwartz and Hamner, as well as the Department of Local Affairs will be held at the Paonia Vo-Tec building on Fourth Street at 1:00 p.m. on February 8, 2014.

Public Works: Director Loberg reported his crew has been working on damaged dumpsters. SGM Engineering are available to provide a presentation in order to obtain community input on the Third Street project. There are many rumors about the project and this would be a great time for citizens to hear first hand about the project and offer opinions. The presentation is set for Tuesday, February 4, 2014 from 6:00 to 8:00 p.m. here at Town Hall.

Police Report: Chief Leon submitted a written report. On January 19, 2014 there was a burglary in town and the department does have suspects. Chief Leon also reported the department has been working on taser and CPR recertification’s. Trustee Goold noted the new officer hire closing date is this Friday and voiced an interest in participating in the process.

Finance Report: Trustee Ayers reported attending an airport advisory meeting where the North Fork Airport budget was discussed. Trustee Ayers reported that Delta County operated the airport at a loss. The grant for the west taxiway was approved at a total cost of \$447,000. The pilots group will repay the county for the matching funds.

Parks Report: Trustees Kleinman announced that the Parks Committee met with representatives from Town festivals regarding special events applications and processes. The Town received five (5) application for the Parks Maintenance contract and interviews are scheduled for February 10, 2014.

Public Safety Report: Trustee Goold did not hear of Officer Rogers' leaving before the last meeting. Trustee Goold asked because either the committee system works, or not. Trustee Goold said that he was informed by Chief Leon via telephone. The Public Safety committee needed to be aware and in his opinion, Officer Rogers was the best cop the Town has, and the only one who earned his money. Trustee Goold has several questions and is concerned that Mayor Schwieterman and Chief Leon have already met with Officer Rogers. Trustee Goold expressed displeasure at having stopped by the Police Department and upon hearing people inside, knocked and received no response. Trustee Goold has not met Sergeant Sanchez. Chief Leon indicated that Trustee Goold was notified within a day of being notified from Officer Rogers. Chief Leon attempted to obtain an exit interview, but cannot force Officer Rogers to comply, as it is a new procedure. Trustee Goold clarified that his complaint is not with Chief Leon, but the other officers as they do not wave to him on the street and would like Chief Leon to instruct his officers to get to know people. Mayor Schwieterman clarified that his meeting with Chief Leon and Officer Rogers was not for an exit interview, but in response to a complaint regarding an investigation that Officer Rogers completed. Deputy Clerk Ferguson also indicated that exit interview have never happened before, and the Town is working towards a more professional procedure. Jason Ross thinks the Town has good community police as they do talk and wave at people. Suzanne Watson asked how long investigations took to complete. Mayor Schwieterman noted speaking with the victim of that particular investigation, who expressed satisfaction with the investigation. The case has been submitted to the District Attorney. Richard Schmidt indicated that when people express their opinion, it can be rough, but it seems that there is confusion that a member of the Council is acting as a boss, which is part of a Town Manager duties, and that needs to be resolved. Somehow, this expression of opinions seems inappropriate. Mayor Schwieterman noted the Town Manager screening committee is working towards getting a Town Manager in place, with a best guess of April. Trustee Goold said there was no way he could not say something as people were expecting answers.

Street Report: Trustees King reiterated the Third Street meeting with the engineers on February 4, 2014 and encourage citizens to come and provide input.

Water/Sewer Report: Trustees King reported the Town to sent notification to its water users of a deficiency in treatment requirements. There is nothing wrong with the water. The Town has, and continues to filter its water. This issue will be rectified with the completion of the two-million gallon water treatment project. This notification only went to the upper system users, not the whole town. This is not a water quality violation. Engineers have reviewed the roof issue at the One-Million Gallon tank and the Town should receive a report soon.

Personnel Report: Trustee Sauter reported receiving thirty-five (35) applications for the Town Manager position. Approximately half of the candidates were not qualified. Interviews have been scheduled. There will be a public portion for the public to meet the candidates.

Minutes:

Corrections noted. Trustee Sauter moved to accept the minutes for January 14, 2014 as amended. Trustee Kleinman seconded and the motion passed unanimously.

Disbursements:

Trustee Ayers moved to pay the bills through January 29, 2014. Trustee Kleinman seconded and the motion passed unanimously.

9:07 p.m. Meeting adjourned.

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Town Clerk, Barbara Peterson

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Mayor, Neal Schwieterman