

Town Council Regular Meeting
Town of Paonia, Colorado
March 27, 2012

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, March 27, 2012 was called to order at 7:02 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Lucien Pevec, Brian Ayers, and David Weber; Travis Loberg; Attorney James Briscoe; and Town Clerk Barbara Peterson. Trustees Blake Kinser and Sid Lewis were absent.

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

Approval of Agenda

Trustee Weber moved to approve the agenda as presented. Trustee Ferguson seconded and the motion passed unanimously.

Announcements

- None

Visitors

- Larry Wissbeck indicated the Public Works crew graded and laid new road base in the alley near his residence on Fourth Street. The alley is much improved and Mr. Wissbeck is very pleased.

Paonia High School (PHS) Update

- No one was present.

Unfinished Business

Bresnan Communications – Cable Franchise

Attorney Briscoe contacted Bresnan regarding the amendments to the proposed agreement. The changes have been submitted to Bresnan, but Attorney Briscoe has not been contacted with a reply. No action was taken.

New Business

American Legion – Park Maintenance Request

Lee Jones and Jerry LaBounty were present. The baseball team sponsored by the American Legion is requesting the lights be updated at the Town Park in order to play night games, a pitching mound and a realignment of the foul lines. Paonia has been awarded the district tournament on July 19-22, 2012. Public Works Director Loberg noted the lights behind the backstop have been dismantled, and the cost to repair is substantial. Funds have not been budgeted for this expense. Mr. LaBounty indicated he would request funds from the American Legion to help with the cost of the lights, and they will realign the foul lines. The Parks Committee to review the budget for funding possibilities.

Ordinance 2012-03 – Water Rates

Trustee Ferguson noted there have been many work sessions regarding the new rate changes. The two-million gallon treatment plant (2MG) project will need funding. Water tap fees were changed to a sliding scale based on the pipe capacity. Base rates were increased as well as a small increase in usage rates. Lengthy discussion regarding grandfathering, tap statuses, non-conforming uses, additional tap fees, cost of services, conservation and individual metering ensued.

8:08 p.m. Trustee Ayers left the meeting.

8:10 p.m. Trustee Ayers resumed his seat.

The state is mandating an upgrade at the 2MG with a change in water status to surface water under the influence. Trustee Ferguson moved to table this item. Trustee Weber seconded. During discussion, a work session was scheduled for Tuesday, April 3, 2012 from 6:00 to 8:00 p.m. at Town Hall. Motion was brought to a vote and passed unanimously.

Additional Business

Mayor's Report: Mayor Schwieterman reminded committee members to provide a list of duties to Clerk Peterson for the new Council.

8:31 p.m. Trustee Pevec left the meeting.

Mayor Schwieterman reminded everyone of the Paonia Elementary School "Kiss the Pig" fundraiser.

8:33 p.m. Trustee Pevec resumed his seat.

Mayor Schwieterman proposed that payroll be shifted slightly to two (2) weeks after the pay period so any overtime may be included and allow more time to process paychecks. The idea is to pay employees for two (2) weeks base pay, spreading the liability cost over many years as employees leave. Council concurred to shift payroll.

8:40 p.m. Trustee Ferguson left the meeting.

Mayor Schwieterman attended the FORE Alliance meeting. The lights at Town Hall are obsolete and once the supply is gone, the bulbs will no longer be available. TerraVision is conducting an energy audit that will evaluate the lights at Town Hall, amongst other items including the streetlights. House Bill 10-1256 mandates that counties allow all-terrain vehicles (ATV) and required towns less than 5000 population to also allow ATV's unless an ordinance prohibiting is adopted. The Colorado Municipal League (CML) is requesting that towns write letters in opposition of the bill.

8:43 p.m. Trustee Ferguson resumed her seat.

It was noted the new law would require the ATV to have license plates, but not a license for the driver. Trustee Weber moved to have an opposition letter sent from the Town. Trustee Ferguson seconded and the motion passed unanimously. The McGavin annexation agreement will be signed tomorrow.

Public Works: Public Works Director Loberg reported street cleaning and repairs have begun.

Police Report: Chief Leon was not available to report. Mayor Schwieterman noted rules were changed regarding "driving under the influence" (DUI) and our officers need to be recertified. The "no skateboarding" placards are being put out on all but the windiest days. The Police Department is receiving pushback from citizens. Mayor Schwieterman indicated that Chief Leon had a discussion with a citizen that was kicking the sign down, with the citizen saying skateboarders do not look down, but rather they out ahead. Trustee Ayers noted he was almost knocked over by the Post Office by a skateboarder.

Finance Committee Report: Trustee Ayers reported working on the Peaks Public Investment application. Trustee Pevec moved to maintain \$400,000 in the bank account ending in 4034 and to put \$200,000 transferring the balance to the ColoTrust Account and to publish a request for proposal to find multiple public investment firms to invest portions of the ColoTrust fund account balance. Trustee Ayers seconded. Discussion noted the Town could be earning 1.6% return on investments rather than less than 1% returns. Trustee Pevec moved to amend the motion too add the word "approximately" in front of both dollar figures. The amended motion failed for lack of a second. Trustee Pevec withdrew the original motion. Trustee Pevec moved to maintain approximately \$400,000 in the main checking account ending in 4034 and to put approximately \$200,000 into a back up savings account, and to transfer the remaining money to the ColoTrust account, and to publish and request for proposal to find multiple public investment firms to invest portions of the ColoTrust fund account balance. Trustee Ayers seconded and the motion passed unanimously. Trustee Ayers suggested having tighter controls on debit card use. If the person using the credit card does not provide a receipt, the amount will be taken out of their payroll.

Parks Committee Report: Trustee Pevec reported projects moving forward.

Public Safety Committee Report: Trustee Ayers had nothing to report. .

Street Committee Report: Trustee Ferguson reported beginning looking at spring clean up days to coincide with the Delta County free dump days.

Water/Sewer Committee Report: Trustee Ferguson reported receiving a letter from the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD), formally requesting additional testing for four (4) specific springs. The Town is forgoing the additional testing, knowing that the eighteen-month letter is coming, which will increase the urgency in funding and increase grant standing. Trustee Ferguson corrected a statement regarding participants at the work session indicating citizens did attend. Trustee Weber reported there is no place for a hunter to fill five (5) gallon jugs of water. Mayor Schwieterman will speak with Ellen Smith at the Teen Center about making a spigot available for hunter to fill water jugs.

Personnel Committee Report: Trustee Weber created a draft cleaning contract for review.

Minutes:

Corrections submitted. Trustee Weber moved to approve the minutes of January 26, 2012 as amended. Trustee Ferguson seconded and the motion passed unanimously. Corrections noted. Trustee Weber moved to approve the minutes of March 13, 2012 as amended. Trustee Ferguson seconded and the motion passed unanimously.

Disbursements:

Trustee Pevec moved to pay the bills ending March 27, 2012. Trustee Ferguson seconded. Mayor Schwieterman noted the Blair and Associates invoice was for services with payroll and cleaning up. Motion was brought to a vote and passed unanimously.

9:13 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson