

Board of Trustees Regular Meeting
Town of Paonia, Colorado
October 14, 2014

RECORD OF PROCEEDINGS

The Regular Meeting of the Paonia Board of Trustees, held Tuesday, October 14, 2014, was called to order by Mayor Pro-Tem Stewart, in the absence of Mayor Schwieterman, at 7:03 PM with the Pledge of Allegiance.

Present: Mayor Pro-Tem Charles Stewart and Trustees Ross King, Suzanne Watson, Amber Kleinman, Eric Goold and David Bradford.

Absent: Mayor Neal Schwieterman.

Also: Interim Town Manager Steve Rabe, Police Chief Scott Leon, Director of Public Works Travis Loberg, Finance Officer Cindy Jones and Town Attorney David Marek.

Mayor Pro-Tem Stewart determined that a quorum was present and proceeded with the meeting.

Approval of Agenda

At the request of Trustee King, the item regarding the appointment to the North Fork Airport Advisory Board was removed from the Agenda and tabled until the next Regular Meeting. Motion was made by Trustee King, seconded by Trustee Watson, to approve the Agenda as amended. All ayes.

Announcements

Mayor Pro-Tem Stewart announced that the Town had received an invitation from the North Fork Parks and Recreation District inviting representatives from the Town to the District's awards ceremony for the Great Outdoors Colorado (GOCO) Starburst Award. Pro-Tem Stewart suggested that a member from the Parks Committee attend the event.

Visitors

Doug Long inquired as to a private citizen's ability to be appointed to the North Fork Airport Advisory Committee.

Unfinished Business

Ordinance 2014-14 – Codification

Mayor Pro-Tem Stewart stated that the Interim Town Manager is working on a draft ordinance which lays out the amendments that have been suggested by the Board and staff. This draft ordinance is expected to be presented at the Board's October 28th Worksession.

New Business

Western Slope Conservation Center – Letter of Support

Mr. Ralph D'Alessandro, representing the Western Slope Conservation Center, was present requesting a letter of support from the Town of Paonia for the Center's Every Day Capacity Building grant proposal. Mayor Pro-Tem Stewart read a letter that was prepared in advance for the Board's consideration. Motion was made by Trustee Kleinman, seconded by Trustee Goold, to authorize Mayor Pro-Tem Stewart to sign the letter of support on behalf of the Town of Paonia. All ayes.

Colorado Roadless Rules North Fork Coal Exemption – Letter of Support

Mayor Pro-Tem Stewart read a letter of support that was prepared for the Board's consideration regarding a recent court ruling that vacated the promulgated Colorado Roadless Rule North Fork Coal Mining exemption. Some discussion occurred as to the origin and need for the letter. Staff stated that the letter was a result of Mayor Schwieterman's attendance at the Delta County Regional Meeting on October 3rd. Motion was made by Trustee King, seconded by Trustee Bradford, to table consideration of the letter until the October 28th meeting when the Mayor returns. All ayes.

Life Insurance – Change Approval

Finance Officer Cindy Jones presented a proposal to switch the employer paid life insurance and accidental death and disability policy from Kansas City Life to Met Life and the employee paid portion from Liberty National Life to Met Life. The resulting change reduces the Town's premium by about 50% and reduces substantially the cost to the employees. Motion was made by Trustee King, seconded by Trustee Goold, to approve the changes from Kansas City Life and Liberty National Life to Met Life. All ayes.

Town Manager – Employment Agreement

Mayor Pro-Tem Stewart gave a brief statement regarding the selection process, stating that the Board of Trustees was extremely impressed with the quality of the candidates. Pro-Tem Stewart also announced that, after doing interviews on Thursday, October 9th, a successful candidate has been selected and that that candidate has accepted the position. Motion was made by Pro-Tem Stewart, seconded by Trustee Kleinman, to formally select Jane Berry of Cowdrey, Colorado as the Town's permanent Town Manager. All ayes.

Mayor Pro-Tem Stewart read a prepared statement regarding Jane Berry's background and experience, explaining that Ms. Berry will begin her duties as of Monday, November 3rd. Interim Town Manager Steve Rabe presented an Employment Agreement that contains the terms that were previously consented to by the Board of Trustees. The proposed Agreement has been approved by Ms. Berry. Motion was made by Trustee King, seconded by Trustee Kleinman, to authorize the Mayor's signature on the Employment Agreement with Jane Berry subject to the following, minor correction - changing Section 4D to read as follows: "Manager will not enroll in the health insurance program as it is otherwise provided to all employees and said offset is applied to the Manager's base salary." All ayes.

Computer Services – Proposal Approval

Interim Town Manager Steve Rabe presented that he had further discussed the proposal to install new computer equipment at Town Hall and the Paonia Police Department with the selected vendor, Phonz+ of Fruita, CO. Mr. Rabe stated the vendor has submitted a revised proposal for \$23,339.87, including a requested upgrade to the Town's network equipment, and justified the need for the monthly service fee of \$299.00/per month for the computer and phone system. Finance Officer Cindy Jones presented the means by which the project would be paid for out of the 2014 Budget. After discussion, a motion was made by Trustee Kleinman, seconded by Trustee Watson, to approve the revised proposal of Phonz+. All ayes.

Website Design – Proposal Approval

Interim Town Manager Steve Rabe presented that the Town had been accepting proposals for the redesign and update of the Town's website. A number of proposals had been previously received, but the estimated cost of the proposed work was deemed excessive. A proposal was recently received from Wired Right Web Design of Paonia, Colorado quoting a price of \$1,900. Mr. Rabe stated that he had reviewed the proposal and felt that it was in line with the services that the Town was looking for at this time, including the fact that the website, once running, could likely be maintained by existing Town staff. After discussion, a motion was made by Trustee Kleinman, seconded by Trustee Goold, to accept the proposal from Wired Right Web Design of Paonia, Colorado for an estimated cost of \$1,900. All ayes.

1 MG Roof Construction – Proposal Approval

Interim Town Manager Steve Rabe reminded that the Board of Trustees had authorized the Town's engineer, Westwater Engineering, to negotiate a value engineered cost with Alpine C.M., Inc. of Grand Junction, Colorado, for the replacement of the roof on the 1 MG water storage tank at a not-to-exceed cost of \$382,000. Since that time, Westwater Engineering has continued to negotiate with Alpine C.M. and the cost of the proposed project has been reduced down to \$342,184, much closer to the \$350,000 budget that has been established for the project. After discussion, a motion was made by Trustee King, seconded by Mayor Pro-Tem Stewart and Trustee Bradford, to accept the revised proposal for Alpine C.M., Inc. of Grand Junction, Colorado for a not-to-exceed cost of \$350,000. All ayes.

North Fork Airport Advisory Board – Appointment

Tabled to October 28, 2014 Regular Meeting.

Ordinance 2014-08 – Board of Trustees Compensation

Mayor Pro-Tem reminded that the Board of Trustees had requested that the Finance Committee provide a means by which the Board would be compensated in the manner that was prescribed by a previous Board in 2000. The language that exists in the currently-proposed Municipal Code is inconsistent with the current practice of paying a monthly stipend to both the Mayor and Council without regard to attendance.

Trustee Bradford had previously submitted an ordinance for the Board's review which he felt was consistent with the Board's decision regarding pay in 2000. A motion was made by Trustee King, seconded by Trustee Kleinman, to adopt Ordinance 2014-08 as presented. Trustee King moved and a second was provided by Trustee Kleinman, to amend Section 1b to read as follows: "Trustees \$100 per month per quarter." All ayes. Trustee King then moved, and a second was provided by Trustee Kleinman, to amend Ordinance 2014-08 to strike Section 2 regarding notification with the exception of the last sentence. Those voting "yes": King, Kleinman and Watson. Those voting "no": Goold, Stewart and Bradford. Motion failed. Mayor Pro-Tem Stewart then moved, and a second was provided by Trustee Kleinman, to amend Section 2 of Ordinance 2014-08 to read that Board members are expected to attend all meetings, but to the extent possible, members will notify either the Mayor or Mayor Pro-Tem in the event of an absence. All ayes. To the motion as amended, all ayes.

Additional Business

Mayor's Report: None

Town Manager: Interim Town Manager Steve Rabe stated that he had submitted a written report and made a request for the Parks Committee to schedule a meeting to discuss the Parks Maintenance Agreement. Meeting was scheduled for Monday, October 20th at 3:30 PM. Finance Officer Cindy Jones gave an update with regard to the Town's health insurance plan.

Public Works Report: Public Works Director Travis Loberg gave a verbal update on the raw water line project and work at Apple Valley Park.

Police Report: Police Chief Scott Leon stated that he had submitted a written report.

Finance Committee: Mayor Pro-Tem Charles Stewart stated that Finance Officer Cindy Jones was requesting that the Board of Trustees authorize the creation of two, \$500,000 lines of credit for the payment of expenses associated with the Town's various water projects. Pro-Tem Stewart went on to explain that the funding sources for the projects are slow in making reimbursement(s) and the Town may be unable to pay project expenses in an orderly manner. The alternative is for the Town to cash in early two CD's that are being held in local banks. Mayor Pro-Tem Stewart moved and then withdrew a motion to authorize the creation of the lines of credit. A motion was then made by Trustee Bradford to have the Finance Committee review the proposal presented by Ms. Jones and formulate a recommendation for the Board's consideration. Second provided by Trustee Watson. All ayes.

Parks Committee: None

Personnel Committee: None

Public Safety Committee: None

Streets Committee: None

Water/Sewer Committee: None

Minutes:

A motion was made by Trustee King, seconded by Trustee Kleinman, to approve the minutes of the Regular Meeting of September 23, 2014 and the Special Meeting of October 9, 2014 as presented. All ayes.

Disbursements:

A motion was made by Trustee Bradford, seconded by Mayor Pro-Tem Stewart, to pay the bills through October 14, 2014, totaling \$182,541.33. Mayor Pro-Tem, moved to amend the motion to include the electronic transfer of the loan payment of \$11,671.70 on November 1st, seconded by Trustee Bradford. All ayes to the motion as amended.

Executive Session:

A motion was made by Mayor Pro-Tem Stewart, seconded by Trustee Goold, to enter into Executive Session in accordance 24-6-402(4)(b) of the Colorado Revised Statutes for purposes of having a conference with the Town Attorney and to receive specific legal advice regarding the Chesnik matter with no anticipated action expected to follow the Executive Session. All ayes.

Mayor Pro-Tem Stewart declared a recess at 8:47 PM. The Board entered into Executive Session at 8:52 PM. Mayor Pro-Tem Stewart concluded the Executive Session at 9:31 PM.

With no further business to come before the Board of Trustees, Mayor Pro-Tem adjourned the meeting at 9:35 PM.

Steven G. Rabe
Interim Town Manager

Charles Stewart
Mayor Pro-Tem