

Town Council Regular Meeting
Town of Paonia, Colorado
December 13, 2011

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, December 13, 2011 was called to order at 7:04 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Brian Ayers, Blake Kinser, Lucien Pevec, and David Weber; Scott Leon; Attorney James Briscoe, and Town Clerk Barbara Peterson. Trustee Sid Lewis was 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 Kinser seconded and the motion passed unanimously.

Announcements

- Mayor Schwieterman noted the intent to give a certificate of appreciation to the elementary school for raking the Town Park. Due to a school board meeting, this will be done at the first meeting in January.
- There are several meetings scheduled for the Bureau of Land Management (BLM) proposed lease parcels near Paonia as follows: Monday, December 18 at the Hotchkiss Senior Center, Wednesday, January 4 at the Paonia Town Hall and Thursday, January 5 at the Crawford Town Hall.

Paonia High School (PHS) Update

Adrian Lopez was present. The Student Council representative announced the following:

- Students have been helping the elementary school students write letters to Santa
- Alumni are being recognized at sporting events
- Winter sports have started and the wrestling, girls basketball teams are undefeated at this time. The boys basketball team has a new coach.
- Pumpkins were painted at the Paonia Care Center.
- There is a Christmas swing choir concert on December 7, 2011 at 7:00 p.m.

Visitors

- Richard Schmidt noted the Riverbank Neighborhood applied for a minor subdivision. Mr. Schmidt spoke with Mayor Schwieterman via telephone, who indicated the minor subdivision has not been approved yet. Mr. Schmidt was not aware of the application as it was not posted on the front door, even though it was not required. Mr. Schmidt holds the opinion that the application is incomplete, there is already a major subdivision in place, and this is a misuse of Ordinance 2010-03. The Riverbank Neighborhood L.L.C. would like to split the property to grow hops on the northern end. Mr. Schmidt's concerns include the liability if some division happens between the developers, the access off the highway could be lost and what exists could be lost. Attorney Briscoe noted the division between the phases does not change the preliminary subdivision. The final plat is still subject to agreement. Mayor Schwieterman noted a written review from the Town Planner offering the opinion that two (2) mutually exclusive processes are happening. The planned unit development (PUD) has not been approved; the current proposal divides the land along predetermined phasing lines and development triggers are already built into the PUD process. The hearing has been held, but the memorandum of acceptance has not been typed yet. The Town will have a legal review and will not proceed without Council awareness.

Unfinished Business

- None

New Business

Delta County Economic Development (DCED) – Letter of support Request

Sarah Carlquist was present and is requesting a letter of support for a rural business enterprise grant that is due On December 31, 2011. The project is for a commercial kitchen business incubator at the

energy-tech (the old vo-tech building) to serve as a fixed site to make value added products. Educational opportunities include culinary classes. After brief discussion of previous efforts for the same project, Trustee Pevec moved to write a letter of support as requested. Trustee Kinser seconded. Discussion resulted in noting the grant will cover updated equipment and utilities with no matching funds. Motion was brought to a vote and passed unanimously.

Mountain Harvest Festival - Update

Bill Bishop and Helen Highwater were present. Ms. Highwater expressed deep gratitude for the support of Council with funds and facilities to make the festival the most successful to date. Mr. Bishop submitted a financial report for Council review.

Blue Sage Center for the Arts – Report of Corporate Changes

James Schott is replacing Carol Kwiatkowski on the board. The background check on Mr. Schott has not come to the Town as of yet. Trustee Weber moved to approve the report of corporate changes pending the background check. Trustee Ferguson seconded and the motion passed unanimously.

Blue Sage Center for the Arts – Liquor License Renewal

Trustee Ayers moved to approve pending the background check. Trustee Ferguson seconded and the motion passed unanimously.

Resolution 2011-09 – Investment Policy

Mayor Schwieterman read for visitor benefit. The Finance Committee has been working on finding investments that could make money in this economic climate. This resolution suffices for the auditor request. After brief discussion regarding an impending meeting with an investment advisor, Trustee Pevec moved to adopt Resolution 2011-09 as presented. Trustee Kinser seconded and the motion passed unanimously.

Resolution 2011-10 – McGavin Annexation

Rick McGavin was present. Mayor Schwieterman read for visitor benefit. The property is located at the corner of Samuel Wade and Stahl Roads. The resolution accepts the petition for annexation and sets the public hearing dates. Trustee Weber moved to adopt Resolution 2011-10 as presented. Trustee Ayers seconded. During discussion it was noted this parcel is located in a designated growth area and the water tap will be negotiated with West Paonia Domestic Water Company. Motion was brought to a vote and passed unanimously.

Budget Message

Mayor Schwieterman read for visitor benefit. Trustee Weber provided fund percentages as compared to last year, noting overall the budget balances. Projected capital improvements for 2012 are substantial.

Resolution 2011-11 – Budget Adoption

Mayor Schwieterman read for visitor benefit. The board and staff were congratulated for the easiest budget process in years. Trustee Ferguson moved to adopt Resolution 2011-11 as presented. Trustee Kinser seconded and the motion passed unanimously.

Resolution 2011-12 – Set Mill Levy

Mayor Schwieterman read for visitor benefit. Trustee Pevec moved to adopt Resolution 2011-12 as presented. Trustee Ferguson seconded and the motion passed unanimously.

Resolution 2011-13 – Highway 133 Access Control Plan

Mayor Schwieterman read for visitor benefit and gave a brief background of the project. Former Trustee Patricia Bliss had worked on this plan and reviewed before the final was submitted to Council. The goal is to reduce accidents on the highway while mitigating access points. The speed limits will remain the same. Trustee Weber moved to adopt Resolution 2011-13 as presented. Trustee Kinser seconded and the motion passed unanimously.

Christmas Lighting – Judge Appointment

Mayor Schwieterman noted his wife and daughter expressed an interest with Clerk Peterson. No objections were noted. Mayor Schwieterman thusly appointed Liane Mattson, Barbara Peterson and Katya Schwieterman.

Additional Business

Mayor's Report: Mayor Schwieterman reported that the Apple Valley Park Renovation project did not make the Great Outdoors Colorado (GOCO) final list, so the application will be resubmitted in the spring. Mayor Schwieterman has been attending recycling meeting and there will be pilot project at the North Fork transfer station. The Bureau of Land Management (BLM) has issued public notice

regarding multiple parcels in the valley close to Hotchkiss, Paonia and Crawford that are being considered for lease nominations. The maps provided are insufficient to determine relative to the Town's water, so a GIS layer has been requested as to provide specific comments regarding specific parcels. Trustee Weber moved to write a letter to the BLM requesting the public comment period be extended. Trustee Ferguson seconded and the motion passed unanimously. Mr. Ross King has provided comments regarding signage in the same area as Galaxy Bikes. The owners have submitted the paperwork for a special review of the sign. In the packets is a letter of support for river park trails that was not able to have Council review prior to the submission deadline. No objections were noted.

Public Works: Public Works Director Leon reported few water breaks and the new plant has a few issues that are still being worked out with the manufacturer.

Police Report: Chief Leon submitted written reports. The bike safety signage has been researched and is moving forward.

Finance Committee Report: Trustee Pevec reported there will be a meeting tomorrow regarding investment opportunities for municipalities.

Parks Committee Report: Trustee Pevec had nothing to report.

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

Street Committee Report: Trustee Ferguson reported that after the Town had decided to move forward with the hooding of the street lights, that the hoods are no longer available. A corrected map with specific light information is still expected.

Water/Sewer Committee Report: Trustee Weber noted the committee will be meeting regarding modeling for water and sewer rates. Trustee Weber also reported that the SCADA system was hacked into, but the Town's system is a stand-alone system, not permanently connected via the internet, and therefore was not affected.

Personnel Committee Report: Trustee Kinser had nothing to report. Trustee Ferguson noted that finalized amounts for bonuses and raises were necessary. Trustee Ferguson spoke with five (5) voting Trustees and the information was then given to the mayor for distribution to staff.

Minutes:

Corrections noted. Trustee Ayers moved to approve the minutes of October 25, 2011 as amended. Trustee Ferguson seconded and the motion passed with an abstention from Trustee Kinser.

Disbursements:

Trustee Pevec moved to pay the bills ending December 13, 2011. Trustee Kinser seconded, and the motion passed unanimously.

8:46 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Town Clerk, Barbara J. Peterson