

**Minutes**  
**Town Board Regular Meeting**  
**Town of Paonia, Colorado**  
**November 28, 2017**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Town Board of Trustees held Tuesday, November 28, 2017 was called to order at 6:30 PM by Mayor Charles Stewart, followed by the Pledge of Allegiance.

Roll Call:

Trustees present were as follows:

Charles Stewart  
Bill Bear  
Chelsea Bookout  
David Bradford  
Karen Budinger  
Barry Pennell

Town Staff present were as follows:

Administrator Ken Knight  
Clerk Corinne Ferguson  
Finance Officer Cindy Jones  
Chief Neil Ferguson  
Treasurer Ross King

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

**Approval of Agenda**

Motion by Trustee Bear, supported by Trustee Bradford to approve the agenda as presented.  
Motion carried unanimously.

**Announcements**

None

**Recognition of Visitors & Guests**

Arianna Sherman – AmeriCorps member – provided an overview of the AmeriCorps Colorado Community Opioid Response Program, specifically the three (3) focused goals.

Safe Waste Disposal  
User Education  
Provider Education

Handout provided.

Dr. Paul Ramsey – A Little Help – provided an update regarding the A Little Help Program, assisting seniors in the community to continue to successfully live independently.

**Consent Agenda**

Minutes:

October 24, 2017 Regular Meeting  
November 14, 2017 Regular Meeting

Motion by Trustee Bradford, supported by Trustee Budinger to approve the consent agenda as amended. Motion carried unanimously.

## **Mayor's Report**

Nothing to report.

## **Town Administrator's Report**

1. Public Works Director Loberg was injured while working Friday, November 24, 2017. A Workers' Compensation report has been initiated.

## **Public Works Department Report** - Provided by Administrator Knight:

1. The Sidewalk repair approved is near completion.
2. The 3<sup>rd</sup> Street paving is complete.
3. DMEA will be in Town putting up Christmas lights on the 29<sup>th</sup>.

## **Police Department Report**

1. A written report and statement was provided in the packet.
2. Officer Byrge has submitted his resignation.
3. Applications are being accepted for a full-time position until December 29<sup>th</sup>.
4. Due to reduced staffing, after-hours non-emergency calls will be followed up on during regular hours.

Steven Keenan – asked how the community can assist the police department. Chief Ferguson reiterated the need for community policing and to report when anyone sees anything suspicious/illegal/out of the ordinary.

Mayor Stewart added that wages for the Town of Paonia are not competitive and the Board as well as the community need to be aware of the services offered and think about resources, and the reallocation of resources to address the issue.

## **Treasurer's Report**

1. Disbursements and payroll have been reviewed.
2. Thanked the staff for their continued efforts with the limited resources available.

## **Unfinished Business**

### **Proposed 2018 Budget**

An updated parks plan, for taking park maintenance in-house was provided. This is the last opportunity before final approval at the next meeting to make any significant changes.

Discussion ensued regarding the football field, staff time, and equipment needed to maintain the parks.

### **Ordinance 2017-12 Marijuana Regulations**

Chief Ferguson provided an overview of the proposed ordinance, stating the ordinance will give the Town authority to enforce laws at the municipal level, provides clear guidelines, and reiterated the ordinance primarily mirrors the State regulations, in effect January 1, 2018.

Trustee Pennell added the continuity of plant count restrictions between medical and recreational plants and the increase in potential fine for violations.

Discussion ensued regarding odor and structure requirements.

Motion by Trustee Pennell, supported by Trustee Bradford to approve the first reading of Ordinance 2017-12 as presented and set for second read and publication at the next regular meeting, December 12, 2017. Motion passed unanimously.

## **New Business**

### **HVAC Bid Approval**

Included in the proposed 2018 budget is the upgrade to the heating and cooling system at Town Hall. Three (3) bids were solicited, with the receipt of one (1) bid. While the work cannot begin until final approval and start of new fiscal budget, the approval will allow for a lock in at current costs for supplies for the contractor.

Motion by Trustee Bear, supported by Trustee Budinger to approve the HVAC bid from Integrity Plumbing in the amount of \$38,050.00. Motion carried unanimously.

#### Foothills Water Company Water Tap Purchase

Administrator Knight provided a brief overview of the request for a water tap purchase on the Foothills waterline. Documents included for the additional purchase of one (1) water tap for Foothills Waterline. Foothills consents to the addition of a water tap for a home located on land owned by Darcie Rabin. Ted Pierce, President of the waterline company was present to answer questions.

Discussion ensued regarding the master meter ownership and replacement.

Motion by Trustee Bear, supported by Trustee Bookout to approve the water tap purchase for Foothills Waterline and the Town install the waterline master meter. Motion carried unanimously.

#### Planning Commission & Zoning Board of Adjustments Appointments

The zoning board of adjustments has been primarily defunct due to a lack of members to make quorum. Through discussion with other communities and the Town attorney staff found that the two Boards are typically one combined Board in small municipalities. Planning Commission members are appointed by the Mayor, while Municipal Code 2-8-20 requires appointment to the ZBA by the Board.

Motion by Trustee Bradford, supported by Trustee Bookout to appoint the same members from each board/commission to both, as long as they are willing to serve. Motion carried unanimously.

#### Enterprise Zone Contribution Tax Credit Proposal

Mayor Stewart provided an overview of the packet material and gave an explanation of the Town ability to apply for a tax credit designation. This will give people who make donations to non-profits the ability to apply for federal and state tax donation deductions/credits. Region 10 handles all administrative tracking, so the designation requires minimal staff time.

Motion by Trustee Bookout, supported by Trustee Budinger to approve the Enterprise Zone Contribution Tax Credit Proposal as submitted. Motion carried unanimously.

#### Storm Water Project Grant Application

Treasure King and the Finance Committee request permission to apply for a grant that will assist the two storm water projects identified in the 2018 budget.

Motion by Trustee Bookout, supported by Trustee Pennell to approve the grant application request for storm water repairs. Motion carried unanimously.

#### December 26, 2017 Regular Meeting Cancellation

Motion by Trustee Bear, supported by Trustee Budinger to cancel the regular Board meeting for December 26, 2017. Motion carried unanimously.

#### Miner's Statue

Trustee Bradford provided a packet of information regarding the history of the Miner's Statue. Also provided was a detailed mapping of proposed changes to rehab the Miner's Statue area in Paonia Town Park. Trustee Bradford added he hoped to complete the rehab by Memorial Day, 2018, the 30<sup>th</sup> anniversary of the initial statue dedication.

Don Emmons and John Poulos were both present to provide history of the original process as well as volunteer for the group to proceed with the planning and implementation of the Miner's Statue rehab project.

Elaine Brett suggested using the funds available as a match for a grant to do more park projects.

Motion by Trustee Bradford, supported by Trustee Bear to approve the revitalization plan as submitted. Motion carried unanimously.

#### Parks Contract

Mayor Stewart provided an overview of the current parks contract and the financial necessity to remove the contract from the 2018 proposed budget.

Trustee Bradford added the termination of the contract was a difficult decision, Mr. Altenhofen has done a good job maintaining the parks, but there seems to be no other way economically to proceed.

Mayor Stewart thanked Mr. Altenhofen for a job well done.

Motion by Trustee Bear, supported by Trustee Budinger to authorize the Town Administrator to issue a termination letter for the parks contract effective December 31, 2017. Motion carried unanimously.

#### Disbursements

Motion by Trustee Budinger, supported by Trustee Bookout to authorize the disbursements as reviewed by the Town Treasurer and Finance Committee for November 27, 2017, in the amounts of, \$127,237.60 for accounts payable, \$17,692.20 for payroll taxes, \$16,106.24 for payroll. Motion carried unanimously.

#### Finance and Personnel: Trustees Bookout & Budinger:

1. Read a written report regarding both Treasurer King and the Finance Committee recommendation that the Board move forward drafting ballot language for a 1% sales tax increase to support the general fund, with an emphasis on street repair.

Discussion ensued regarding other options that were ultimately dismissed due to a decrease in services offered to the community.

Motion by Trustee Budinger, supported by Trustee Bear to instruct the Town Attorney to draft proposed 1% sales tax increase language as recommended. Motion passed unanimously.

#### Public Works: Trustees Bear & Bradford:

1. Met with Administrator Knight October 26, 2017.
2. Discussed cross connection control & Backflow Program.

Motion by Trustee Bradford, supported by Trustee Bear to direct the Town Attorney to review ownership of Lee's Park.

Motion to amend by Trustee Budinger, supported by Trustee Bookout to instruct the Town Clerk to review ownership of Lee's Park. Motion carried with four (4) ayes and one (1) nay.

Original amended motion carried unanimously.

#### Governmental Affairs: Trustees Pennell & Watson:

1. Nothing to report.

#### Executive Session

Motion by Trustee Pennell, supported by Trustee Bookout to go in to executive session for a conference with the Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b); specific to Mr. Brunner's CORA request. Motion carried unanimously.

Entered executive session at 8:15pm

Returned to open session at 8:49pm

In attendance were: Mayor Stewart, Town Attorney Nerlin, Administrator Knight, Trustees Bear,

Bookout, Bradford, Budinger, and Pennell.

No issues noted.

**Adjournment**

Motion by Trustee Bradford, supported by Trustee Bookout to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Mayor Stewart at 8:49pm

s/s

s/s

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J. Corinne Ferguson, Town Clerk

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Charles Stewart, Mayor

(SEAL)