

Minutes
Town Board Regular Meeting
Town of Paonia, Colorado
April 24, 2018

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Board of Trustees held Tuesday, April 24, 2018 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
Karen Budinger
Barry Pennell
Suzanne Watson

Town Staff present were as follows:

Clerk Corinne Ferguson
Finance Officer Cindy Jones
Police Chief Neil Ferguson
Public Works Director Travis Loberg
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 Bookout to approve the agenda as presented.
Motion carried unanimously.

Announcements

Mayor Stewart provided an explanation to the change in agenda order, which accommodates the finishing of old business and swearing in of new Board members.

Municipal Quarterly meeting is April 27th at 10:00am.

The North Fork Ambulance Association request additional time before coming back to the Board with the lease modification request.

Trustee Bradford is not in attendance due to a conflict with his schedule.

Recognition of Visitors & Guests

Jeffrey Haswell – TLC Tree Services arborist Town hired to inspect Poulos Park honey locust tree. Mr. Haswell stated he believed information he provided to Town staff was misrepresented to the Board, thus requiring the removal of the tree. Mayor Stewart provided history of inspections and decisions made regarding the tree.

Town Attorney Nerlin noted concern with continued discussion under the visitor section and recommended the item be placed on the agenda for Board discussion, if the Board wished to continue discussion.

Motion by Trustee Watson to place Poulos Park tree discussion on the next agenda. Motion failed for a lack of a second.

Consent Agenda

1. March 27th Regular Meeting Minutes
2. April 10th Work Session Minutes
3. April 10th Regular Meeting Minutes

Motion by Trustee Bookout, supported by Trustee Pennell to approve the consent agenda as presented. Motion carried unanimously.

Unfinished Business

Resolution 2018-04 Modification of Resolution 2015-13

Mayor Stewart provided an overview of the resolution, including the modification of the fee for building permits \$1 to \$500.00 for a set cost of \$35.00.

No comments.

Motion by Trustee Watson, supported by Trustee Budinger to approve Resolution 2018-04, modifying Resolution 2015-13. Motion carried unanimously.

Personnel Handbook Update

Discussion continued from work session regarding the draft personnel handbook.

Motion by Trustee Budinger, supported by Trustee Pennell to amend section 107 page 9, replacing the current conflict of interest statement paragraphs 2 through 4 with the Cedaredge conflict of interest statement. Motion carried unanimously.

Discussion ensued regarding disclosure of family procedures regarding work with the Town, conflict of interest provisions, and healthcare.

Motion by Trustee Bookout, supported by Trustee Watson to have Town Attorney review the addition of the Board of Trustees in the conflict of interest section. Motion carried with one (1) nay.

Motion by Trustee Bookout, supported by Trustee Pennell to have Town Attorney review the ability of the Town to contribute to private healthcare. Motion carried unanimously.

Motion by Trustee Bookout, supported by Trustee Pennell to table discussion of section four (4) regarding paid time off. Motion carried unanimously.

Pg 28 – Motion by Chelsea Bookout, supported by Trustee Budinger to strike compensation time in last sentence regarding to exempt staff. Motion carried unanimously.

Pg 37 – Discussion ensued regarding telecommuting.

Motion by Trustee Pennell, supported by Trustee Bookout to include the same language for Board approval of Administrator telecommuting. Motion carried with one (1) nay.

Dave Knutson – Vista Drive – noted concern that the Board was focusing at a day-to-day management level.

Administrator Knight thanked the Board for their thoughtfulness and hard work and noted the participation of Trustees elect Mary Bachran and Sam Hart. Trustee Bookout thanked Finance Officer Cindy Jones and Town Clerk Corinne Ferguson for their time and hard work as well.

Motion by Trustee Bookout, supported by Trustee Budinger for a five (5) minute recess. Motion carried unanimously.

Finance and Personnel: Trustees Bookout & Budinger:

Nothing to report.

Public Works: Trustees Bear & Bradford:

Nothing to report.

Governmental Affairs: Trustees Pennell & Watson:

Nothing to report.

S2C: Trustees Budinger & Pennell:

The tax credit deduction is available for donations made to Space to Create. Discussion ensued regarding the number of members on the executive committee.

Tree Board: Trustee Dave Bradford & Chair Samira Hart:

Reminder: Arbor Day Celebration will be held Friday, April 27th at 1pm.

Disbursements

Motion by Trustee Budinger, supported by Trustee Bookout to authorize the disbursements as reviewed by the Town Treasurer and Finance Committee for April 24, 2018 in the amounts of, \$98,000 FCNB deposit, \$48,132.23 for accounts payable, \$150,000.00 ColoTrust transfer, \$11,671.70 loan payment, \$5,583.57 payroll taxes, \$180,000 operating account transfer, and \$14,065.21 for payroll direct deposit. Motion carried unanimously.

Administrator Knight explained the change in lawn mower purchase due to the approved mower being out of stock.

Motion by Trustee Bear, supported by Trustee Watson to approve the lawn mower purchase as completed by Administer Knight. Motion carried with one (1) nay.

Newly Elected Board Member Oath of Office

Mayor Stewart recognized the newly elected Board members and participated in their taking the oath of office.

Presentation to Outgoing Board Members

Mayor Stewart presented outgoing Board member Suzanne Watson with a certificate of appreciation for her time on the Board of Trustees.

Trustee Watson thanked the community and Board.

Mayor's Report

Board Committee Appointments:

- Finance & Personnel
Trustees Bookout and Budinger

- Public Works/Utilities/Facilities
Trustees Bear and Bachran

- Governmental Affairs/Public Safety
Trustees Pennell and Hart

- S2C – Executive Committee
Trustees Pennell and Bachran

Trustee Budinger resigned from executive committee due to Sunshine Law conflict.

Motion by Trustee Bookout, supported by Trustee Bear to retain executive committee as discussed. Motion carried unanimously.

Suzanne Watson suggested adding an in-Town resident.

Town Administrator's Report

1. Sam Light from CIRSA will be providing a new Board training June 11th at 6pm.
2. Regional CML meetings will offer training as well.
3. Requests review of the minor subdivision regulations.
4. Requests authorization to close Town Hall so staff can attend Arbor Day Celebration.

Motion by Trustee Bachran, supported by Trustee Hart to approve Town Hall closure for an hour and a half during Arbor Day Celebration.

5. Paint Care to host a free drop-off for used/old paint on August 23rd from 2-6pm. A request has been made to use the Town Hall parking lot as a primary location.
6. Requests the Board consider hiring a deputy clerk for full-time instead of part-time.

Motion by Trustee Hart, supported by Trustee Pennell to refer discussion of hiring a full-time clerk to the personnel committee for follow-up at the next Board meeting.

Motion to amend motion by Trustee Bookout, supported by Trustee Budinger to include a change to open office hours. Motion carried unanimously.

Main amended motion carried unanimously.

Dave Knutson – Vista Drive – noted his concern with over-all staffing in all departments and suggested each department be reviewed.

Discussion continued regarding the pros and cons of using interns.

Public Works Department Report

1. Continuing to work with engineers on waterline and sewer line projects
2. Began work in the parks
3. Street sweeper is out and will continue to be used
4. Radio meter replacements continue

Police Department Report

1. The current blotter included in packet
2. Information regarding shooting suspect given
3. Mock crash to be held tomorrow at the high school

Treasurer's Report

1. Disbursements and payroll reviewed
2. Lee's Court title work finalized
3. Title company working on old sewer treatment site title work

Consent Agenda

1. Liquor License Renewal – One Thirty-Three, LLC
2. Liquor License Renewal – The Living Farm Café, LLC

Motion by Trustee Bookout, supported by Trustee Hart to approve the consent agenda as presented. Motion carried unanimously.

New Business

Mayor Pro-Tem Appointment

Per Colorado Revised Statutes and the Town Municipal Code, it is the responsibility of the Board to appoint a Mayor pro-tem to stand in during any absence of the Mayor.

Motion by Trustee Bachran, supported by Trustee Hart to appoint Trustee Chelsea Bookout as Mayor Pro-Tem. Motion carried unanimously.

Town Officer Statutory Appointments

Per Colorado Revised Statutes and the Town Municipal Code, it is the responsibility of the Board to appoint the positions of Town Clerk, Town Treasurer, Town Attorney, and Municipal Judge.

Suzanne Watson – Delta Avenue – encouraged the Board to review statutes, legal fees, and personnel files before making hasty re-appointments.

Motion by Trustee Bachran, supported by Trustee Bookout to re-appoint existing officers for town clerk – Corinne Ferguson, town treasurer – Ross King, town attorney – J. David Reed, PC, and municipal judge – Brad Kolman. Motion carried unanimously.

DOLA Arts Market Survey Grant Acceptance Approval

Administrator Knight provided an overview of the grant process for an Arts Market Survey. A commitment letter from the Department of Local Affairs (DOLA) in the amount of \$17,500 has been received.

Motion by Trustee Budinger, supported by Trustee Bachran to accept the grant funds from DOLA for the arts market survey. Motion carried unanimously.

Ordinance 2018-02 Sales Tax Increase

Mayor Stewart provided an overview of the sales tax increase.

Motion by Trustee Pennell, supported by Trustee Bookout to adopt ordinance 2018-02, enacting the 1% sales tax increase effective July 1, 2018. Motion carried unanimously.

Planning & Zoning Commission

Following the election, the Board faces an open community member seat on P&Z. Trustee Bachran resigned as a committee member, leaving Trustee Bear as the Town representative.

Motion by Trustee Bear, supported by Trustee Hart to advertise for the open seat and bring forward at last meeting in May. Motion carried unanimously.

Tree Board Appointment

Following the election, the Board faces an open community member seat on the tree board. Trustee Hart agreed to remain on the board as the Board advisory member, leaving an open community member seat.

Motion by Trustee Bachran, supported by Trustee Hart to advertise for the open seat and bring forward at last meeting in May. Motion carried unanimously.

Motion by Trustee Hart, supported by Trustee Bookout to extend the Board meeting time for one (1) hour. Motion carried unanimously.

Executive Session

Motion by Trustee Pennell, supported by Trustee Bookout to enter 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.

Entered executive session at 9:35pm
Returned to open meeting at 10:23pm

In attendance were Mayor Stewart, Town Administrator Ken Knight, and Town Attorney Bo Nerlin, and Trustees Bachran, Bear, Bookout, Budinger, Hart and Pennell.

No issues noted.

No action taken.

Adjournment

Motion by Trustee Bear, supported by Trustee Hart to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Mayor Stewart at 10:24pm

____s/s_____
J. Corinne Ferguson, Town Clerk

____s/s_____
Charles Stewart, Mayor