

Minutes
Town Board Regular Meeting
Town of Paonia, Colorado
May 22, 2018

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Board of Trustees held Tuesday, May 22, 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
Mary Bachran
Bill Bear
Chelsea Bookout
Karen Budinger
Samira Hart
Barry Pennell

Town Staff present were as follows:

Town Administrator Ken Knight
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

William Brunner – noted issue with the executive session agenda language.

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

Announcements

Trustee Bookout attended Paonia High School graduation ceremony and noted her pleasure to live in a community so supportive of students as well as the overall achievements of several graduates.

Thanks were given to Anthony Buxton for the donated art work on display in the community room.

Recognition of Visitors & Guests

Elaine Brett & Sheila Maki– Presented information regarding Rural Philanthropy Days 2019. A request for input regarding hosting the next event in the North Fork Valley.

Consent Agenda

1. Regular Meeting Minutes May 8, 2018
2. The Living Farm Café – Report of Corporate Changes

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

Mayor's Report

A request for comments was received from the Bureau of Land Management (BLM) regarding the North Fork Mancos Master Development Plan. The request was not received prior to the finalization of the agenda.

Motion by Trustee Bookout, supported by Trustee Pennell to schedule a special meeting to discuss the BLM Mancos Development Master Plan. Motion carried unanimously.

Motion by Trustee Bookout, supported by Trustee Hart to set the special meeting date and time for May 30, 2018 at 7pm. Motion carried unanimously.

Town Administrator's Report

1. Provided an overview of materials in packet specific to the Comprehensive Plan update.
2. Will be attending the CML Conference in Vail, June 19-22nd.
3. May need to go to Denver for a grant application interview the same weekend.

Public Works Department Report

1. Parks work underway, including sprinkler system repair and replacement.
2. The waterline bids are out. A walkthrough is set for May 30th.
3. The bids are due June 14th.
4. The 2MG fence installation is underway.
5. Discussing widening the Samuel Wade bridge and sidewalk with engineers.
6. Spring cleanup is scheduled for the week of June 11th – 15th.
7. Meeting with Delta County to discuss the 5th Street intersection.

Discussion ensued regarding on-going projects. Town Administrator Knight informed the Board of potential grant funding for the bridge widening.

Police Department Report

1. The current blotter is included in packet.
2. The summer season call volume is increasing.
3. Police annual trainings are underway.
4. One officer will be out for medical leave for a few weeks over the next month.
5. The police department hosted a taser training at Town hall.
6. New police vehicles are being outfitted and should be on the road within the next month.

Trustee Bookout commended the police department regarding their interaction and professionalism with the group working in the alley on the Elsewhere wall project.

Treasurer's Report

1. Disbursements and payroll have been reviewed.
2. To date no site restrictions have been identified at the old sewer site.
3. A request for proposal (RFP) is being drafted for auditing services.
4. Recommend a work session for revised budget.
5. Lead auditor submitted his resignation, a new auditing team will be completing the 2017 audit with Finance Officer Cindy Jones.
6. Treasurer King will be out of Town June 4th to June 11th.

Unfinished Business

Administrative Staffing & Office Hours

Initial discussion regarding the current number of administrative staff and open office hours occurred April 24th, during discussion of the Personnel Handbook agenda item, at which time it was referred to Finance & Personnel for follow-up. The item was on the agenda under Committee Report May 8th, subsequently tabled to allow for a public opportunity to comment.

Mayor Stewart opened discussion for community comment.

Jakki Taylor – Pan American Avenue – recommended the hiring of a full-time deputy clerk and a half-day Friday closure for administrative work.

Suzanne Watson – Second Street – stated the sales tax increase approval vote from the community gave support to hiring additional Town staff and does not believe the Town should close any on Friday.

Eric Goold – KVNF – Questioned the wording on the agenda. Administrator Knight explained that open wording allows for multiple options to be discussed. If the agenda limited discussion to specific hiring or hours that would be the only item up for discussion.

Discussion ensued regarding administrative ability to close office at times when necessary, regular and intermittent hour changes, and potential for community confusion if office hours are not a set time.

Trustee Bookout noted opportunities lost when current staff is required to spend time with remedial tasks and added that unless the Board agrees to hire a full-time deputy clerk, she believes the office needs to close on Friday.

Discussion ensued regarding budgetary constraints for staffing, benefit and disadvantages to full-time vs part-time person.

Administrator Knight added that while he understands the need to cut staff in 2014, it currently is not working for the community or staff. The Town has had a substantial increase in population as well as work load, and staffing is necessary. Administrator Knight stated his agreement for a full-time position.

Motion by Trustee Bookout, supported by Trustee Hart to approve the hiring of a part-time deputy clerk and closing Town Hall for a half-day on Fridays.

Motion to amend by Trustee Bear, supported by Trustee Pennell to hire a full-time deputy clerk and keep current office hours. Motion carried unanimously.

Planning & Zoning Committee Appointment

Motion by Trustee Bear, supported by Trustee Bachran to table to June 12th Board meeting. Motion carried unanimously.

Tree Board Committee Appointment

One letter of interest was received from Karen Hinkel. The Tree Board endorses her request to join the tree board.

Motion by Trustee Hart, supported by Trustee Pennell to appoint Karen Hinkel to the Paonia Tree Board, term ending April 2022. Motion carried unanimously.

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

Meeting reconvened at 8:25PM.

New Business

Resolution 2018-05 Establishing Garbage Rates and Charges

Ordinance 2018-01 authorizes the setting of garbage rates by Resolution. This resolution establishes those rates and includes the \$1 increase for all garbage charges.

Motion by Trustee Bachran, supported by Trustee Hart to approve Resolution 2018-05, establishing garbage rates & charges effective June 1, 2018. Motion carried unanimously.

Resolution 2018-06 Authorizing Signatory

Some entities (specifically grant agencies), to accept the Town Administrator signature on documents, letters, and applications on behalf of the Town, require a resolution granting signing authority. Historically the Mayor and Town Administrator have signature authority. Staff requests the resolution be effective retroactively to the date of Administrator Knights hiring, February 1, 2017.

Motion by Trustee Hart, supported by Trustee Budinger to approve Resolution 2018-06, authorizing legal signors for the Town of Paonia. Motion carried unanimously.

Certified Small Business Community Application Approval

Elaine Brett provided an overview of the certified small business community plan and application. The potential outcome is the development of a clear growth plan for the local economy, which will tie in to the development update of the Town Comprehensive Plan. The application must be applied for by the municipal entity.

Discussion ensued regarding distribution of funding and June 1st application deadline. A letter of support was read by Ms. Brett.

Motion by Trustee Budinger, supported by Trustee Pennell to authorize the submittal of the Certified Small Business Community Application on behalf of the Town. Motion carried unanimously.

Rules of Procedure – Attorney Additions

Town Attorney Bo Nerlin discussed the addition of Section Three, highlighting executive session procedures and confidential nature.

Discussion ensued regarding issues and benefits of taking notes during executive session. Per Colorado Open Records, Attorney Nerlin reiterated the need to refrain from any written form or note taking during executive session.

Motion by Trustee Budinger, supported by Trustee Bachran to adopt the changes to Resolution 2017-10 Rules of Procedure, as amended. Motion carried unanimously.

Attorney Discussion – Franchise Agreements

Town Attorney Nerlin provided an explanation of DMEA Elevate plan to offer cable television via broadband. This will be an agenda item to begin discussion in June.

Disbursements

Motion by Trustee Budinger, supported by Trustee Bookout to authorize the disbursements as reviewed by the Town Treasurer and Finance Committee for May 22, 2018 in the amounts of, \$250.00 for accounts payable First Colorado National Bank, \$34,176.17 accounts payable, \$43,800 Fuoco Motor, \$3,270.36 First Colorado National Bank, \$5,986.41 payroll taxes, \$14,750.12 for payroll direct deposit. Motion carried unanimously.

Motion by Trustee Bear, supported by Trustee Hart to extend meeting by thirty (30) minutes. Motion carried unanimously.

Finance and Personnel: Trustees Bookout & Budinger:

Nothing Additional.

Public Works: Trustees Bear & Bachran:

Nothing Additional.

Governmental Affairs: Trustees Pennell & Hart:

Believes the committee structure should remain the same, with each committee having the option to invite/create ad-hoc groups for specific items.

A draft version of the changes for the minor subdivision regulations should be on the June 12th agenda.

S2C: Trustees Budinger & Pennell:

A survey may be available by September.

Tree Board: Trustee Hart:

The next meeting is scheduled for 6:45pm at Town Park on June 6, 2018.

Motion by Trustee Bookout, supported by Trustee Budinger to extend the meeting by 30 minutes. Motion carried unanimously.

Executive Session

Motion by Trustee Bookout, supported by Trustee Budinger 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 court case. Motion carried unanimously.

Entered executive session at 9:23pm

Returned to open session at 9:54pm

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

No issues noted.

Motion by Trustee Bookout, supported by Trustee Budinger to authorize Mayor Stewart to waive, if necessary, attorney/client privilege regarding Attorney Marek letter dated July 28, 2016. Motion carried unanimously.

Motion by Trustee Hart, supported by Trustee Bachran to set a work session on June 12, 2018 at 5pm to discuss the revised 2018 budget. Motion carried unanimously.

Adjournment

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

The meeting was adjourned by Mayor Stewart at 9:58pm

s/s

s/s

J. Corinne Ferguson, Town Clerk

Charles Stewart, Mayor