

Minutes
Town Board Regular Meeting
Town of Paonia, Colorado
October 23, 2018

RECORD OF PROCEEDINGS

A work session to continue discussion of the preliminary 2019 budget Board priorities was held Thursday, October 18, 2018 at 5:00pm. A work session to receive the RubinBrown 2017 audit report was held prior to the regular meeting at 5:00pm. The Regular Meeting of the Town Board of Trustees held Tuesday, October 9, 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

Town Staff present were as follows:

Administrator Ken Knight
Clerk Corinne Ferguson
Finance Officer Cindy Jones
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

A correction to the consent agenda minutes date was noted.

Motion by Trustee Bear, supported by Trustee Bookout to approve the agenda as amended. Motion carried unanimously.

Announcements

None

Recognition of Visitors & Guests

Stacey Voight, Representative for Delta County Economic Development (DCED) was present to provide an update. An information packet was provided to the Board. Topics presented were:

Quarterly updates
Non-profit status
Board seats and how filled
Paonia satellite office hours

Consent Agenda

Minutes:

Regular Meeting October 9, 2018

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

Mayor's Report

Nothing to report.

Town Administrator's Report

Multiple potential minor and major subdivision requests may be coming before the Board soon.

Bill Brunner – Second Street – questioned if any variances had been approved without due process.

Public Works Department Report

1. Sidewalk projects for the year are near completion.
2. PRV Vault scheduled for completion Friday.
3. Leaf vac will begin to run next week.
4. Stainless steel strapping installs underway at Clock treatment plant.

Police Department Report

1. The current blotter included in packet.
2. Approximately \$18,000 was awarded to the multi-jurisdictional victims advocate grant.
3. The donated vehicle is now fully functional and in rotation.
4. Officer Urbin accepted a position with Delta County Sheriff.

Discussion ensued regarding suggestions for retaining officers in Paonia.

Treasurer's Report

1. Disbursements and payroll have been reviewed.
2. Thanked Finance Officer Cindy Jones and Town Clerk Corinne Ferguson for working together to eliminate the need to borrow from the line of credit.
3. Have not received any audit RFP's to date.

Unfinished Business

Ordinance 2018-04 – Municipal Code amendment – Repeal of Certain Sections

Mayor Stewart provided an overview regarding the first read and necessity for second and final read of Ordinance 2018-04, repealing section 10-5-40(a)(1) of the Town Municipal Code.

Motion by Trustee Hart, supported by Trustee Bachran to adopt Ordinance 2018-04, repealing section 10-5-40(a)(1) of the Town Municipal Code. Motion carried unanimously.

Personnel Handbook Revisions to Section 807 – Grievances as Proposed by the Personnel Liaison Group

Mayor Stewart provided an overview of the creation and intended function of the PLG. The initial draft gave unintended authority to the PLG. Discussion was tabled for attorney review.

Discussion ensued regarding proposed language.

Motion by Trustee Bookout, supported by Trustee Bachran to adopt personnel policy revision of section 807, effective October 26, 2018. Motion carried unanimously.

Town Building Official – Contract Services/In-House Inspector

Administrator Knight provided a brief history of the transition from an in-house building inspector to the current temporary contract with Colorado Code Consulting. Staff recommends continuing the contract with Colorado Code Consulting.

Benefits noted:

Certified Inspector
Un-interrupted coverage
Neutrality
Consistency

Discussion ensued regarding potential need for increasing fee inspections to previous starting rate of \$70 and adding fees for inspections Town does not have an established fee for.

Three (3) community members spoke in favor of continuing with Colorado Code Consulting, noting specifically the consistency and good working relationship with Dan Reardon.

Discussion ensued regarding formulating checklists to assist builders, inspector qualifications, the differences between the municipal code and the international building code.

Motion by Trustee Bear, supported by Trustee Hart to authorize Administrator Knight to continue the contract with Colorado Code Consulting. Motion carried unanimously.

New Business

Solar Energy International – Letter of Support

Deirdre Morrison – Vista Volunteer with SEI was present. SEI requests a letter of support for an enterprise zone tax credit application.

Motion by Trustee Bookout, supported by Trustee Hart to approve the draft letter of support for SEI regarding the EZ Tax Credit and authorize Administrator Knight to sign on behalf of the Board. Motion carried unanimously.

Citizens for a Healthy Community Request – Iron Point 3D Seismic Mapping

Andrew Forkes-Gudmundson with CHC was present. Mr. Forkes-Gudmundson submitted a letter to the Board for review, outlining concerns with the Gunnison Energy Seismic project and process. CHC requests the Board of Trustees write a letter to Delta County and the Forest Service, asking them to enforce procedures in place for the project.

Discussion ensued regarding the potential impacts to Town, including hunting, and water supply.

Mayor Stewart voiced concern that Board comment on a county project may be over-reaching.

Trustee Bookout, and Bachran spoke in favor of addressing concerns to Delta County and Forest Service.

Three (3) community members spoke in favor of the letters requested.

Motion by Trustee Bookout, supported by Trustee Bachran authorizing Administrator Knight to write a letter to Delta County requesting that:

1. The County address the project through the County's oils and gas permitting process.
2. Engage in the public scoping that has been initiated by the U.S. Forest Services Paonia Ranger District.

Motion carried with four (4) ayes and one (1) nay.

Motion by Trustee Bookout, supported by Trustee Bachran authorizing Administrator Knight to write a letter to the U.S. Forest Service asking for an environmental assessment on the project, NOT a categorical Exclusion process because extraordinary circumstances exist, including:

1. The area contains existing inventoried Colorado roadless Areas.
2. Presence of habitat for endangered or threatened species.
3. Existence of waterways/wetlands.
4. The presence of archeological sites that pass through the center of the project.

Motion carried with four (4) ayes and one (1) nay.

Citizens for a Healthy Community Request – BLM 4th Quarter Lease Sale Formal Protest Period
Andrew Forkes-Gudmundson was present. Mr. Forkes-Gudmundson requested further discussion for the on-going process for the BLM oil and gas lease sales period. The formal ten (10) day protest period is open, with a submittal deadline of November 5th.

Motion by Trustee Bachran, supported by Trustee Bookout to schedule a special meeting for the BLM formal protest letter on October 30, 2018 at 5:00pm. Motion carried unanimously.

Ordinance 2018-05 DMEA/Elevate Cable Franchise Agreement

Attorney Nerlin provided an overview of the ordinance as presented, noting this is the first-read. The three (3) percent fee was based on the existing franchise agreement with DMEA for electrical service.

Motion by Trustee Bear, supported by Trustee Hart to adopt Ordinance 2018-05, a franchise agreement with DMEA dba elevate for cable services at 3%. Motion carried unanimously.

Paonia Tree Board – Planting in Town Right-of-Way Recommendation

Tamie Meck – member of the tree board – presented the recommendation regarding root barrier options for trees planted in the Town right-of-way.

Discussion ensued regarding ordinance update and amending fee schedule for tree permitting.

Motion by Trustee Bookout, supported by Trustee Bachran to refer to governmental affairs committee. Motion carried unanimously.

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

2017 Audit Acceptance

Motion by Trustee Bachran, supported by Trustee Hart to table discussion until the next regular meeting. Motion carried unanimously.

Public Works Vehicle and Skid Steer Lease Payoff

Treasurer King provided information regarding GASB changes for 2019 and the benefits of paying off the open vehicle and skid steer leases. Treasurer King also requests approval to reallocate funds to pay off the leases.

Motion by Trustee Hart, supported by Trustee Budinger to approve the reallocation of funds and payoff of three (3) lease agreements held at First State Bank of Colorado as presented. Motion carried unanimously.

Disbursements

Motion by Trustee Bookout, supported by Trustee Budinger to authorize the disbursements as reviewed by the Town Treasurer and Finance Committee for October 23, 2018 in the amounts of, \$85,245.21 for accounts payable, \$6,364.84 for payroll taxes, \$11,671.70 for WPA loan, and \$16,731.87 for payroll direct deposit. Motion carried unanimously.

Public Works: Trustees Bear & Bachran:

Provided updates regarding the current active projects as discussed during Director Loberg's report.

Finance and Personnel: Trustees Bookout & Budinger:

Nothing to report.

Governmental Affairs: Trustee Hart:

Nothing to report.

S2C: Trustees Budinger & Bachran:

Arts Market Survey is out with over 325 complete and a goal of 400.

Tree Board: Trustee Hart

Nothing to report.

Adjournment

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

The meeting was adjourned by Mayor Stewart at 9:45pm

____s/s_____
J. Corinne Ferguson, Town Clerk

____s/s_____
Charles Stewart, Mayor