

**Minutes**  
**Town Board Regular Meeting**  
**Town of Paonia, Colorado**  
**January 24, 2017**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Town Board of Trustees held Tuesday, January 24, 2017 was called to order at 7:00 PM by Mayor Charles Stewart, followed by the Pledge of Allegiance.

Trustees present were as follows:

Mayor Charles Stewart  
Trustee Bill Bear  
Trustee Chelsea Bookout  
Trustee David Bradford  
Trustee Karen Budinger  
Trustee Suzanne Watson

Trustee Bill Brunner – was absent

Town Staff present were as follows:

Interim Town Administrator Dan Dean  
Town Clerk Corinne Ferguson  
Finance Officer Cindy Jones  
Public Works Director Travis Loberg  
Treasurer Ross King

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

**Approval of Agenda**

Motion by Trustee Bear, supported by Trustee Bradford to approve agenda as presented. Motion carried with five (5) ayes and zero (0) nays.

**Announcements**

Mayor Stewart thanked Interim-Town Administrator Dan Dean for his time and effort given to the Town of Paonia.

**Visitors**

Randy Campbell and David Knutson provided an update on behalf of A Little Help Senior Support Organization. The non-profit organization has three branch locations in Colorado. The mission is to connect neighbors and provide assistance to senior citizens so they can maintain independent living in their own homes. The program volunteers assist with rides, household chores, and socialization to avoid isolation, as well as other activities.

**Unfinished Business**

None.

**New Business**

**Airport Advisory Committee Update**

Stan Park – Airport Advisory Group member for the Town provided a brief overview and minutes from the December 12, 2016 meeting. The Airport Advisory Board currently has two vacant seats. Mr. Park noted that:

- The county continues to market the airport for growth

- Large aircraft are utilizing the North Fork airport
- A meeting is scheduled with Robbie LeValley to discuss income and expenses

#### Ordinance 2017-02 Fence amendment 16-11-40

Interim Town Administrator Dean provided a memo and the draft ordinance in the Board packets. The revision adds three (3) provisions to the existing ordinance. Currently the Town utilizes the same permit structure for fences as any building permit. The Town adoption of the 2003 International Building Code repealed fence permit requirements under six (6) feet, essentially voiding the fees set in Town Ordinance 88-02. With the adoption of the 2015 Fee Schedule the costs for a fence permit increased from a flat fee of \$25.00 to \$35.00 base fee, and an additional \$35.00 formula fee, for a total of \$70.00. An addition was also included regarding the allowance for temporary deer fencing in Town.

Discussion ensued regarding deer fence materials, appearance of deer fencing, and commercial area fence requirements.

Motion by trustee Bear, supported by Trustee Budinger to adopt Ordinance 2017-02.

Motion by Trustee Watson, supported by Trustee Bradford to table discussion to the next regular meeting. Motion carried with four (4) ayes and one (1) nay from Trustee Budinger.

#### Resolution 2017-02 Establishing a Fence Permit Fee

Motion by Trustee Bear, supported by Trustee Budinger to table discussion to the next regular meeting. Motion carried with five (5) ayes and zero (0) nays.

#### Resolution 2017-03 Rural Jump-Start Program

Mayor Stewart read the Resolution title for the public. John Gavan provided information and the draft resolution at the January 10, 2017 meeting. Interim Administrator Dean gave an explanation regarding the inclusion of tax break incentives, which can be negotiated with the individual companies that participate in the program.

Motion by Trustee Watson, supported by Trustee Bookout to adopt Resolution 2017-03.

Discussion ensued regarding the level of municipal involvement in the business selection process.

Motion by Trustee Bradford, supported by Trustee Bear to refer to Government Affairs Committee for further evaluation. Motion carried with six (6) ayes and zero (0) nays.

#### Space to Create

Mayor Stewart provided information regarding the Space to Create work session held January 11, 2017 at Town Hall. The Board will need to authorize the submittal of intent to apply. The proposed letter and intent to apply were supplied in the Board packet for review. The letter of intent is not a commitment for the Town to participate.

Trustee Bradford stated he reviews all proposals given to the town based on two (2) criteria; Is it in the best interest of the Town and is it legal. Trustee Bradford questioned the legality of the proposal on two levels - 1) It seems to violate the 14th amendment - equal treatment of all citizens by giving preference to one group over other citizens and 2) Using Capital Improvement Funds violates the intent of the Capital Improvement Funding ordinances. Trustee Bradford noted concern with potential locations included in the letter of intent, specific to existing business sites where property owners are not interested in participating.

Discussion ensued regarding eminent domain, community participation, and funding.

Elaine Brett stated the letter is only a suggested draft and can be amended.

Susan Kaldis expressed concern with economic development within the Town, the Boards

willingness to move forward with ordinances and preparation prior to meetings. Mayor Stewart added that the Board acts in good faith and works diligently to make the best decision for the Town.

Constantine Hirschfeld – 336 Rio Grande Avenue – spoke against the program, stating he is not against art, but would rather see funding going toward street repairs and sidewalks instead of affordable housing for the arts.

Motion by Trustee Bookout, supported by Trustee Budinger to approve the submittal of the letter of intent to participate and granting Mayor Stewart signature authorization.

Motion by Trustee Bradford, supported by Trustee Bear to amend the original motion removing Hays Drug from the letter. Motion carried with five (5) ayes and zero (0) nays.

Motion by Trustee Watson, supported by Trustee Bradford to strike the Comprehensive Plan reference from the letter. Motion carried with five (5) ayes and zero (0) nays.

Amended original motion by Trustee Bookout, supported by Trustee Budinger to approve the submittal of the letter of intent to participate and granting Mayor Stewart signature authorization, removing Hays Drug, and the comprehensive plan reference. Motion carried with five (5) ayes and zero (0) nays.

### **Regular Business**

Mayor's Report: Mayor Charles Stewart reported:

1. Requested the addition of the Town gigabyte status be added to the Town website.
2. Met with new Town Administrator Ken Knight, who is enthusiastic regarding the position.

Town Administrator's Report: Town Administrator Dan Dean reported:

1. A written report was provided in the packet.
2. Requested any Board comment regarding the proposed sewer ordinance be given to Town Attorney Marek no later than February 3, 2017.
3. The waterline construction project is moving along at a steady pace.
4. Final Codification should be to the Town by the end of next week.
5. Public Works Committee and Public Works Administrator Loberg met and discussed several items including snow removal.
6. Met with Robbie LeValley and neighboring community officials to discuss the process for identifying and implementing carrier neutral locations for broadband.

Public Works Department Report: Public Works Director Travis Loberg reported:

1. Snow removal efforts continue.
2. Working with Town Clerk regarding snow removal map and information.
3. Aerator repair completed for parks use. Considering discussion with the schools regarding use of the district equipment.
4. Preparing the lists for potential sidewalk and street repairs for 2017.

Police Department Report: Sergeant Neil Ferguson was absent. Administrator Dean reported:

1. A written report and statement was provided in the packet.

Treasurer's Report: Town Treasurer Ross King reported:

1. Disbursements have been reviewed.
2. Property sales continue to move through the process.
3. The Coussens subdivision application should be presented next month.

### **Committee Reports**

1. Finance and Personnel: Nothing to report.

2. Public Works: An incident with Town equipment occurred. The Board may need a process to address this type of situation.
3. Governmental Affairs: Nothing to report.
4. Services & Recreation: Requested to review the North Fork Pool Park and Recreation contract.
5. Facilities & Development: Nothing to report.
6. Public Safety: Nothing to report.

### **Minutes**

Motion by Trustee Bradford, supported by Trustee Budinger to approve the Special Town Board Meeting Minutes for January 3, 2017. Motion carried with five (5) ayes and zero (0) nays.

Motion by Trustee Bear, supported by Trustee Bradford to approve the Regular Town Board Meeting Minutes for January 10, 2017 as amended. Motion carried with five (5) ayes and zero (0) nays.

### **Disbursements**

Motion by Trustee Bear, supported by Trustee Budinger to authorize the disbursements as reviewed by the Finance Committee with the Town Treasurer Ross King for January 19, 2017, in the amounts of, \$203,301.77 for accounts payable, \$90,490.34 for loan payment, \$13,645.17 for payroll taxes, and \$14,895.31 for payroll. Motion carried with six (6) ayes and zero (0) nays.

Motion by Trustee Bear, supported by Trustee Budinger to authorize the disbursements as reviewed by the Finance Committee with the Town Treasurer Ross King in the amounts of, \$52,047.40 for accounts payable, \$5,307.65 for payroll taxes, and \$13,930.89 for payroll. Motion carried with five (5) ayes and zero (0) nays.

### **Executive Session**

Motion by Trustee Bear, supported by Trustee Bradford for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); specific to the out-of-town waterline easements. Motion carried with five (5) ayes, and zero (0) nays.

The Town Board entered Executive Session at 9:30PM.

The Board returned to open session at 10:10PM.

In attendance were Mayor Charles Stewart, Administrator Dan Dean, Trustees David Bradford, Bill Bear, Suzanne Watson, Karen Budinger, Chelsea Bookout, and Public Works Director Travis Loberg.

No issues were noted.

### **Adjournment**

The meeting was adjourned by Mayor Charles Stewart at 10:26PM

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J. Corinne Ferguson, Town Clerk

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Charles Stewart, Mayor