

**Minutes**  
**Town Board Regular Meeting**  
**Town of Paonia, Colorado**  
**February 24, 2015**

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Board of Trustees held Tuesday, February 24, 2015 was called to order at 7:00 p.m. by Mayor Neal Schwieterman, followed by the Pledge of Allegiance.

Trustees present were as follows:

Mayor Neal Schwieterman  
Trustee David Bradford  
Trustee Eric Goold  
Trustee Ross King  
Trustee Charles Stewart  
Trustee Suzanne Watson

Trustee Amber Kleinman was absent

Town Staff present were as follows:

Town Manager Jane Berry  
Police Chief Scott Leon  
Public Works Director Travis Loberg  
Finance Officer Cindy Jones  
Deputy Clerk Corinne Ferguson  
Town Attorney David Marek

Deputy Town Clerk Corinne Ferguson determined a quorum was present and Mayor Schwieterman proceeded with the meeting.

**Approval of Agenda**

Trustee Watson noted the Resolution 2015-06 was located with the wrong new business and suggested it be corrected.

Motion by Trustee Bradford, Supported by Trustee Stewart to approve the agenda as amended. Motion carried with five (5) ayes and zero (0) nays.

**Announcements**

No announcements were made.

**Visitors**

None.

**Unfinished Business**

None.

**New Business**

**Mountain Harvest Festival 2014 Financial Report – Bill Bishop**

Bill Bishop was present on behalf of the Mountain Harvest Festival. Mr. Bishop has tracked the impact Mountain Harvest Festival has on Delta County, primarily the North Fork Valley, since 2010. Mr. Bishop provided a handout that explained the positive financial impact of the 2014 Festival. Mayor Schwieterman thanked Mr. Bishop for providing the report to the Board each year.

**Consideration to Approve Resolution 2015-06 – In Support of Great Outdoors Colorado (GOCO) Mini Grant Application for the Western Slope Conservation Center**

Sarah Sauter was present on behalf of the Western Slope Conservation Center (WSCC). This is the

third attempt to receive a GOCO grant in partnership with the Town as the pass-thru entity. No funds are being sought from the Town for matching funds or in-kind work. The WSCC plans to complete phase one (1) of the River Park Rehab project should they receive the grant and welcome community input during the planning process.

Motion by Trustee King, Supported by Trustee Goold to approve Resolution 2015-06 in support of the Western Slope Conservation Center GOCO Grant Application. Motion carried with five (5) ayes and zero (0) nays.

**Consideration to Approve Letter of Support for Rocky Mountain Dehydrated Foods Department of Local Affairs (DOLA) REDI Grant Application**

No one was present on behalf of Rocky Mountain Dehydrated Foods (RMDF). Town Manager Berry stated RMDF was invited to submit a full Grant application to DOLA after the pre-application was submitted. Town Manager Berry and Mayor Schwieterman have met with Chris Faison of RMDF to review the business plan and Town requirements several times. Trustee King clarified that the request is to support the concept of the business and does not commit to a site or any other detail that may need further review. Town Manager Berry reiterated that should the project move forward at the Town level it will require oversight and approval from the Planning and Zoning (P&Z) Commission and the Board.

At the suggestion of Trustee Watson wording was changed for the final draft letter of support. Trustee Bradford asked if supporting the grant request would cause the Board pressure for an accelerated process of review in the future. Town Manager Berry assured the Board that supporting the grant request did not obligate the Board to anything in the future regarding the RMDF project.

Motion by Trustee King, Supported by Trustee Goold to approve the Letter of Support for the Rocky Mountain Dehydrated Foods DOLA Grant Application as amended. Motion carried with five (5) ayes and zero (0) nays.

**Consideration to U.S. Geological Survey Agreement for Gaging Station**

Mayor Schwieterman provided a brief history of the gaging station operation. State funding ended approximately eight (8) years ago which made it necessary for the Town to directly contribute a portion of the operating costs. The gaging station is necessary to monitor flows and the impact of our waste water discharge in the Gunnison River. Discussion ensued regarding the placement of the gaging station and the cost increases over the last eight (8) years.

Motion by Trustee Stewart, Supported by Trustee King to approve the U.S. Geological Survey Agreement for Gaging Station. Motion carried with five (5) ayes and zero (0) nays.

**Consideration to Approve Flying Fork Café, LLC Liquor License Renewal Application**

No one was present on behalf of the Flying Fork Café. Chief Leon noted no negative reports.

Motion by Trustee King, Supported by Trustee Goold to approve the Flying Fork Café, LLC Liquor License Renewal Application. Motion carried with five (5) ayes and zero (0) nays.

Town Manager Berry added that the Town had not been collecting all renewal fees applicable but appropriate fees are being collected going forward.

**Regular Business**

**Mayor's Report:** Mayor Schwieterman read a thank you letter received from Steven Ellis, Deputy Director of Operations, United States Bureau of Land Management.

Mayor Schwieterman attended a meeting with the Delta County Housing Authority. The Delta County Housing Authority Board of Directors continues to assess the best way to screen projects. The State only allows three (3) mobile home upgrades per year. The Board is working on getting the number increased for rural areas in Delta County. The Housing Authority anticipates a State request to take over the management of Creek Vista Senior Apartments and the privately operated Agriculture housing located in the City of Delta.

Mayor Schwieterman read a thank you letter received from the Dolphin House regarding the Town donation of two-hundred fifty dollars (\$250.00).

**Town Manager:** Codification Ordinances 2014-04 and 2014-09 are scheduled for print in the Delta County Independent February 25, 2015 and will take effect thirty (30) days after. Once finalized there will be a digital version available on the new Town website. Further review is necessary in the near future to address areas that are lacking, including an updated fee schedule.

A letter signed by Mayor Pro-Tem Stewart was submitted to DOLA requesting an extension for the completion date associated with the grant received for the 1MG Roof Replacement Project. DOLA is willing to work with the Town regarding the extension.

Pursuant to the Compliance Order from the Colorado Department of Public Health and Environment (CDPHE) a letter has been submitted notifying the State that the Town will not be constructing the 2MG storage tank and will be looking at other options to increase potable water storage. In response CDPHE thanked the Town for their communication and will coordinate a response to the notice.

SGM Engineering has submitted the 1MG storage tank lining recommendation and costs associated with the project. Initial cost projections were in the \$350,000 range but have significantly increased to \$400,000 to \$450,000. The funding provided by Colorado Water Resources and Power Development Authority (WPA) can be used toward the 1MG Storage Tank Rehab but the 2012 PER and Environmental Assessment may need revised. If revisions are necessary they could delay the project three (3) to four (4) months. A conference call is scheduled for next week to clarify.

Finance Officer Cindy Jones has begun working with the new auditor RubinBrown LLP. The 2014 Audit will begin March 30, 2015 with the auditors on-site beginning April 20, 2015.

Delta County Administrator Robbie LeValley came to Paonia to meet and discuss the working relationship between the Town and Delta County. Town Manager Berry expressed appreciation for Ms. LeValley taking the time to come to Paonia and looks forward to coordinating projects with the County in the future.

The Board was reminded that the FEMA Incident Training Workshop is scheduled for March 18, 2015 at 10am and should they wish to attend please let Town Manager Berry know.

- Police Report: Chief Leon submitted a written report. The Hays burglary follow-up investigations are wrapping up.
- Public Works: Director Loberg continues work on multiple water projects. SGM completed an inspection of the 1.0 MG storage tank and submitted findings. The tank liner recommendation is a polyurethane liner. The design plan has been submitted to the State.

Alpine CM is scheduled to start the 1MG storage roof support demolition and replacement next week.

A few members of the Public Works Department are participating in two (2) CIRSA trainings in March.

#### Committee/Meeting Reports:

- Finance & Personnel: Trustees Stewart and King continue to meet weekly and review all transactions regarding Town finances.
- Public Works: Trustee King reported the Public Works Committee met to discuss the Hawks Haven/Vista Drive/Pan American Road Agreement and requested that Town Manager Berry schedule a meeting with Hal Brill and Alison Elliot as soon as possible. Trustee King also encouraged the scheduling of a meeting with the airport officials soon as well.

Trustee Bradford added that a draft responsibility worksheet for the committee has been completed and will be submitted to the Board for review.

- Governmental Affairs: Nothing to report.
- Services & Recreation: Nothing to report.
- Facilities & Development: Nothing to report.
- Public Safety: Nothing to report.
- Website: Nothing to report.

#### Minutes:

Motion by Trustee Bradford, Supported by Trustee Stewart to approve the Minutes from February 10,

2015. Motion carried with five (5) ayes and zero (0) nays.

Motion by Trustee Bradford, Supported by Trustee King to approve the Special Meeting Minutes from February 12, 2015. Motion carried with five (5) ayes and zero (0) nays.

Disbursements:

Trustee Bradford requested clarification regarding the invoice for Wagoner Rentals. The invoice is for Skid Steer electrical and mechanical repairs.

Motion by Trustee King, Supported by Trustee Stewart to authorize the payment of the bills through February 24, 2015 in the amount of \$99,697.55. Motion carried with five (5) ayes, zero (0) nays.

Executive Session:

Motion by Trustee Stewart, Supported by Trustee Bradford to convene into 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) related to Kristin Chesnik.

Trustee Goold expressed continued concern regarding the number of executive sessions the Board has been in over the last few months. Trustee Goold believes the Town should follow Roberts Rules of Order and advice given by CIRSA attorney Tami Tanoue and avoid “secret sessions.”

Motion carried with a ¾ majority vote of four (4) ayes and one (1) nay from Trustee Goold.

Mayor Schwieterman noted no action was anticipated following the executive session.

8:48 p.m. Meeting recessed and Trustee Goold exited the meeting.

9:33 p.m. Meeting reconvened.

Participants in the Executive Session were Mayor Schwieterman, Trustees Bradford, King, Stewart, and Watson, Town Manager Berry, and Town Attorney David Marek. No concerns were noted.

9:34 p.m. Meeting adjourned.

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J. Corinne Ferguson, Deputy Town Clerk

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Neal Schwieterman, Mayor