

Minutes
Town Board Special Hearing
Town of Paonia, Colorado
March 3, 2015

RECORD OF PROCEEDINGS

The Special Hearing of the Town Board of Trustees held pursuant to CRS §31-4-307 on Tuesday, March 3, 2015 was called to order at 9:00 AM 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, Mayor Pro-Tem Charles Stewart, and Trustee Suzanne Watson. Trustee Amber Kleinman was absent.

Town Staff present were as follows: Town Manager Jane Berry, Town Attorney David Marek, and Deputy Town Clerk Corinne Ferguson.

Others present were as follows: Special Legal Counsel for the Town of Paonia: Marni Nathan Kloster; Legal Counsel for Barbara J. Peterson: John McKendree; Town Clerk Barbara J. Peterson; Legal Assistant to John McKendree: Shanna Waterson; Keith Rusk, Stenographer

A quorum was present and Mayor Schwieterman relinquished the chairing of the proceedings to Mayor Pro-Tem Charles Stewart.

Mayor Pro-Tem Charles Stewart read a prepared statement as to the conduct of the hearing pursuant to CRS §31-4-307 whether to remove Barbara J. Peterson as Town Clerk, as well as stating to the public in attendance this is a hearing of the Town Board, not a meeting and as such although it is open to the public, no public participation will be received today during the proceedings. Mayor Pro-Tem Stewart then initiated the proceedings of the hearing which were recorded by Keith Rusk, Stenographer.

Mayor Pro-Tem Stewart declared a short break in the proceedings from 10:20 AM until 10:45 AM. At 10:45 AM Mayor Pro-Tem Stewart reconvened the hearing.

At 11:50 AM, Mayor Pro-Tem Stewart declared a recess of the hearing until 12:30 PM. At 12:30 PM, Mayor Pro-Tem Stewart reconvened the hearing.

At 1:50 PM, Mayor Pro-Tem announced a short break. At 2:00 PM, Mayor Pro-Tem Stewart reconvened the hearing.

Executive Session:

Motion by Trustee Bradford, Supported by Trustee King 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 the Town Clerk. Motion carried with four (4) ayes and one (1) nay by Trustee Goold who expressed his concerns as to the number of executive sessions the Town Board has been conducting albeit this is probably one time it is required.

The Town Board along with the Town Attorney entered into Executive Session at 2:30 PM.

3:07 PM Executive Session concluded and the hearing reconvened.

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

Mayor Pro-Tem Stewart stated the Town Board will take the time to review the testimony and exhibits presented during the hearing today and will issue their decision on Tuesday, March 10, 2015 during the Town Board's regular meeting.

Mayor Pro-Tem Stewart declared the hearing adjourned at 3:09 PM.

J. Corinne Ferguson, Deputy Town Clerk

Neal Schwieterman, Mayor