

**Minutes**  
**Town Board Regular Meeting**  
**Town of Paonia, Colorado**  
**April 12, 2016**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Town Board of Trustees held Tuesday, April 12, 2016 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 Charles Stewart  
Trustee David Bradford  
Trustee Eric Goold  
Trustee Ross King  
Trustee Amber Kleinman  
Trustee Suzanne Watson

Town Staff present were as follows:

Town Manager/Town Clerk Jane Berry  
Deputy Clerk Corinne Ferguson  
Public Works Director Travis Loberg  
Sergeant Neil Ferguson

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

**Approval of Agenda**

Motion by Trustee King, Supported by Trustee Goold to approve the agenda as amended, adding Special Meeting Minutes from March, 25, 2016 for approval. Motion carried with six (6) ayes and zero (0) nays.

**Announcements**

None

**Visitors**

Mike Armstrong – 216 Colorado Avenue – Thanked the outgoing Trustees and Mayor for their hard work and service to the Town.

Shawn Larson – 608 Orchard Avenue – Requested that the incoming Board honor the votes from the April 5, 2016 election and fill the vacated seat of Trustee Stewart, once sworn in as Mayor, with the candidate who received the fourth most votes.

Chelsea Bookout – 608 Orchard Avenue – Agrees with Mr. Larson, that the fourth Trustee seat should be filled by the candidate who received the fourth most votes.

Trustee Goold stated he is in agreement with the community members who spoke. Trustee Bradford read Colorado Revised Statute (C.R.S.) 31-10-507. Discussion ensued regarding election vs. appointments. Trustee Watson reminded the public that the election is only part of involvement with local government and encouraged community members to attend the Board meetings.

## **Unfinished Business**

### **Consideration to Approve Final Details of Derek Holt's Eagle Scout Project at Apple Valley Park**

Derek Holt – 40704 German Creek Road – presented a sketch of the bleacher placement relative to the location of the tennis courts. Mr. Holt requested Board approval to place the bleachers on the North side of the tennis courts and provide an 8'x16' ADA compliant concrete slab to anchor the bleachers to.

Discussion ensued regarding temporary foundation for 2016 to allow for budgeting for 2017.

Motion by Trustee Goold, Supported by Trustee Kleinman, to approve the Holt Eagle Scout Apple Valley Park bleacher project. Motion carried with six (6) ayes and zero (0) nays.

## **New Business**

### **Consideration of Final Reading and Adoption of Amended Ordinance 2016-01 Water Rates Ordinance**

Town Manager Berry explained final reading and publication process for a Town ordinance. The Ordinance will take effect thirty (30) days after publication in Town newspaper of record.

Dave Duncan – 232 Box Elder Avenue – provided a memo regarding the language in the proposed ordinance. Mr. Duncan asked the Board to consider removing a section that prohibits homeowners to open the meter pits located at their residences and read the meters tied to their property.

Discussion ensued regarding whether other communities allow homeowners to read the meters, the liability issues, and the differences between in-town and out-of-town meters.

Motion by Trustee Goold, Supported by Trustee Kleinman, to amend Section 8, Paragraph A, striking the word *uncover* and adding *leave uncovered and/or unsecured*. Motion failed with a Roll Call Vote (2) ayes from Trustees Kleinman and Watson and four (4) nays from Trustees Bradford, Goold, King, and Stewart.

Mary Bachran – 511 Box Elder Avenue – requested the Board include a provision for the elderly and of low income to reduce their monthly billing. Ms. Bachran suggested using the LEAP approval letter as sufficient evidence to qualify for the reduced rate.

Discussion ensued regarding subsidizing individuals, charities that provide assistance, and the removal of the seasonal rate option.

Motion by Trustee King, Supported by Trustee Goold, to approve the Final Reading and Adoption of Ordinance 2016-01 Water Rates Ordinance. Motion carried with five (5) ayes and one (1) nay from Trustee Watson.

### **Consideration to Set Special Town Board Meeting for April 19, 2016 at 7:00PM**

Town Manager Berry asked for a consensus from the Board whether a Special Meeting should be set to swear in the newly elected Board members. The Board decided to wait until the Regular Meeting on April 26, 2016.

### **Consideration to Approve Sixteenth Amendment to WestWater Engineering Agreement for Water Projects**

WestWater Engineering requested the Board approve Amendment 16, which increases the over-all contract amount to \$476,631.65. Amendment 16 addresses the development of alternatives and budgetary cost estimates for the waterline replacement projects and for the costs associated with a geotechnical engineering sub-consultant who will conduct on-site assessments for alternative water storage tank sites at the 2.0 MG water treatment plant. The Total cost for the amendment is \$6,851.79.

Motion by Trustee King, Supported by Trustee Bradford, to approve Amendment 16 to the contract with WestWater Engineering in the amount of \$6,851.79, increasing the total contract amount to \$476,631.65. Motion carried with six (6) ayes and zero (0) nays.

### **Regular Business**

Mayor's Report: Mayor Neal Schwieterman reported:

The Memorandum of Understanding (MOU) regarding the Fifth Street intersection project with Delta County is in preparation and will be completed for Board approval in the near future.

Town Manager Report: Town Manager Jane Berry reported:

1. Colorado State governmental changes require municipalities to complete a documented plan addressing on-going maintenance of water storage facilities. SGM will be providing the maintenance plans for the 1.0MG and 2.0MG storage tanks.
2. Town will host the annual spring clean-up days May 16-20, 2016. Homeowners can include additional items at no cost to their regular trash day.
3. Town received thank-you notes from The Chamber of Commerce and the Blue Sage Center of the Arts for staff and Board of Trustees ongoing support.
4. The Delta County Economic Development (DCED) annual meeting will be held at the Orchard City Town Hall April 21, 2016 from 5PM to 7PM.
5. The Town will host the Delta County Municipal Quarterly meeting April 29, 2016 at Town Hall from 9AM to 3PM.
6. SEI will hold their Solarize the North Fork Valley with Paonia High School students at the Paonia High School on April 15, 2016 at 3PM.
7. SEI and CSU in conjunction with the Community Energy Assistance Project are proposing to offer an energy assessment at Town Hall and other Town buildings and vehicles.
8. The new Building Official – Dave Coleman and Public Works member – Kirk Morgan started working for the Town last week.

Ed Marston – owner of Sol Margaritas building, located at 240 Grand Avenue – requested Board approval for a landscaping project within the Town right-of-way on Third Street. Trustees Kleinman and Watson encourage home and business owners to maintain the right-of-ways adjoining their properties.

Town Manger Berry explained the issue is not Mr. Marston's request, but the lack of clear policies regarding what can be used within the Town right-of-way. Discussion ensued regarding Town awareness of projects in Town right-of-ways and on Town property, the sidewalk ordinance language, and whether a lack of policy or ordinance should restrict a project from moving forward. The item will be addressed on the next agenda for Regular Board Meeting on April 26, 2016.

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

1. The 1MG storage tank is full and once levels are correct the tank will be back online.
2. Waterline project preparations continue.
3. Fire extinguishers were tested today at all Town facilities and in Town vehicles.
4. Fire Hydrant locates for the hydrant near the laundromat are in and the hydrant should be replaced within the next week.

Police Department Report: Sergeant Neil Ferguson reported:

1. The Police Department will host a drug take-back day at Town Hall on April 30, 2016 from 10AM to 3PM. Community members can bring unwanted patches and pill form medication for proper disposal.
2. The Police Department has purchased over \$2,000 of ammunition for the 2016 training schedule. All costs will be reimbursed through the Colorado P.O.S.T. grant program.
3. The electric car is being repaired and is expected to be functional by June.

Committee Reports:

- Finance and Personnel: Nothing to report
- Public Works: Nothing additional to report
- Governmental Affairs: Campaign Finance reports for all candidates are due. A potential \$50 per day fine could be assessed should the reports not be filed in a timely manner.
- Services & Recreation: Nothing to report
- Facilities & Development: Nothing to report
- Public Safety: Trustee Goold thanked staff for the difficult jobs they do and the help offered to all who ask.

Minutes:

Motion by Trustee King, Supported by Trustee Stewart to approve the Town Board Regular Meeting Minutes for March 22, 2016. Motion carried with six (6) ayes and zero (0) nays.

Motion by Trustee King, Supported by Trustee Kleinman to approve the Town Board Special Meeting Minutes for March 25, 2016. Motion carried with six (6) ayes and zero (0) nays.

Disbursements:

Motion by Trustee Stewart, Supported by Trustee King to authorize the disbursements through the period of April 11, 2016 as reviewed by the Finance Committee with the Town's Finance Officer. Motion carried with six (6) ayes and zero (0) nays.

**Adjournment:**

The meeting was adjourned by Mayor Neal Schwieterman at 9:30 PM.

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J. Corinne Ferguson, Deputy Town Clerk

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Neal Schwieterman, Mayor