

**Minutes**  
**Town Board Regular Meeting**  
**Town of Paonia, Colorado**  
**May 24, 2016**

**RECORD OF PROCEEDINGS**

The Regular Meeting of the Town Board of Trustees held Tuesday, May 24, 2016 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 Bill Brunner  
Trustee Karen Budinger  
Trustee Suzanne Watson

Town Staff present were as follows:

Town Manager/Town Clerk Jane Berry  
Deputy Town Clerk Corinne Ferguson  
Finance Officer Cindy Jones  
Public Works Director Travis Loberg

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

**Approval of Agenda**

Motion by Trustee Bradford, Supported by Trustee Bookout to approve the agenda as presented. Motion carried with six (6) ayes and zero (0) nays.

**Announcements**

None

**Visitors**

Linda Lentz – 312 Onarga Avenue – An open house will be held at The Bross Bed and Breakfast Saturday, May 28, 2016 from 2:00pm to 4:00pm in recognition of the 110<sup>th</sup> anniversary and the dedication of a plaque commemorating the designation of The Bross as a National Historical Location.

**Unfinished Business**

**Consideration to Appoint the Town Clerk**

Mayor Stewart noted per Colorado Revised Statute 31-4-304 and the Town Code the Town is required to appoint a town clerk within thirty (30) days of the new Board taking office following a regular election. Town Manager Jane Berry has been serving in a dual position. Mayor Stewart suggested to the Board that if discussion was warranted involving job performance or personnel issues it should be conducted within an executive session.

Motion by Trustee Brunner, Supported by Trustee Watson to appoint Corinne Ferguson as Paonia Town Clerk.

Motion by Trustee Bear, Supported by Trustee Bookout to defer a vote on previous motion until after an executive session can be held. Motion carried with six (6) ayes and zero (0) nays.

## **New Business**

### **Consideration to Approve Liquor License Renewal Application for Friends of the Paradise Theatre dba Paradise Theatre**

Elaine Brett was present on behalf of the Paradise Theatre. The Paradise Theatre, located at 215 Grand Avenue, requests the annual renewal of the tavern liquor license. Discussion ensued regarding the discrepancy in title for Ms. Brett and Tom Stevens. Ms. Brett stated she is the President and Mr. Stevens is the Treasurer for the Paradise Theatres Board of Directors.

Motion by Trustee Bear, Supported by Trustee Budinger to renew the Friends of the Paradise Theatre liquor license renewal contingent upon the correction of Ms. Brett's position as President on the license application form. Motion carried with six (6) ayes and zero (0) nays.

### **Consideration to Approve Report of Changes for Friends of the Paradise Theatre dba Paradise Theatre**

Elaine Brett was present on behalf of the Paradise Theatre. Ms. Brett requested the Board approve the change request which adds Diana Yourell as the Executive Director and Tom Stevens as Treasurer on the Paradise Theatre Board of Directors.

Motion by Trustee Budinger, Supported by Trustee Watson to approve the Friends of the Paradise Theatre Report of Changes. Motion carried with six (6) ayes and zero (0) nays.

### **Consideration of Thliveris Annexation Petition and Set Public Hearing**

Betty Mueller was present on behalf of the Thliveris family. The Thliveris family requests the Board acceptance of the completed annexation petition package and the setting for public hearing. The property includes two lots across from the Public Library, totaling 2.54 acres.

Town Manager Berry has been working with the Thliveris family on the annexation process for the past year and believes the project is in keeping with the goals and priorities of the Town Comprehensive Plan, preserving the rural and agricultural culture of the community. There is no requirement to go before the Planning Commission because the property is under three (3) acres, but Town Manager Berry plans to present the project to the Planning Commission so they remain aware of projects taking place in Town.

Discussion ensued regarding seasonal hours, taxation, and building code requirements.

Mayor Stewart read Resolution 2016-04, A Resolution of the Town of Paonia, Colorado, Pursuant to C.R.S. 31-12-108, Finding the Petition for Annexation of the Thliveris Parcels 1 and 2 Substantially Complies with Statutory Requirements and Setting the Petition for Public Hearing.

Discussion continued regarding the necessity to complete a pre-annexation agreement to allow for the installation of Town water and sewer and the intergovernmental agreement with Delta County.

Motion by Trustee Bradford, Supported by Trustee Bear to adopt Resolution 2016-04. Motion carried with six (6) ayes and zero (0) nays.

## **Regular Business**

**Mayor's Report:** Mayor Charles Stewart reported:

1. Board orientations began today, with future sessions scheduled for June.

**Town Manager Report:** Town Manager Jane Berry reported:

1. Attended the Spring CML meeting in Grand Junction.
2. The Department of Local Affairs (DOLA) have frozen the Energy Impact Assistance Grant Program due to dwindling severance and mineral leasing revenues.
3. A gas tax increase is under discussion at the state level. The last gas tax increase was on 1991.

4. The Board and community are urged to participate in a letter campaign requesting the veto of HB-16-13-09, which requires a public defender be provided for a first appearance at municipal court for indigents.
5. An ATV-OHV bill passed. Communities are now passing legislation to allow such vehicles on Town streets.
6. Amendment 69 regarding amendments to healthcare is expected to be on the ballot in November.
7. June is bike month with June 22<sup>nd</sup> designated as bike to work day.
8. Rick Stockton is leading a group of community volunteers who are working with the Town to improve the gazebo in Town Park.
9. The North Fork Baptist Church members have volunteered to maintain the Miners Statue garden area at Town Park for this summer season.

Trustee Watson suggested a redesign of the landscaping at the Miners Statue. The item was added to the next Parks and Recreation Committee meeting agenda.

Trustee Bookout exited the meeting at 8:15pm.

Trustee Bookout returned at 8:17pm.

#### Consideration to Approve Third Street/Samuel Wade Road Water Main Extension Project

Town Manager Berry presented a diagram of the current and potential water line installation options on Third Street and Samuel Wade Road. Three options were presented.

1. Boring under the road for a two (2) inch line installation for the Thliveris properties only at an estimated cost of \$3,000.00.
2. Boring under the road for a four (4) inch line installation to the Town property on Samuel Wade Road and connecting to a six (6) inch line back to Niagara Avenue at an estimated cost of \$21,500.00. This will loop the water system but impedes repairs and maintenance with two (2) lines running underneath the road.
3. Looping a six (6) inch line to connect existing water lines at an estimated cost of \$25,000.00, with \$15,000.00 to \$16,000.00 directly from the Town after the water tap purchase costs for the Thliveris annexation.

The Public Works Committee, Public Works Director, and Town Staff recommend the acceptance of option three (3).

Discussion ensued regarding relocation of the spruce trees on the Town property that will be in the direct line of new pipe installation, the concerns of the estimated cost projections for an item not budgeted for, the possibility of phasing the line installation, the necessity to reinvest in the system with repair and maintenance of Town water lines, and the possibility of utilizing funds from the sewer plant reclamation funds for the project.

Mary Bachran – 511 Box Elder Avenue – spoke in favor of option three (3) stating she believes increasing the valuation of Town property and potential sales offset the costs of the new line.

Motion by Trustee Bradford, Supported by Trustee Budinger, to approve option number three (3), extending the six (6) inch water line from Niagara Avenue to the Samuel Wade Road Bridge with costs not to exceed \$25,000.00, and up to an additional \$10,000.00 from the sewer decommissioning fund used for issues related to the former Town sewer treatment site.

Motion carried with six (6) ayes and zero (0) nays.

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

1. Nothing additional to report.

Police Department Report: Sergeant Neil Ferguson was absent from meeting. Town Manager Berry reported:

1. Sergeant Ferguson is attending supervisory training in Denver this week.
2. The police department continues to aggressively pursue training opportunities.
3. Vandalism downtown is under investigation.

Treasurers Report: Town Treasurer Ross King reported:

1. Oath of Office was completed.
2. Bond was submitted for approval.
3. Continue to wait for Town audit results.
4. Met twice with Finance Officer Cindy Jones.
5. Met with Town Manager Berry to discuss description of duties assigned to the treasurer position.
6. Will be out of town from May 30, 2016 to June 5, 2016.

**Committee Reports**

1. Finance and Personnel: Bank account signatory authority is underway.
2. Public Works: Read statement thanking volunteers who participated in the Paonia Spring Cleaning week. An estimate request for sidewalk repairs has been given to the contractor who performed the sidewalk repairs in 2015. A request for proposals (RFP) at this point would delay the project later in to the construction season, causing availability constraints.
3. Governmental Affairs: A meeting with the Town Manager is being scheduled to discuss upcoming projects.
4. Services & Recreation: A meeting with the Town Manager is being scheduled to discuss upcoming projects.
5. Facilities & Development: A meeting with the Town Manager is being scheduled to discuss upcoming projects.
6. Public Safety: Nothing to report.

**Minutes**

Motion by Trustee Bradford, Supported by Trustee Brunner to approve the Town Board Regular Meeting Minutes as amended for May 10, 2016. Motion carried with six (6) ayes and zero (0) nays.

Motion by Trustee Bradford, Supported by Trustee Bookout to approve the Town Board Special Meeting Minutes as submitted for May 12, 2016. Motion carried with six (6) ayes and zero (0) nays.

Motion by Trustee Bradford, Supported by Trustee Bookout to approve the Town Board Special Meeting Minutes as submitted for May 18, 2016. Motion carried with six (6) ayes and zero (0) nays.

**Disbursements**

Motion by Trustee Brunner, Supported by Trustee Bradford to authorize the disbursements as reviewed by the Finance Committee with the Town's Finance Officer. Motion carried with six (6) ayes and zero (0) nays.

**Executive Session**

Motion by Trustee Bradford, supported by Trustee Bookout, to go into executive session for the purpose of discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Motion carried with six (6) ayes and zero (0) nays.

Mayor Stewart stated Board action may be taken following the Executive session.

The Town Board entered Executive Session at 9:35pm.

The Town Board reconvened at 10:10pm.

Mayor Stewart stated the names of the participants in the Executive Session being himself Mayor Charles Stewart, Trustee Bradford, Trustee Bear, Trustee Brunner, Trustee Bookout, Trustee Budinger, Trustee Watson, Town Manager Berry, and Town Deputy Clerk Corinne Ferguson. No concerns were noted from those who participated in the Executive Session.

Motion by Trustee Brunner, Supported by Trustee Watson to appoint Corinne Ferguson as Paonia Town Clerk. Motion carried with six (6) ayes and zero (0) nays.

**Adjournment**

The meeting was adjourned by Mayor Charles Stewart at 10:15 PM

/s/

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Corinne Ferguson, Town Clerk

/s/

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Charles Stewart, Mayor