

Minutes
Town Board Regular Meeting
Town of Paonia, Colorado
March 24, 2015

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Board of Trustees held Tuesday, March 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

Town Staff present were as follows:

Town Manager Jane Berry
Finance Officer Cindy Jones
Deputy Clerk Corinne Ferguson

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

Approval of Agenda

Motion by Trustee King, Supported by Trustee Stewart to approve the agenda. Motion carried with six (6) ayes and zero (0) nays.

Announcements

No announcements were made.

Visitors

None.

Unfinished Business

None.

New Business

Consideration of Mayor's Proclamation for National Service Recognition Day

Pete Mueller was present on behalf of Solar Energy International (SEI). Mr. Mueller is the current AmeriCorps Vista Intern. SEI is requesting Mayor Schwieterman add his name to the list of Mayor's across the nation supporting the National Service Recognition Day which is a program to encourage community service and proclaim April 8, 2015 the Nation Service Recognition Day. SEI plans to work with the Western Slope Conservation Center (WSCC) on a parks project on April 8, 2015 from 11am to 2pm.

Mayor Schwieterman read a Proclamation declaring April 8, 2015 the National Service Recognition Day.

Consideration to Approve Letter of Support for Delta County Housing Authority Single Family Housing Rehab Grant Application

Mayor Schwieterman introduced the DCHA Grant Application Letter of Support request. The Town budgeted seven-hundred fifty dollars (\$750.00) for the rehab project and has supported the efforts to continue the program for multiple years.

Motion by Trustee Stewart, supported by Trustee Goold to approve signing the Letter of Support for Delta County Housing authority Single Family Housing Rehab Grant Application. Motion carried with five (5) ayes and zero (0) nays and one (1) abstention from Suzanne Watson.

Consideration to Approve Letter of Support for North Fork Valley Creative Coalition

Dave Mitchell was present on behalf of the North Fork Valley Creative Coalition (NFVCC). Mr. Mitchell is requesting that the Board approve a letter of support for a fundraiser scheduled in August known as Celebrate the Fork. The NFVCC is different from the typical Creative Coalition because it includes the town of Crawford, Hotchkiss, and Paonia, while most creative districts are a walkable area. Celebrate the Fork is an event where local only vendors can advertise and sell their goods and wares. A bike ride beginning in Paonia and ending in Crawford is also scheduled for the event.

Mayor Schwieterman stated he supports any activity that allows vendors to sell their goods and continues to diversify the community.

Motion by Trustee Kleinman, supported by Trustee Goold to approve a Letter of Support for the NFVCC. Motion carried with six (6) ayes and zero (0) nays.

Consideration of Resolution 2015-08 – Moratorium on Commercial Uses of Town Park

Trustee Bradford provided a brief history of discussions of the Services and Recreation Committee regarding commercial use of the Town parks. Currently the Town has no policy or procedure addressing commercial use requirements or restrictions. The Services and Recreation Committee, comprised of Trustees Bradford and Watson, are asking the Board to consider placing a temporary moratorium for one year on commercial uses of the parks while policies are developed. The only current parks 'commercial use request is Xodus Adventures, owned and operated by Calvin Evans. In 2013 the Board agreed the boot camp style fitness workout program offered through Xodus Adventures was a good use for the park and gave a one year approval while policies were drafted. Trustees Bradford and Watson believe the temporary moratorium will give the Board time to complete a policy, including addressing fees, liability, and maintenance schedules. Discussion ensued regarding the necessity of a moratorium and the timeline for policy drafting. Trustee Stewart added that while there is only one commercial request at this time there is the possibility of more and it could cause park maintenance issues if not regulated. Discussion continued regarding the impact of the moratorium on Xodus Adventures specifically and whether the park application request from Xodus Adventures should have been a separate agenda item.

Trustees Goold and Kleinman expressed concern over the moratorium request and whether it will impact other activities offered for free or by donation in the parks. Trustee Kleinman added that the moratorium seemed heavy-handed and expressed concern over the perception of the Board and Town administration within the community. Mayor Schwieterman added he has heard that the Town seems un-friendly to new businesses and that unforeseen consequences can occur from decisions made by the Board.

Motion by Trustee Goold, supported by Trustee King to table Resolution 2015-08 until further discussion can be had. Trustee Goold withdrew his motion.

Kalvin Evans addressed the Board adding that the last two years of business have been a blessing to his family as well as his clients and the community. Mr. Evans wants to be compliant with the Town ordinances and would like to participate in the creation of Town policies regarding commercial use in the parks. Board discussion continued regarding terms and fees discussed with Town Manager Berry, the Services and Recreation Committee, and Mr. Evans.

Motion by Trustee Stewart, supported by Trustee Kleinman instructing the Town Manager to draft a commercial use parks policy for Board review by May 26, 2015. Motion carried with five (5) ayes and one (1) nay from Trustee Bradford.

Community input provided by Mary Bachran, Elaine Brett, and Amy DeLuca. Ms. DeLuca voiced that there is concern over the community not being provided enough time to comment on agenda items. Mayor Schwieterman explained the process of items placed on the agenda and that all community members are provided time to address the Board regarding any subject they desire.

Motion by Trustee Stewart, supported by Trustee King instructing the Town Manager to work with Mr. Evans on an agreement for Xodus Adventure's commercial use of Town parks. Motion carried with six (6) ayes and zero (0) nays.

Consideration to Approve Letter of Support Request by DCED for DMEA Broadband Initiative

Brad Harding was present on behalf of Delta County Economic Development. DCED is collaborating with Region 10 and DMEA to bring redundant affordable broadband to the North Fork Valley. The Department of Local Affairs (DOLA) has ear-marked \$20,000,000.00 in funds for broadband development which DCED believes puts the DMEA grant application in a competitive position.

Motion by Trustee Stewart, supported by Trustee Bradford to approve submittal of a letter of support for the broadband initiative project. Motion carried with six (6) ayes and zero (0) nays.

Consideration to Approve Perpetual Access Agreement for William and Gloria Crank

Gloria Crank was present. Town Manager Berry gave the background information regarding the road encroachment on to the Crank property. Attorney Marek drafted an access agreement to preserve the mutual interests for the Cranks and the Town.

Motion by Trustee King, supported by Trustee to table discussion until the April 14, 2015 meeting. Motion carried with six (6) ayes and zero (0) nays. Trustee Stewart apologized for the additional delay and expressed the need for time to review the agreement before making a decision.

Regular Business

Mayor's Report: Mayor Schwieterman and Town Manager Berry attended the FEMA training hosted in the City of Delta. The training revealed deficiencies in emergency preparedness. More meetings will be held in the near future. Bear Ranch requested to meet with Mayor Schwieterman to discuss the buildings on Third and Clark in Town.

Town Manager: The quarterly notice required by the Colorado Department of Public Health and Environment (CDPHE) has been sent out. Over 1000 letters were mailed. Water companies were asked to distribute to their members.

The 1MG tank rehab bids are due Thursday April 2, 2015 at 2pm with a Special Meeting set for 7pm to consider awarding the contract.

A website meeting is scheduled for next Wednesday in hopes of the website going live within the next two (2) weeks.

Town Hall will be closed for part of May 1st to allow for a mandatory Ethics training for all Town staff. Trustees are invited to attend as well.

The BLM and Gunnison National Forest are seeking input for an Environmental Assessment. The map and information is available at Town Hall for review.

The Paonia high School Senior Class has invited Trustees to attend the Prom April 25, 2015 should they choose to.

The Engineers and Town hope to have the bid packet prepared and out mid-April for the 2MG upper water plant project.

The sidewalk bid packets are not far off. The Town currently has approximately \$30,000 in the sidewalk account to begin repairs this season.

- Police Report: Chief Leon was excused from attending the meeting. A written report was provided.
- Public Works: Public Works Director Loberg was excused from attending the meeting. Projects continue.

Committee/Meeting Reports:

- Finance & Personnel: Trustees Stewart and King continue to meet weekly and review all transactions regarding Town finances. Some payments received by exempt employees are being reviewed and corrected in the future. The 2014 audit is scheduled to begin in April. Some properties owned by Town including a residential property located at 38769 Hwy 133 and a property known as the Devaney property are being recommended for sale by the Town.
- Public Works: Trustees Bradford and King reported the pre-bid meeting for the 1MG rehab was successful with five (5) or six (6) possible contractors interested.

- Governmental Affairs: A meeting is scheduled for next week.
- Services & Recreation: Trustee Watson reported touring the parks to identify issues that need addressed and maintenance plans for the future.
- Facilities & Development: Nothing to report.
- Public Safety: Nothing to report.
- Website: Noting to report.

Minutes:

Motion by Trustee Bradford, Supported by Trustee Goold to approve the Minutes from March 10, 2015. Motion carried with six (6) ayes and zero (0) nays.

Disbursements:

Motion by Trustee King, Supported by Trustee Stewart to authorize the payment of the bills through March 24, 2015 in the amount of \$202,338.20. Motion carried with six (6) ayes, zero (0) nays.

9:12 p.m. Meeting adjourned.

J. Corinne Ferguson, Deputy Town Clerk

Neal Schwieterman, Mayor