

Town Council Special Meeting
Town of Paonia, Colorado
March 18, 2014

RECORD OF PROCEEDINGS

A Special Meeting of the Town Council held Tuesday, March 18, 2014 was called to order at 7:36 p.m. Those present were Mayor Neal Schwieterman, Trustees Brian Ayers, Eric Goold, Ross King; Amber Kleinman; Sarah Sauter and Chief Scott Leon; Public Works Director Travis Loberg; Finance Officer Cindy Jones; and Deputy Clerk Corinne Ferguson. Clerk Barbara Peterson was in the audience.

Mayor Schwieterman determined a quorum was present and proceeded with the meeting.

New Business

Executive Session

Trustee Kleinman moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) and for 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. Trustee Sauter seconded.

Discussion ensued.

Trustee Ayers offered the opinion that trustees elect should be included in the executive session to discuss the Town Manager candidates because they will be working with the appointed Town Manager for the next four (4) years, as well as be part of the creation, adoption, and implementation of the Town Manger contract. Mayor Schwieterman stated that while it is likely that an employment offer would be made prior to the trustees elect taking seat, the new Board of Trustees would work closely with the chosen candidate and be involved in the contract negotiations. Per the opinion of the Town Attorney the trustees elect do not hold essential information that would permit attending the executive session. Trustee King re-iterated that the trustees elect are not on the Board of Trustees yet. Attorney Marek clarified that essential parties that could attend executive sessions would include engineers, etc. that could provide specific information that could not be gathered or presented by a board member effectively. The Board of Trustees needs to be careful when allowing non-board members to attend executive sessions.

Trustee Goold re-stated his on-going position that he does not like executive sessions and believes discussions should be public and on the record. In the past department heads and staff have attended executive sessions, and the decision now that outside participants cannot attend makes no sense.

Mayor Schwieterman called for a vote and the motion passed with Trustee Goold voting “nay”.

7:44 p.m. Meeting recessed.

9:18 p.m. Meeting reconvened.

Participants in the executive session included Mayor Neal Schwieterman, Trustees Ayers, Goold, King, Kleinman, Sauter and Town Attorney Dave Marek and Department of Local Affairs Director Ken Charles via telephone.

9:19 p.m. Meeting adjourned.

Mayor, Neal Schwieterman

Deputy Clerk, Corinne Ferguson