

**Town Council Regular Meeting**  
**Town of Paonia, Colorado**  
**October 9, 2012**

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, October 9, 2012 was called to order at 7:05 p.m. with the Pledge of Allegiance. Those present were Mayor Neal Schwieterman, Trustees Corinne Ferguson, Brian Ayers, Ross King, Eric Goold, Amber Kleinman and Larry Wissbeck; Chief Scott Leon, Public Works Director Travis Loberg, Attorney James Briscoe; and Town Clerk Barbara Peterson.

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

**Approval of Agenda**

Trustee King moved to approve the agenda as presented. Trustee Ferguson seconded and the motion passed unanimously.

**Announcements**

- None

**Visitors**

- None

**Unfinished Business**

**New Business**

**Schwartz – Farm Lease Renewal**

Jeff Schwartz was present. Mayor Schwieterman noted the existing lease in the packets. While this was discussed at the staff meeting, no dollar amount was proposed. The Campbell lease pays \$40 per acre annually. The portion of land that Mr. Schwartz leases is less than half an acre. Mr. Schwartz will provide a copy of the insurance for Town records. Mr. Schwartz indicated that he has not received any complaints in the last three (3) years. Mr. Schwartz did have an opportunity to speak with his neighbors to address any issues. No issues were noted. Delicious Orchards is averaging a couple of campers each week and a few groups on the weekends. A tent site currently costs \$10 per night. Discussion regarding adding a separate section for the annual fee ensued, as well as discussion regarding fire ban language. Trustee Goold moved to renew the Schwartz Farm Lease for an additional five (5) years at \$25 per year and to make the incremental language changes as discussed. Trustee Kleinman seconded. Richard Schmidt wanted to know the cost to taxpayers regarding legal fees, and staff time for the lease. Mayor Schwieterman noted that although the figure could be calculated, the exact amount was not known at this time. Chief Leon has been doing most of the monitoring. Trustee Ferguson felt costs were recouped with work that was done on the land. After further discussion regarding Mr. Schwartz' contribution to the community, the motion was brought to a vote and passed unanimously.

**Delta County Economic Development (DCED) – Funding Request**

Trustee Wissbeck moved to table this item until the next meeting. Trustee Kleinman seconded and the motion passed unanimously.

**Delta County Economic Development (DCED)**

Mayor Schwieterman noted receiving the request from Tom Heurkamp asking for support for a Conservation Innovation Grant from the Natural Resource Conservation Service for a Soil Health Initiative. After discussion, Trustee Kleinman moved to write a letter of support as requested for the Conservation Innovation Grant. Trustee Wissbeck seconded and the motion passed unanimously.

## **Additional Business**

### **Mayor's Report:**

Mayor Schwieterman reported Terrea Bear brought forth information regarding a craft fair. Staff attempted to locate the private commerce on public property clause. Attorney Briscoe knew of nothing in writing in state laws that would apply to prohibit, but it had been an unwritten Town policy in order to not compete with private enterprise. After brief discussion, Trustee Ayers moved to approve the craft fair to take place at the Ellen Hansen Smith Center (EHSC) the second Saturday in November. Trustee Goold seconded. During discussion, Clerk Peterson indicated the sales tax process needed to be separate from the EHSC taxes due to the non-profit status of the EHSC. Motion was brought to a vote and passed unanimously.

**Public Works:** Public Works Director Loberg reported the 100 block of Onarga Avenue has been repaired. Staff has been replacing old meters with the new radio-read meters.

**Police Report:** Chief Leon reported there have been three (3) different bears in the area of the Mormon Church and reminded residents to make sure trash can lids are on tight. Mayor Schwieterman had declared an emergency on Friday to provide for exceptions to the electric fence prohibitions on a case by case basis. The Department of Wildlife has endorsed this methodology. The declaration includes a sunset clause to end on December 1, 2012.

**Finance Report:** Trustee Ayers and Wissbeck continue to review accounts payables and payroll. Trustee Wissbeck noted that the lack of proper allocations from the previous bookkeeper has incurred a significant amount of work to clean up and have been addressed.

**Parks Report:** Trustee Kleinman had nothing to report. Trustee Goold requested direction on whether the Town will be requesting proposals for the trash service and/or the parks maintenance contract. If the parks contract is awarded, then the public works staff will not have duties in the event the trash service is also contracted. Discussion resulted in no action.

**Public Safety Report:** Trustees Goold and Ayers had nothing to report.

**Street Report:** Trustee King had nothing to report.

**Water/Sewer Report:** Trustee Ferguson reported receiving the hydro feasibility study and it has been forwarded to the project engineer for the proposed new water treatment plant. Mays monitoring has been completed and the flow rates are now being received via computer.

**Personnel Report:** Trustee Wissbeck reported an employee was dismissed for just cause, understanding the position will remain in the budget to be filled. Trustee Ferguson noted the initial meeting with Ms. Schaub is this Friday.

### **Minutes:**

Corrections noted. Trustee King moved to approve the minutes of September 25, 2012 as amended. Trustee Ferguson seconded and the motion passed unanimously.

### **Disbursements:**

Trustee Wissbeck moved to pay the bills ending October 9, 2012. Trustee Ayers seconded. Trustee King asked if the disbursements have been published. Clerk Peterson affirmed they have been sent for publication. Trustee King requested to have a payroll summary in the packets. Clerk Peterson indicated it would be added for future packets. Motion was brought to a vote and passed unanimously.

7:59 p.m. Meeting adjourned.

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Town Clerk, Barbara Peterson

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Mayor, Neal Schwieterman