

Town Council Regular Meeting
Town of Paonia, Colorado
December 11, 2012

RECORD OF PROCEEDINGS

The Regular Meeting of the Town Council held Tuesday, December 11, 2012 was called to order at 7:00 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. Trustees Ferguson seconded and the motion passed unanimously.

Announcements

- None

Visitors

- None

Unfinished Business

Personnel Manual

Mayor Schwieterman noted the attorney comments have been submitted and incorporated, while there has been no response from the insurance carrier. Council concurred that if substantive changes were noted, they could be addressed at that time. Human Resource consultant, Dave Knutson indicated the intent was to make a legalistic document into a practical, readable resource for employees. After discussion regarding vacation and sick pay, the consensus was to leave the benefits as written. Mr. Knutson explained the "Employee Assistance Program" that would provide employee counseling for approximately \$6.00 per person per month. Consensus was to remove that section of the manual. Discussion regarding the "Personnel Liaison Group" ensued. The intent was to have an impartial group review employee complaints as part of an appeal process. The consensus was to change the wording to make a recommendation to Council, rather than the final authority. Lack of corresponding pager numbers was noted. Trustee Ferguson moved to adopt the personnel manual version 9 as amended. Trustee Ayers seconded. The motion passed with Trustees Goold and King voting "nay".

Bureau of Land Management (BLM) - Lease Parcels Comments

Mayor Schwieterman stated the BLM had announced on November 17, 2012 that the formal protest period for the proposed oil and gas lease parcels began. Clerk Peterson submitted a draft letter for consideration. Concerns noted were traffic, watershed protection, air quality, completion of the RMP, water quality, wildlife, irrigation, health issues and the BLM process in general. Corrections were noted. Trustee Kleinman move to have the Mayor sign the letter on behalf of the Town as amended. Trustee Goold seconded and the motion passed unanimously.

New Business

Christmas Lighting – Judge Appointment

Mayor Schwieterman appointed his wife, Liane, daughter Katya and Clerk Peterson. Judging will be done in the next week and photos supplied to the media.

Blue Sage Center – Report of Corporate Changes

Annette Pretorius was present. Chief Leon indicated no negative reports. The Blue Sage Board of Directors has changed with Judy Martin and Carolyn Ringo replacing Francois Pretorius and Randy Campbell. Trustee King moved to approve the Blue Sage Center for the Arts Report of Corporate Changes. Trustee Kleinman seconded and the motion passed unanimously.

Blue Sage Center – Liquor License Renewal

The Blue Sage Center for the Arts is requesting a renewal of the Arts Liquor license for the property located at 228 Grand Avenue. Trustee King moved to approve the renewal as presented. Trustee Kleinman seconded and the motion passed unanimously.

Budget Message

Clerk Peterson read for visitor benefit, noting departmental accomplishments for 2012.

Resolution 2012-09 – Budget Adoption

Mayor Schwieterman read for visitor benefit. Correction noted. Trustee King moved to approve Resolution 2012-09 as amended. Trustee Ferguson seconded. David Weber of 338 Delta Avenue, feels Paonia needs a Town manager for numerous reasons. Mr. Weber noted the case against former employee Chesnik regarding unsupervised activities. When the decision was made to no longer have a Town Manager, the duties were allocated among the Department Heads and the Mayor. Mr. Weber feels it is an unfair burden to have those additional responsibilities. Mr. Weber feels the town has the most expensive Police Chief in the state with the base salary, overtime and free housing. If the Town can afford the Chief, then it should be able to afford a Town Manager. Trustee Goold noted the process of determining if the Town Manager position has already begun, and he is resolved to obtain a Town manager in 2013. Trustee King indicated that the Department of Local Affairs (DOLA) has agreed to come and talk to Council regarding this matter. Council does want updated job descriptions for all positions. Chief Leon noted that the former Council member (David Weber) was involved in the evolution of his pay. The overtime was authorized by former Town manager Bill Crank and Council at that time when Chief Leon was doing two (2) job positions; Chief of Police and Public Works Director. Chief Leon was requested to vacate one position, while the pay remained the same. Every year that across-the-board pay increases were allocated, Council approved those increases. Chief Leon noted that he has been in service to Paonia for twenty (20) years. Mr. Weber said that neither the overtime, nor the housing was approved by Council. Motion was brought to a vote and passed unanimously.

Resolution 2012-10 – Set Mill Levy

Mayor Schwieterman read for visitor benefit stipulating the mill levy. Correction noted. Trustee King moved to approve Resolution 2012-10 as amended. Trustee Kleinman seconded and the motion passed unanimously.

Additional Business

Mayor's Report:

Mayor Schwieterman reported attending a statewide conservation discussion as part of the Gunnison Basin Roundtable. There is an anticipated water gap in 2050 and conservation efforts will be a part of discussed mitigation efforts.

Public Works: Public Works Director Loberg reported working on the emergency sewer line project on Third Street going towards the library.

Police Report: Chief Leon submitted a written report. Monitoring, evaluating and training will restart the beginning of the year.

Finance Report: Trustee Wissbeck reported no changes regarding the ongoing case against the former bookkeeper. Trustee Wissbeck noted the committee has been remiss in examining journal entries and will correct that. Clerk Peterson reminded Council that a motion is needed to pay the bills to the end of December 31, 2012.

Parks Report: Trustees Kleinman and Goold had nothing to report. Mayor Schwieterman noted Paonia Elementary has a climbing wall for possible donation to the Town, and Trustee Wissbeck heard the Junior High School has a sand volleyball court.

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

Street Report: Trustees King and Kleinman had anticipated meeting with the Union Pacific Railroad representative, Kelly Abaray, but the meeting was rescheduled due to weather concerns.

Water/Sewer Report: Trustees Ferguson and King had not heard from Bone Mesa regarding a request to receive radio-read information on the spring.

8:50 p.m. Trustee Goold left the meeting.

Public Works Director Loberg e-mailed a response to the Trustees regarding a cost analysis of what Bone Mesa would like to implement.

Personnel Report: Trustee Ferguson reported reviewing individual employee requests and no changes were made, but under advisement.

Minutes:

Corrections noted. Trustee Ferguson moved to approve the minutes of November 27, 2012 as amended.

8:52 p.m. Trustee Goold resumed his seat.

Trustees Kleinman seconded and the motion passed unanimously. Correction noted. Trustee Ferguson moved to accept the minutes of December 7, 2012 as amended. Trustee Wissbeck seconded and the motion passed unanimously.

Disbursements:

Trustee Wissbeck moved to pay the bills ending December 11, 2012. Trustee Kleinman seconded. Discussion noted the trail mix from Benson Brothers is for the Apple Valley Park trail. Motion was brought to a vote and passed unanimously. Trustee Wissbeck moved to pay the bills ending December 31, 2012 with Finance Committee oversight. Trustee Goold seconded and the motion passed unanimously.

Trustee Ferguson moved to go into executive session for a conference with the City/Town attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). Trustee King seconded and the motion passed with Trustee Goold voting “nay”.

8:55 p.m. Meeting recessed.

9:22 p.m. Meeting reconvened.

Participants in the executive session included Mayor Neal Schwieterman, Trustees Ayers, King, Wissbeck, Ferguson, Goold, and Kleinman; and Attorney James Briscoe. No concerns were noted.

9:23 p.m. Meeting adjourned.

Town Clerk, Barbara Peterson

Mayor, Neal Schwieterman