



Town of Paonia
214 Grand Avenue
Tuesday, August 18, 2026 6:30 PM
Board of Trustees Special Meeting Agenda
[HTTPS://US02WEB.ZOOM.US/J/83867175450](https://us02web.zoom.us/j/83867175450)
Meeting ID: 838 6717 5450

Public Participation: Please raise your hand and wait to be recognized by the Mayor, come to the podium and state your name and whether you live in town or out of town. Time limit is 3 minutes, one time per item, there are instructions at the podium for the timer light. Please direct all comments to the Mayor. No responses will be made by staff or Board during the meeting.

Please be respectful and help to maintain decorum by not engaging in derogatory and/or demeaning statements or public displays.

A) Roll Call

B) Approval of Agenda

C) Actions & Presentations

Public comments must be related to the agenda item, 3-minute time limit.

1) Consideration of Amendment #2 to Agreement with RESPEC for Pre-Construction Award Services and Construction Engineering Services

2) Consideration of Adopting Stage 2 Water Restrictions

D) Adjournment

As Adopted by:
Town of Paonia, Colorado
Resolution No. 2017-10 – Amended May 22, 2018

I. Rules of Procedure

Section 1. Schedule of Meetings. Regular Board of Trustees meetings shall be held on the second and fourth Tuesdays of each month, except on legal holidays, or as re-scheduled or amended and posted on the agenda prior to the scheduled meeting.

Section 2. Officiating Officer. The meetings of the Board of Trustees shall be conducted by the Mayor or, in the Mayor's absence, the Mayor Pro-Tem. The Town Clerk or a designee of the Board shall record the minutes of the meetings.

Section 3. Time of Meetings. Regular meetings of the Board of Trustees shall begin at 6:30 p.m. or as scheduled and posted on the agenda. Board Members shall be called to order by the Mayor. The meetings shall open with the presiding officer leading the Board in the Pledge of Allegiance. The Town Clerk shall then proceed to call the roll, note the absences and announce whether a quorum is present. Regular Meetings are scheduled for three hours, and shall be adjourned at 9:30 p.m., unless a majority of the Board votes in the affirmative to extend the meeting, by a specific amount of time.

Section 4. Schedule of Business. If a quorum is present, the Board of Trustees shall proceed with the business before it, which shall be conducted in the following manner. Note that all provided times are estimated:

- (a) Roll Call - (5 minutes)
- (b) Approval of Agenda - (5 minutes)
- (c) Announcements (5 minutes)
- (d) Recognition of Visitors and Guests (10 minutes)
- (e) Consent Agenda including Approval of Prior Meeting Minutes (10 minutes)
- (f) Mayor's Report (10 minutes)
- (g) Staff Reports: (15 minutes)
 - (1) Town Administrator's Report
 - (2) Public Works Reports
 - (3) Police Report
 - (4) Treasurer Report
- (h) Unfinished Business (45 minutes)
- (i) New Business (45 minutes)
- (j) Disbursements (15 minutes)
- (k) Committee Reports (15 minutes)
- (l) Adjournment

* This schedule of business is subject to change and amendment.

Section 5. Priority and Order of Business. Questions relative to the priority of business and order shall be decided by the Mayor without debate, subject in all cases to an appeal to the Board of Trustees.

Section 6. Conduct of Board Members. Town Board Members shall treat other Board Members and the public in a civil and polite manner and shall comply with the Standards of Conduct for Elected Officials of the Town. Board Members shall address Town Staff and the Mayor by his/her title, other Board Members by the title of Trustee or the appropriate honorific (i.e.: Mr., Mrs. or Ms.), and members of the public by the appropriate honorific. Subject to the Mayor's discretion, Board Members shall be limited to speaking two times when debating an item on the agenda. Making a motion,

asking a question or making a suggestion are not counted as speaking in a debate.

Section 7. Presentations to the Board. Items on the agenda presented by individuals, businesses or other organizations shall be given up to 5 minutes to make a presentation. On certain issues, presenters may be given more time, as determined by the Mayor and Town Staff. After the presentation, Trustees shall be given the opportunity to ask questions.

Section 8. Public Comment. After discussion of an agenda item by the Board of Trustees has concluded, the Mayor shall open the floor for comment from members of the public, who shall be allowed the opportunity to comment or ask questions on the agenda item. Each member of the public wishing to address the Town Board shall be recognized by the presiding officer before speaking. Members of the public shall speak from the podium, stating their name, the address of their residence and any group they are representing prior to making comment or asking a question. Comments shall be directed to the Mayor or presiding officer, not to an individual Trustee or Town employee. Comments or questions should be confined to the agenda item or issue(s) under discussion. The speaker should offer factual information and refrain from obscene language and personal attacks.

Section 9. Unacceptable Behavior. Disruptive behavior shall result in expulsion from the meeting.

Section 10. Posting of Rules of Procedure for Paonia Board of Trustees Meetings. These rules of procedure shall be provided in the Town Hall meeting room for each Board of Trustees meeting so that all attendees know how the meeting will be conducted.

II. Consent Agenda

Section 1. Use of Consent Agenda. The Mayor, working with Town Staff, shall place items on the Consent Agenda. By using a Consent Agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a Consent Agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

Section 2. General Guidelines. Items for consent are those which usually do not require discussion or explanation prior to action by the Board, are non-controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items may include ministerial tasks such as, but not limited to, approval of previous meeting minutes, approval of staff reports, addressing routine correspondence, approval of liquor licenses renewals and approval or extension of other Town licenses. Minor changes in the minutes such as non-material Scribner errors may be made without removing the minutes from the Consent Agenda. Should any Trustee feel there is a material error in the minutes, they should request the minutes be removed from the Consent Agenda for Board discussion.

Section 3. Removal of Item from Consent Agenda. One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the

Consent Agenda or placed later on the agenda, at the discretion of the Board.

III. Executive Session

Section 1. An executive session may only be called at a regular or special Board meeting where official action may be taken by the Board, not at a work session of the Board. To convene an executive session, the Board shall announce to the public in the open meeting the topic to be discussed in the executive session, including specific citation to the statute authorizing the Board to meet in an executive session and identifying the particular matter to be discussed "in as much detail as possible without compromising the purpose for which the executive session is authorized." In the event the Board plans to discuss more than one of the authorized topics in the executive session, each should be announced, cited and described. Following the announcement of the intent to convene an executive session, a motion must then be made and seconded. In order to go into executive session, there must be the affirmative vote of two thirds (2/3) of Members of the Board.

Section 2. During executive session, minutes or notes of the deliberations should not be taken. Since meeting minutes are subject to inspection under the Colorado Open Records Act, the keeping of minutes would defeat the private nature of executive session. In addition, the deliberations carried out during executive session should not be discussed outside of that session or with individuals not participating in the session. The contents of an executive session are to remain confidential unless a majority of the Trustees vote to disclose the contents of the executive session.

Section 3. Once the deliberations have taken place in executive session, the Board should reconvene in regular session to take any formal action decided upon during the executive session. If you have questions regarding the wording of the motion or whether any other information should be disclosed on the record, it is essential for you to consult with the Town Attorney on these matters.

IV. Subject to Amendment

Section 1. Deviations. The Board may deviate from the procedures set forth in this Resolution, if, in its sole discretion, such deviation is necessary under the circumstances.

Section 2. Amendment. The Board may amend these Rules of Procedures Policy from time to time.

Town of Paonia, Colorado

Memorandum

To: Mayor and Board of Trustees
From: Greg Sund
CC: N/A

Subject: Agenda Memo for August 18, 2026 Special Meeting

Special Meeting

1. Construction Engineering Agreement with RESPEC for Raw Water Monitoring Project

As I described during the regular meeting on August 11, construction engineering is a normal process for infrastructure projects. In the case of this project, which the Colorado Department of Public Health and Environment (CDPHE) considers the second stage of a single funding stream for the 2 Million Gallon Tank Rehab project, the Raw Water Monitoring Project, and the Western Loop Project, we fall under all State and Federal reporting requirements for these projects which can get rather involved. In this case, we must follow Davis Bacon Wage Rules, American Iron and Steel (AIS), and Buy American Buy American (BABA). While we require the contractor to report on all of these requirements, someone needs to keep track on the part of the Town to ensure all of the proper reporting is submitted to CDPHE. Because an outdated copy of the Amendment was inserted in the last meeting packet, we have replaced it with the accurate one. The cost of this amendment falls in the range of typical costs for engineering. I recommend approval.

MOTION: To Approve Amendment 2 to the current agreement from Respec for pre-construction and construction engineering services for the Raw Water Monitoring Project.

2. Resolution 19-26 Enacting Phase Two Water Restrictions

We have reached the point where we need to move the Town to Phase Two Water Restrictions. As is described in the resolution and was reported on August 11, the weekend after the irrigation channels in Town were shut down, residents used so much Town water for irrigation that the use pulled down the water in the 2 million gallon tank by four feet. Jordan Redden reported that the system is currently capable of producing 250,000 gallons per day and use far exceeded our ability to treat water. As the summer runs on, it is typical to lose production experienced in the Spring and this year's years extreme drought is probably adding a further effect. For this reason, the added restrictions described in the resolution will mean no more lawn watering and will limit bulk water sales to 300 gallons per day per customer. I recommend approval.

MOTION: To adopt Resolution 19-26 which enacts Phase Two Water Restrictions.

Greg Sund
Interim Town Administrator

AMENDMENT #2

This is **AMENDMENT #2**, dated 08/04/2026, consisting of 5 pages (not including attachments), referred to in and part of the **Agreement between ENGINEER and CLIENT (TOWN) for Professional Services relative to the "Phase I – Water System Improvements"** dated September 27th, 2023. Note that all services provided under this amendment shall be billed at the 2026 Billing Rate Schedule according to RESPEC Company, LLC (see attached).

The original Agreement dated September 27, 2023, is hereby amended as follows:

1. **TASK 1: Pre-Construction Award Services** – Provide assistance during the contractor negotiation process following the bidding process to include the following:
 - » Provide guidance on schedule and contractor qualifications for the work.
 - » Attend pre-construction meeting and site walk through.
 - » Coordination with Drinking Water Revolving Fund to discuss pre-construction documents that need to be submitted for administration tracking.
 - » Review contracts, Notice of Award, Notice to Proceed, contractor requirements, schedules, and initial submittals from contractor. Prepare three sets of contract documents for signature at pre-construction meeting.
 - » ENGINEER will maintain the primary submittal tracking log. Prior to providing approval for submittals, ENGINEER will give TOWN the opportunity to review and comment on submittals if desired.
 - » Attend virtual meetings with Town and selected Contractor. Conduct correspondence with contractor to discuss contracts, pre-construction requirements, and coordinate pre-construction meeting as necessary.
 - » Compile and prepare Issue for Construction (IFC) drawing set prior to construction.

The final estimated cost for preconstruction is estimated at: **\$18,000.**

2. **TASK 2: Construction Engineering Services** – note that the duration of the proposed construction services to be provided by RESPEC Company, LLC is largely dependent upon the duration of the construction and competence of the general contractor, both of which are out of the control of RESPEC Company, LLC. However, to estimate a final scope of fees for construction services, RESPEC Company, LLC has estimated a construction duration of:

Six (6) months, or twenty-six (26) weeks. RESPEC is assuming that it will provide four (2) two-day on-site inspection events for one person, including documentation (i.e., construction logs and photos), Davis-Bacon interviews, weekly construction meeting, for a total of 80 hours. If the Town feels that it can provide additional inspection support or Davis-Bacon interviews, then this interval can be reduced.

Please also note that the proposed inspection services **do not** include the following:

- » Materials testing (i.e., concrete testing, backfill soils compaction testing, if necessary)
- » Surveying
- » On-site as-built redlines (RESPEC will prepare final record drawings for AutoCAD based on contractor provided redlines)
- » Direct communication with residents
- » Construction management
- » Submittal of pay application reimbursements to DWRP and DOLA. This is anticipated to be facilitated by the Town.

It is anticipated that materials testing will be coordinated by the contractor and paid for directly by the Town. It is anticipated that the contractor will provide surveying and as-built redlines as well as partner with the Town on direct communication with the Town. The final estimated cost for construction engineering services is estimated at: **\$75,000.**

DETAILED DESCRIPTION OF CONSTRUCTION ENGINEERING SERVICES:

- / Conduct Davis-Bacon interviews on-site with general contractor. If Paonia feels that it can conduct these interviews, then this will help reduce construction engineering services. RESPEC Company, LLC anticipates holding these interviews once per month in conjunction with one of the four planned in-person construction meetings. Note that Davis-Bacon interviews need to be conducted every month during the duration of the project in conjunction with monthly pay applications. Currently, RESPEC is planning on conducting four Davis-Bacon interviews during the estimated 6-month construction window. Either Paonia can conduct the interviews during the other two months, or they may not be needed if no labor occurs during these months.
- / Review submittals for compliance with the contract documents and American Iron and Steel Requirements as submitted by the contractor.
- / Answer Contractor RFI's, prepare Field Orders, prepare Change Orders.
- / Town will provide final approval on all proposed change orders.
- / Provide remote construction coordination with the Town and CONTRACTOR. This specific activity is on an as needed basis.
- / This coordination and project correspondence also includes coordination of all materials testing agencies (to be contracted directly with the Town, if necessary).
- / Site Visits: Make site visits as necessary throughout construction to record construction progress, provide observation documentation, witness testing, and coordinate with TOWN and CONTRACTOR on specific requests. Following each site visit, a formal observation log and photo log will be created. This Scope has estimated four total site visits over the course of the project, one of which will coincide with the weekly progress meetings.
- / Weekly Progress Meetings: Attend weekly progress meetings virtually when not in-person. It is assumed that construction meetings will occur on a weekly basis for 26 weeks

- / ENGINEER shall attend weekly progress meetings. Currently, site observation personnel and project manager are anticipated to attend progress meetings whether virtual or in-person.
- / Pay Applications: ENGINEER shall review all pay applications. This will include reviewing certified Davis-Bacon payrolls and including AISC certifications for all equipment and materials that require an AISC. Keep track of AISC log for each pay application.
- / Substantial / Final Completion / Punch-list:
 - » Prepare certificate of substantial completion.
 - » Participate in initial walkthrough.
 - » Review punch list item provided by TOWN's representative.
 - » Participate in final walkthrough.
 - » Prepare a Letter of Final Acceptance once the work is satisfactorily completed.
 - » Final Payment / Advertisement
 - » Obtain and review lien waivers from CONTRACTOR
 - » Prepare the advertisement of Final Payment, which the TOWN will publish for the required two (3) week period in the legal section of the local paper.
- / Close-out Documents:
 - » Operation and Maintenance manual review. ENGINEER will review the O&M manual as received by the CONTRACTOR
 - » As-Built Drawing Review. ENGINEER shall review the As-Built drawings provided by the CONTRACTOR.
 - » Record Drawings. ENGINEER shall incorporate the As-Built markups from the CONTRACTOR into a record drawing set for the TOWN.
 - » Prepare as-built certification for CDPHE and send as-construction certification form and send to CDPHE upon final approval.
- / Mileage and lodging/Per Diem: Mileage and lodging will be billed for all trips to the project site.
- / Per Diem will be billed per standard rates

ASSUMPTIONS:

- / The project schedule is assumed to last 26 weeks (6 months) after mobilization by CONTRACTOR to the site.
- / Budget assumes 26 weekly construction meetings with 1-hrs allotted per meeting for two attendees with RESPEC. Both the site inspector and project manager will attend these meetings virtually unless otherwise scheduled.
- / All fees are estimates to be billed on a time and material basis. If the number of site visits, progress meetings, or time to complete items exceed the amount outlined in the above scope, the TOWN will be notified. If at that time, the TOWN requests additional meetings or visits, they will be billed in accordance with our hourly rate scheduled (attached) or through an addendum to this Statement of Services.
- / Proposed fees include travel and per diem expenses for the duration and frequency of onsite support noted.

- / All fees will be billed according to billed at 2026 rates until end of year. Annual rate increases will not exceed 5%.

TOWN'S RESPONSIBILITIES:

- / Inspect defective work and reject (if necessary) – TOWN or TOWN's representative shall attend any meetings requested by ENGINEER after identifying potentially defective work. TOWN shall be involved in the final decisions and solutions.
- / Construction Observations of the project when the ENGINEER'S inspector is not on-site
- / Coordination and communication with the CONTRACTOR will be direct to the TOWN or the TOWN's representative.
- / TOWN is to communicate any comments or concerns directly to ENGINEER. Coordination between TOWN and the contractor, as mentioned above, will be through TOWN to ensure that all dialogue is consistent with no conflicting information sources. All documentation, meetings, information, and correspondence will emanate through TOWN or the TOWN's representative.
- / Review change orders and pay applications for final approval.
- / Issue all final documentation from the Town (including final approvals, official documentation on time extension or change order requests, and issue final decisions on all construction discrepancy issues).
- / Coordinate with CONTRACTOR on activities which may interfere with TOWN's system operation (or vice versa).
- / Coordinate with contractor regarding safety concerns or activities while on the project site.
- / Testing: All construction and material testing shall be coordinated by the contractor through the TOWN.
- / Reviewing all testing results for compliance with the design and specifications shall be through the TOWN and the TOWN's representative.

The final estimated cost for all Construction Services described above is estimated at **\$93,000.**

EXCLUSIONS

- / Services not specifically addressed herein. If construction services are expected to exceed approved budget, RESPEC shall notify Town at 80% of budget allowance.
- / Permitting fees due to all agencies having jurisdiction.
- / Change order expenses: Change order expenses will be incorporated into change order, or at the time of the change order request.
- / Site visits in addition to those proposed herein.
- / Third party testing. To be coordinated by contractor and paid for by the Town, if necessary.

Add the following sentence to the end of the third paragraph, pard 3.f.:

Amendment No. 2 to the Master Services Agreement is attached and is made a part hereof.

Add Section below to the overall Scope of Services in Attachment C:

For Additional Services under Attachment C Scope of Services – Phase I Water System Improvements

– The Town of Paonia, as set forth in Amendment No. 2 to the Master Services Agreement, CLIENT shall pay CONSULTANT for time and expenses not to exceed **\$93,000**

Task	Description	Fee
Task 1	BIDDING AND PRECONSTRUCTION SERVICES	\$18,000
Task 2	CONSTRUCTION ENGINEERING SERVICES	\$75,000
SUB-TOTALS		\$93,000

IN WITNESS WHEREOF, the parties hereto have executed this Amendment, the Effective Date of which is indicated by the date first signed below.

RESPEC Company, LLC

Town of Paonia

By Douglas E. Schwenke
Digitally signed by Douglas E. Schwenke
DN: C=US, E=Douglas.schwenke@respec.com,
O=RESPEC Company, LLC, OU=Water Practice,
CN=Douglas E. Schwenke
Date: 2026.08.04 15:18:31-06'00'

By _____

Printed Name Douglas Schwenke, PE

Printed Name _____

Title Practice Lead

Title _____

Date 08/04/2026

Date _____

Addresses for giving notices:

Addresses for giving notices:

5540 Tech Center Drive, Suite 100

214 Grand Ave

Colorado Springs, CO 80919

PO BOX 460

Paonia, CO 81428

**TOWN OF PAONIA
RESOLUTION NO. 19-26**

A RESOLUTION TO MOVE TO PHASE TWO WATER RESTRICTIONS IN THE TOWN OF PAONIA.

WHEREAS, Paonia is experiencing severe drought conditions, and

WHEREAS, the irrigation channels in Town have been shut down for the season, and

WHEREAS, the Town has experienced considerable increases in the use of water since the irrigation channels have shut down to the extent that the Town's main water tank dropped about four feet over the weekend following the shut down of the irrigation channels, and

WHEREAS, the Town's artesian springs slow water production as the summer advances, and

WHEREAS, the draw down of the water tank means people were using considerably more water than the Town's major springs can produce at this time of the year,

NOW, THEREFORE, BE IT RESOLVED that the Town is moving to Phase Two Water Restrictions which means from this point on no watering of lawns from Town Water will be allowed, and

BE IT FURTHER RESOLVED that use of the Town's bulk water station is now limited to 300 gallons per day per customer.

PASSED AND ADOPTED this 18th day of August, 2026.

Sheree Fischer, Mayor of Paonia

ATTEST:

Samira M Vetter, Town Clerk