



TOWN OF PAONIA
214 GRAND AVENUE
REGULAR TOWN BOARD MEETING AGENDA
TUESDAY, MAY 14, 2024 6:30 PM
[HTTPS://US02WEB.ZOOM.US/J/85302545857](https://us02web.zoom.us/j/85302545857)
MEETING ID: 853 0254 5857

Public Participation: Must raise hand and be recognized by the Mayor, come to the podium and state your name and the street on which you live. Time limit is 3 minutes, one time per item. Direct all comments to the Mayor. No responses will be made by staff or Board during the meeting. No derogatory or demeaning statements or public displays. Please be respectful.

Roll Call

Approval of Agenda

Announcements

[Proclamation](#) for Mental Health Month 2024

Public Comment

Any topic not included under Actions & Presentations; 3-minute time limit.

Consent Agenda

[April](#) 23, 2024 Regular Meeting Minutes

Disbursements

[LLL](#) 2024-107 One Thirty-Three LLC dba West Elk Wine & Spirits - Liquor License Renewal

[SEP](#) 2024-06 The Learning Council - Special Event Liquor License

Staff Reports

May Town Administrator & Treasurer's Report

[Police](#) Chief

Actions & Presentations

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

[Agenda](#) Item #1 **Public Hearing**

Consideration of Variance to the setbacks at 231 & 235 Box Elder Avenue for the construction of an ADA ramp for access into Paonia Christian Fellowship Church.

[Agenda](#) Item #2 Updated SBA Lease Agreement for Cell Tower on P-Hill

[Agenda Item #3 Presentation:](#) Parking Limits on Grand Avenue - Laura Chittenden

[Agenda](#) Item #4 Consideration of Appointing an Interested Applicant to the Vacant Seat on the Board of Trustees.

[Agenda](#) Item #5 Consideration of Approval of the Board of Trustees to endorse a Trustee to join the Colorado Municipal League Executive Board - Trustee Stelter

[Agenda](#) Item #6 Board Committee Discussion & Consideration of Adoption of Resolution 2024-09 Roles of Board Committees - Mayor Smith

[Agenda](#) Item #7 Consideration of Adoption of Resolution 2024-08 Authorized Signatories

[Agenda](#) Item # 8 Appreciations Proposal - Trustee Swartz

Mayor & Trustee Reports

[Mayor's](#) Report

Adjournment

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 contexts 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.

Proclamation

Mental Health Month 2024

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, According to Colorado Health Institute, Colorado has the nation's sixth highest suicide rate; and

WHEREAS, all individuals face challenges in life that can impact their mental health, therefore it is our duty as a community to help reduce stigma in seeking professional help for mental health support; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there are practical tools that all people can use to improve their mental health and increase resiliency; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, health care provider, organization and citizen share the burden of mental health problems and has a responsibility to promote mental wellness and support prevention and treatment efforts.

WHEREAS, organizations like Tri-County Health Network fight all year, not just in May, to bring mental health awareness to the forefront and offer programs and services to the community to address mental health needs.

THEREFORE, I, Mayor Paige Smith, do hereby proclaim May 2024 as Mental Health Month in Paonia, Colorado. As the Mayor, I also call upon the citizens, government agencies, public and private institutions, businesses, and schools in Paonia to commit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, reducing stigma around seeking help, and the need for appropriate and accessible services for all people with mental health conditions.

Paige Smith, Mayor

Attest:

Samira M Vetter, Town Clerk

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
April 23, 2024

RECORD OF PROCEEDINGS

Mayor Bachran calls the meeting to order at 6:30 pm

Roll Call

PRESENT
Mayor Bachran
Mayor Pro-Tem Dave Knutson
Trustee John Valentine
Trustee Rick Stelter
Trustee Kathy Swartz
Trustee Morgan MacInnis
Trustee Smith

Approval of Agenda

Mayor Pro-Tem Knutson makes a motion, seconded by Trustee Smith, to approve the agenda.
The motion carries unanimously.

Announcements

Trustee Stelter explains the process and benefits of being on the Colorado Municipal League Executive Board.
Town Administrator Wynn announces a speed trailer on 3rd Street for the weekend.
Town of Paonia was awarded the Water Smart Grant for \$250,000.
Trustee Swartz thanks Shane Smith and Christina Patterson for the flowers in front of Town Hall.

Public Comment

Any topic not included under Actions & Presentations; 3-minute time limit.
P. McCarthy: Comments about STR/ADU's.

Consent Agenda

Trustee Stelter makes a motion, seconded by Trustee Swartz, to approve the consent agenda.
The motion carries unanimously.

Staff Reports

Town Administrator Wynn provides highlights on the departmental scorecard.

Actions & Presentations

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

Public Hearing

Consideration of the Application from Double Shot Twins LLC to Rezone the Parcels at 215 North Fork Avenue.

Mayor Bachran opens the public hearing at 6:39 pm.

Clerk Vetter confirms proper notification

Mayor Bachran asks for any conflicts of interest or disclosures from the Board.

No disclosures are given.

Lori Mason for Double Shot Twins LLC presents her reasoning for requesting the rezoning.

Public Comment:

S. Watson: speaks as a nay vote on the planning commission, cites errors in the staff report, zoning map and incompatibility in surrounding zoning.

Public Hearing is closed at 6:52 pm

Mayor Bachran admits items as evidence.

There were no objections.

Mayor Pro-Tem Knutson comments about the lateness of the staff report at the Planning Commission but thinks the new one was timely and that rezoning makes sense.

Trustee Stelter talks about when it was oil storage and how nice that has been cleaned up, feels it makes sense residential.

Trustee Smith comments that error in zoning or not does not undo what the properties potential is.

Trustee MacInnis wonders feels that this would increase the character of the neighborhood and creating more homes is good in the housing crisis.

Trustee Smith makes a motion, seconded by Trustee Stelter to adopt Ordinance 2024-02 Rezoning 215 North Fork Avenue.

The motion carries unanimously.

Public Hearing

Consideration of the Application for a Change of Use for a Room at the Property at 130 Grand Avenue from a Community Space for Tenants to a Bar Open to the Public.

Mayor Bachran opens the public hearing at 6:56 pm.

Town Clerk Vetter confirms proper notification.

Mayor Bachran asks if the Board has any disclosures.

Trustee MacInnis discloses that he has had impromptu conversations with the applicant in the course of business and thinks he should recuse himself.

Trustee Stelter discloses that his son has been employed by the applicants during their remodel and will recuse himself.

Town Administrator Wynn expands about the parking minimums and agreements.

Rene Verduin (applicant) & Steve Wilson (contractor) are sworn to tell the truth.

They talk about their plans, the parking, the amount of area they want to change the use on and also add that they are more than willing to enter into the parking agreement.

Public Comment:

R. Arthur: owner of store in the 100 block of grand, speaks in favor of the change of use.

M. Morgan: owner of Paonia farm and home comments in favor of the change of use.

S. Guerro: speaks in favor of the change of use.

K. Goodwin: speaks in favor of the change of use.

M. Brezonick: comments in support of the change of use and against past inconsistent application of parking requirements.

Mayor Bachran closes the public hearing at 7:12 pm

Trustee Knutson ask questions about the parking agreement.

Trustee Smith asks questions about requested conditions and parking agreements.

Trustee Swartz asks about the projected date of finishing the project.

Trustee Swartz makes a motion, seconded by Trustee Smith to approve SRV 2024-01 because the plan substantially conforms to the Comprehensive (Master) Plan, the review criteria and performance standards as required by the Paonia Municipal Code have been met by the applicant; with the following conditions: that the applicant completes an off street parking agreement with the Town of Paonia prior to receiving a temporary or permanent certificate of occupancy, that any future uses of combination of uses that aren't allowable by right receive a special review and that parking calculations are also adjusted for future uses, and that the applicant completes the improvements on or before October 23rd, 2024

Aye: Trustee Smith, Trustee Swartz, Trustee Valentine and Mayor Pro-Tem Knutson.

Recused: Trustee Stelter & Trustee MacInnis

The motion carries unanimously.

Agenda Item 1: Affirmation of New Board Mayor & Trustee's

Town Clerk Vetter swears in Mayor Paige Smith and Trustees Kathy Swartz, Bill Brunner and Walter Czech.

Agenda Item 2: Recognition of Outgoing Mayor and Trustees

Town Administrator Wynn thanks outgoing Mayor Mary Bachran, Mayor Pro-Tem Dave Knutson and Trustee Morgan MacInnis for their service to the Town of Paonia and its citizens.

A short recess is taken to celebrate the incoming and outgoing Board members.

Mayor Smith calls the meeting back to order at 7:45 pm

Presentation

Status Update from Phoenix Rising Resources on the Comprehensive Plan

Mayor Smith calls the meeting back to order at 7:45 pm

Jess Dervin-Ackerman presents on the current progress of the Comprehensive (Master) Plan.

Agenda Item 3: Resolution Declaring Vacancy on Board of Trustees

Clerk Vetter explains the options that the Board has to fill the vacant seat created by Trustee Smith becoming Mayor.

Public Comment:

C. Patterson: speaks in favor of the Resolution

Trustee Swartz comments that she did talk to Linda McCone and she is not willing to take the vacant seat.

Trustee Brunner makes a motion, seconded by Trustee Stelter to accept Resolution 2024-04 Declaring a Vacancy on the Board of Trustees.

The motion carries unanimously.

Agenda Item 4: Board Appointment of Mayor Pro-Tem

Public Comment:

C. Patterson: suggests Trustee Brunner for Mayor Pro-Tem.

M. Bachran: suggests a person who has been on the Board the longest.

Board Discussion:

Trustee Stelter makes a motion, seconded by Trustee Czech, to appoint John Valentine Mayor Pro-Tem.

The motion carries unanimously.

Consideration of Approval of Resolution 2024-05: Appointment of Officers

Board discussion includes delaying decision to another meeting, finding an outside Treasurer, staff qualifications and personnel matters.

Trustee Stelter makes a motion, seconded by Mayor Pro-Tem Valentine, to approve Resolution 2024-05 Appointment of Officers

Voting Aye: Mayor Pro-Tem Valentine, Trustee Swartz, Trustee Czech, Trustee Stelter

Voting Nay: Trustee Brunner

Consideration of Approval of Resolution 2024-06: Authorized Signatories on Accounts
Trustee Swartz makes a motion, seconded by Trustee Stelter, to approve Resolution 2024-06 Authorized Signatories on Accounts.

The motion carries unanimously.

Appointing the Mayor and one other Board Member as well as two in-town Community Members to the Planning Commission

Trustee Swartz makes a motion, seconded by Trustee Stelter to lay this agenda item on the table until after the Board Appointments to Committees item.

The motion carries unanimously.

Board Appointments to Committees and Local Government Designee to the Energy & Carbon Management Commission.

Trustee Swartz volunteers to be on the finance committee and Mayor Smith also volunteers to stay on the finance committee.

Trustee Stelter makes a motion, seconded by Mayor Pro-Tem Valentine, to appoint Mayor Smith and Trustee Swartz to the Finance Committee until the next Board member is seated.

The motion carries unanimously.

Planning Commission Appointments (*returned to*)

Mayor Smith asks for any volunteers to the Planning Commission.

Trustee Brunner volunteers for the Planning Commission.

Mayor Smith appoints Trustee Brunner to the Planning Commission.

Mayor Smith appoints Lyn Howe and Peter McCarthy to the Planning Commission.

Agenda Item #9 Consideration of Caselle Module for Community Development Suite - Permitting, Planning & Zoning, Approvals & Notifications; and Code Enforcement.

Town Administrator Wynn provides background on the modules and how it will benefit staff.

Public Comment:

M. Bachran: comments in support

P. McCarthy: questions about whether it is public facing.

Board members ask about yearly costs and staff time to implement.

Trustee Swartz makes a motion, seconded by Mayor Pro-Tem Valentine, to accept the proposal from Caselle in an amount not to exceed \$21,610.

The motion carries unanimously.

Agenda Item #10 Consideration of Selecting a Consultant for RFP 2024-01 Municipal Code Revision

Public Comment:

M. Bachran: comments in favor of Sustainable Futures

L. Howe: Comments on how exciting it is that we are hiring professionals to fix code.

Board: timelines, high scores, new goals, breaking up into pieces, zoning moratorium, professional vs non-professional help with the Code, confidence in Sustainable Futures.

Trustee Brunner makes a motion to hire Sustainable Futures with the October timeline and directing the Town Administrator and Town Attorney to begin negotiations.

Motion dies for lack of second

Trustee Stelter makes a motion, seconded by Mayor Pro-Tem Valentine to approve the proposal for Sustainable Futures and directing the Town Administrator and the Town Attorney to begin negotiations on the contract.

Voting Aye: Trustee Stelter, Mayor Pro-Tem Valentine and Trustee Czech

Trustee Swartz asks if it is too late to Amend the motion.

Trustee Stelter makes a motion, seconded by Trustee Brunner, to reconsider the question.

The motion carries unanimously

Trustee Swartz makes a motion to accept the proposal from Sustainable Futures, making it clear that the Board would prefer a completion date earlier than the date proposed but providing some flexibility and directing the Town Administrator and Town Attorney to move forward with contract negotiations.

The motion carries unanimously.

Mayor & Trustee Reports

Adjournment

Mayor Smith adjourns the meeting at 9:15 pm.

Samira M Vetter, Town Clerk

Mary Bachran, Mayor

DRAFT

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
ADP, INC								
1352	ADP, INC	659350156	PROCESS CHARGES FOR PERI	04/19/2024	21.57		10-41-20 LEGAL, ENGINEERING & PR	04/30/2024
1352	ADP, INC	659350682	PROCESSING CHARGES FOR	04/19/2024	79.50		10-41-20 LEGAL, ENGINEERING & PR	04/30/2024
Total ADP, INC:					101.07			
AFLAC								
749	AFLAC	752640	AFLAC ACH	04/25/2024	97.08		10-0225 AFLAC COVERAGE	04/30/2024
Total AFLAC:					97.08			
AMAZON BUSINESS								
1341	AMAZON BUSINESS	1Y77-QNTX-JF	PUBLIC SAFETY BATTERY	05/01/2024	510.00		10-42-23 VEHICLE EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SAFETY FLARES	05/01/2024	291.50		10-42-23 VEHICLE EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	VEHICLE INSPECTION MIRROR	05/01/2024	59.99		10-42-16 OPERATING SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	FLASH DRIVES	05/01/2024	27.99		10-42-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	ROBERT'S RULES BOOKS	05/01/2024	71.91		10-41-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	BINDERS	05/01/2024	39.98		10-41-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	DYMO REPLACEMENT BATTER	05/01/2024	19.90		10-42-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	LITHIUM COIN CELL BETTERIE	05/01/2024	7.72		10-42-16 OPERATING SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	DYMO LABELS	05/01/2024	14.32		10-41-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	KEYBOARD	05/01/2024	159.99		10-41-74 MACHINERY & EQUIPMENT	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	MOUSE	05/01/2024	39.99		10-41-74 MACHINERY & EQUIPMENT	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SHOP LIGHTS	05/01/2024	24.39		10-46-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SHOP LIGHTS	05/01/2024	24.40		10-45-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SHOP LIGHTS	05/01/2024	24.40		70-51-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SHOP LIGHTS	05/01/2024	24.40		80-52-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SHOP LIGHTS	05/01/2024	24.40		60-50-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	BLACK CARDSTOCK	05/01/2024	9.99		10-41-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	LIME CARDSTOCK	05/01/2024	15.99		10-41-15 OFFICE SUPPLIES	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	DISPOSABLE GLOVES	05/01/2024	39.66		70-51-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	DISPOSABLE GLOVES	05/01/2024	39.66		80-52-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	DISPOSABLE GLOVES	05/01/2024	39.67		60-50-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	RADIATOR SHROUD AIR DEFLE	05/01/2024	1.19		70-51-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	RADIATOR SHROUD AIR DEFLE	05/01/2024	1.20		80-52-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	RADIATOR SHROUD AIR DEFLE	05/01/2024	1.20		60-50-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	RADIATOR SHROUD AIR DEFLE	05/01/2024	1.20		10-46-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	RADIATOR SHROUD AIR DEFLE	05/01/2024	1.20		10-45-25 SHOP EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	ANTI SLIP TAPE	05/01/2024	15.95		10-45-22 REPAIRS & MAINTENANCE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	BINDER DIVIDERS	05/01/2024	13.21		10-41-15 OFFICE SUPPLIES	05/31/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
1341	AMAZON BUSINESS	1Y77-QNTX-JF	FAUCETS	05/01/2024	310.95		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	OBD2 SPLITTER	05/01/2024	69.00		10-42-23 VEHICLE EXPENSE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	GROUND GRID	05/01/2024	198.35		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	SHIPPING & HANDLING	05/01/2024	126.28		10-41-17 POSTAGE	05/31/2024
1341	AMAZON BUSINESS	1Y77-QNTX-JF	PROMOTIONAL DISCOUNTS	05/01/2024	108.31-		10-41-15 OFFICE SUPPLIES	05/31/2024
Total AMAZON BUSINESS:					2,141.67			
Archuleta, Benny								
1245	Archuleta, Benny	ARCH5-1-2024	ORC MONTHLY CHARGES	05/01/2024	1,500.00		60-50-42 CONTRACT SERVICES	05/31/2024
Total Archuleta, Benny:					1,500.00			
Black Hills Energy								
987	Black Hills Energy	0878832035-0	GAS UTILITIES - 600 4TH STRE	04/19/2024	192.18		10-46-28 UTILITIES	04/30/2024
987	Black Hills Energy	5058039592-0	GAS UTILITIES - 403 2ND STRE	04/19/2024	63.23		10-45-28 UTILITIES	04/30/2024
987	Black Hills Energy	5058039592-0	GAS UTILITIES - 403 2ND STRE	04/19/2024	63.24		10-46-28 UTILITIES	04/30/2024
987	Black Hills Energy	5058039592-0	GAS UTILITIES - 403 2ND STRE	04/19/2024	126.48		60-50-28 UTILITIES	04/30/2024
987	Black Hills Energy	5058039592-0	GAS UTILITIES - 403 2ND STRE	04/19/2024	126.48		70-51-28 UTILITIES	04/30/2024
987	Black Hills Energy	5058039592-0	GAS UTILITIES - 403 2ND STRE	04/19/2024	126.48		80-52-28 UTILITIES	04/30/2024
987	Black Hills Energy	5315712897-0	GAS UTILITIES - 214 GRAND AV	04/19/2024	46.67		10-41-28 UTILITIES	04/30/2024
987	Black Hills Energy	5315712897-0	GAS UTILITIES - 214 GRAND AV	04/19/2024	46.67		60-50-28 UTILITIES	04/30/2024
987	Black Hills Energy	5315712897-0	GAS UTILITIES - 214 GRAND AV	04/19/2024	46.67		70-51-28 UTILITIES	04/30/2024
987	Black Hills Energy	5315712897-0	GAS UTILITIES - 214 GRAND AV	04/19/2024	46.68		80-52-28 UTILITIES	04/30/2024
987	Black Hills Energy	9843021504-0	GAS UTILITIES - 41576 LAMBO	04/19/2024	130.37		60-50-28 UTILITIES	04/30/2024
Total Black Hills Energy:					1,015.15			
Bolinger & Queen Inc								
14	Bolinger & Queen Inc	134471/1	COUPLER & BE IPS FOR APPLE	04/25/2024	151.26		10-46-22 REPAIRS & MAINTENANCE	04/30/2024
Total Bolinger & Queen Inc:					151.26			
Bruin Waste								
1307	Bruin Waste	1804057	PORT-A-POTTY - LAMBORN ME	05/01/2024	99.75		60-50-24 RENTALS	05/31/2024
1307	Bruin Waste	1804060	PORT-A-POTTY 332 4TH STREE	05/01/2024	231.00		10-46-24 RENTALS	05/31/2024
1307	Bruin Waste	1804102	PORT-A-POTTY 40571 O ROAD	05/01/2024	168.00		10-46-24 RENTALS	05/31/2024
Total Bruin Waste:					498.75			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
Cedar Creek Supply LLC								
1284	Cedar Creek Supply LLC	INV-0329	T-CHLOR SODIUM HYPOCHLO	04/25/2024	1,020.00		60-50-16 OPERATING SUPPLIES	05/31/2024
1284	Cedar Creek Supply LLC	INV-0334 COR	T-CHLOR, SODIUM THIOSULFA	04/26/2024	1,451.00		70-51-16 OPERATING SUPPLIES	05/31/2024
Total Cedar Creek Supply LLC:					2,471.00			
City of Delta								
24	City of Delta	04122024	WW ANALYSIS & MARCH 2024 B	04/12/2024	2,643.00		70-51-20 LEGAL, ENGINEERING & PR	04/30/2024
Total City of Delta:					2,643.00			
City Of Grand Junction								
673	City Of Grand Junction	2024-0007334	Lab Tests	04/17/2024	131.00		70-51-20 LEGAL, ENGINEERING & PR	04/30/2024
673	City Of Grand Junction	2024-0007337	Lab Tests	04/18/2024	131.00		70-51-20 LEGAL, ENGINEERING & PR	04/30/2024
Total City Of Grand Junction:					262.00			
Colorado Rural Water Assoc								
209	Colorado Rural Water Assoc	2482	Membership Dues	04/26/2024	150.00		60-50-31 DUES & SUBSCRIPTIONS	04/30/2024
209	Colorado Rural Water Assoc	2482	Membership Dues	04/26/2024	150.00		70-51-31 DUES & SUBSCRIPTIONS	04/30/2024
Total Colorado Rural Water Assoc:					300.00			
Column Software PBC								
1183	Column Software PBC	8DFD59D8-007	PUBLIC HEARING NOTICE DCIO	04/29/2024	70.06		10-41-30 PUBLISHING & ADS	04/30/2024
1183	Column Software PBC	8DFD59D8-007	CUSTOM PUBLIC HEARING NO	04/29/2024	107.16		10-41-30 PUBLISHING & ADS	04/30/2024
Total Column Software PBC:					177.22			
COUNTRY'S TIRE & AUTO SERVICE								
1340	COUNTRY'S TIRE & AUTO SERV	8752	MOUNT & BALANCE	04/12/2024	6.60		10-45-23 VEHICLE EXPENSE	05/31/2024
1340	COUNTRY'S TIRE & AUTO SERV	8752	MOUNT & BALANCE	04/12/2024	6.60		10-46-23 VEHICLE EXPENSE	05/31/2024
1340	COUNTRY'S TIRE & AUTO SERV	8752	MOUNT & BALANCE	04/12/2024	6.60		70-51-23 VEHICLE EXPENSE	05/31/2024
1340	COUNTRY'S TIRE & AUTO SERV	8752	MOUNT & BALANCE	04/12/2024	6.61		60-50-23 VEHICLE EXPENSE	05/31/2024
1340	COUNTRY'S TIRE & AUTO SERV	8752	MOUNT & BALANCE	04/12/2024	6.61		80-52-23 VEHICLE EXPENSE	05/31/2024
Total COUNTRY'S TIRE & AUTO SERVICE:					33.02			
Delta County Landfill								
56	Delta County Landfill	415912	Landfill Fee	03/08/2024	426.25		80-52-42 LANDFILL FEES	04/30/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voiced	GL Account and Title	GL Period Date
56	Delta County Landfill	418366	Landfill Fee	04/16/2024	252.25		80-52-42 LANDFILL FEES	04/30/2024
56	Delta County Landfill	418654	Landfill Fee	04/19/2024	454.25		80-52-42 LANDFILL FEES	04/30/2024
56	Delta County Landfill	418858	Landfill Fee	04/22/2024	230.25		80-52-42 LANDFILL FEES	04/30/2024
56	Delta County Landfill	419154	Landfill Fee	04/26/2024	473.00		80-52-42 LANDFILL FEES	04/30/2024
56	Delta County Landfill	419259	Landfill Fee	04/29/2024	294.75		80-52-42 LANDFILL FEES	05/31/2024
56	Delta County Landfill	419550	Landfill Fee	05/03/2024	479.50		80-52-42 LANDFILL FEES	05/31/2024
56	Delta County Landfill	419717	Landfill Fee	05/06/2024	271.00		80-52-42 LANDFILL FEES	05/31/2024
Total Delta County Landfill:					2,881.25			
Delta Montrose Electric Assn.								
43	Delta Montrose Electric Assn.	DMEA-COMBI	30800950000	04/02/2024	1,295.01		60-50-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3080629100	04/02/2024	201.00		60-50-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3100701901	04/02/2024	113.85		60-50-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3100003000	04/02/2024	50.63		60-50-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3080270000	04/02/2024	40.68		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3200125000	04/02/2024	692.16		10-45-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3200690300 50%	04/02/2024	109.17		10-41-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3200690300 50% - 2ND PART	04/02/2024	109.18		10-42-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3140305400	04/02/2024	155.89		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3180027500	04/02/2024	155.06		10-45-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3140124001	04/02/2024	46.79		10-45-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3120200000	04/02/2024	35.71		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	20992900	04/02/2024	35.12		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3140308201	04/02/2024	31.21		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	3140015008	04/02/2024	30.50		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	9805013000	04/02/2024	30.50		10-46-28 UTILITIES	05/31/2024
43	Delta Montrose Electric Assn.	DMEA-COMBI	20886100	04/02/2024	3,302.59		70-51-28 UTILITIES	05/31/2024
Total Delta Montrose Electric Assn.:					6,435.05			
Dependable Lumber, Inc.								
46	Dependable Lumber, Inc.	2404-029892	CONCRETE	04/17/2024	27.57		80-52-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-029895	CLEANER & CONCRETE FOR A	04/17/2024	18.98		10-46-16 OPERATING SUPPLIES	04/30/2024
46	Dependable Lumber, Inc.	2404-030062	MACHINE BOLT	04/18/2024	.54		10-46-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-030195	1/4 QUICK LINK	04/19/2024	4.98		70-51-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030618	STARDRIVE SCREWS	04/22/2024	2.96		10-46-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-030618	STARDRIVE SCREWS	04/22/2024	2.96		60-50-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-030739	SMARTLOCK SWITCH & BOX	04/23/2024	11.19		10-45-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030739	SMARTLOCK SWITCH & BOX	04/23/2024	11.19		10-46-25 SHOP EXPENSE	04/30/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
46	Dependable Lumber, Inc.	2404-030739	SMARTLOCK SWITCH & BOX	04/23/2024	11.19		60-50-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030739	SMARTLOCK SWITCH & BOX	04/23/2024	11.19		70-51-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030739	SMARTLOCK SWITCH & BOX	04/23/2024	11.20		80-52-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030882	CFCI SWITCH	04/23/2024	10.59		10-45-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030882	CFCI SWITCH	04/23/2024	10.60		10-46-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030882	CFCI SWITCH	04/23/2024	10.60		60-50-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030882	CFCI SWITCH	04/23/2024	10.60		70-51-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-030882	CFCI SWITCH	04/23/2024	10.60		80-52-25 SHOP EXPENSE	04/30/2024
46	Dependable Lumber, Inc.	2404-031089	GAS CYLINDER	04/24/2024	6.49		10-46-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-031463	FLAP DISC FOR GRATES IN SID	04/26/2024	18.98		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-031476	CUT DISC FOR CUT-OFF SAW	04/26/2024	7.99		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
46	Dependable Lumber, Inc.	2404-031844	NAIL PIN ANCHOR	04/30/2024	5.22		10-45-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032150	GLOVE & FABRIC STAPLES	05/01/2024	7.24		10-46-16 OPERATING SUPPLIES	05/31/2024
46	Dependable Lumber, Inc.	2405-032150	GLOVE & FABRIC STAPLES	05/01/2024	7.25		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032177	STEEL LAWN EDGING STAKES	05/01/2024	100.00		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032341	NAIL PIN ANCHOR	05/02/2024	7.80		10-45-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032349	STEEL LAWN EDGING STAKES	05/02/2024	120.00		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032361	NAIL PIN ANCHOR	05/02/2024	8.52		10-45-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032367	NAIL PIN ANCHOR	05/02/2024	8.70		10-45-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032770	CONTRACTOR BAGS	05/06/2024	7.79		10-45-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032770	CONTRACTOR BAGS	05/06/2024	7.79		10-46-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032770	CONTRACTOR BAGS	05/06/2024	7.79		80-52-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032770	CONTRACTOR BAGS	05/06/2024	7.80		60-50-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032770	CONTRACTOR BAGS	05/06/2024	7.80		70-51-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032804	PAPER TOWELS	05/06/2024	2.55		80-52-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032804	PAPER TOWELS	05/06/2024	2.55		10-46-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032804	PAPER TOWELS	05/06/2024	2.55		10-45-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032804	PAPER TOWELS	05/06/2024	2.56		70-51-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032804	PAPER TOWELS	05/06/2024	2.56		60-50-25 SHOP EXPENSE	05/31/2024
46	Dependable Lumber, Inc.	2405-032846	FABRIC STAPLES	05/06/2024	10.50		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
46	Dependable Lumber, Inc.	2405-032866	ZIP TIES AND SAFETY FENCE	05/06/2024	51.57		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
Total Dependable Lumber, Inc.:					578.94			
EAGLE WASH								
1367	EAGLE WASH	854455	CAR WASH USAGE	04/15/2024	34.00		10-42-23 VEHICLE EXPENSE	04/30/2024
1367	EAGLE WASH	854455	CAR WASH USAGE	04/15/2024	13.09		10-46-23 VEHICLE EXPENSE	04/30/2024
1367	EAGLE WASH	854455	CAR WASH USAGE	04/15/2024	13.09		10-45-23 VEHICLE EXPENSE	04/30/2024
1367	EAGLE WASH	854455	CAR WASH USAGE	04/15/2024	26.17		60-50-23 VEHICLE EXPENSE	04/30/2024
1367	EAGLE WASH	854455	CAR WASH USAGE	04/15/2024	26.17		70-51-23 VEHICLE EXPENSE	04/30/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
1367	EAGLE WASH	854455	CAR WASH USAGE	04/15/2024	26.17		80-52-23 VEHICLE EXPENSE	04/30/2024
Total EAGLE WASH:					138.69			
Elevate Fiber								
986	Elevate Fiber	ELEVATE-CO	Internet - 6210	04/10/2024	79.99		60-50-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 1198710	04/10/2024	79.95		10-45-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 1277710	04/10/2024	79.95		70-51-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 6210	04/10/2024	39.99		10-41-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 6210	04/10/2024	39.99		10-41-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 6210	04/10/2024	79.99		70-51-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 6210	04/10/2024	79.99		80-52-29 TELEPHONE & INTERNET	05/31/2024
986	Elevate Fiber	ELEVATE-CO	Internet - 271710	04/10/2024	129.94		60-50-29 TELEPHONE & INTERNET	05/31/2024
Total Elevate Fiber:					609.79			
Empower Trust Company LLC								
1190	Empower Trust Company LLC	PPE04192024	Retirement Plan PPE 04192024	04/25/2024	3,351.44		10-0220 RETIREMENT PLAN	04/30/2024
Total Empower Trust Company LLC:					3,351.44			
ESRI								
1384	ESRI	94710875	WW PORTION	04/23/2024	306.00		70-51-31 DUES & SUBSCRIPTIONS	04/30/2024
1384	ESRI	94710875	STREETS PORTION	04/23/2024	76.50		10-45-31 DUES & SUBSCRIPTIONS	04/30/2024
1384	ESRI	94710875	WATER PORTION	04/23/2024	306.00		60-50-31 DUES & SUBSCRIPTIONS	04/30/2024
1384	ESRI	94710875	PARKS PORTION	04/23/2024	76.50		10-46-31 DUES & SUBSCRIPTIONS	04/30/2024
Total ESRI:					765.00			
Every Little Detail								
1314	Every Little Detail	04102024	AUTO DETAILING	04/10/2024	225.00		10-42-23 VEHICLE EXPENSE	05/31/2024
Total Every Little Detail:					225.00			
Fire & Police Pension Assn.								
63	Fire & Police Pension Assn.	PPE04122024	Payroll Ending 04/12/2024	04/25/2024	3,318.64		10-0219 FPPA	04/30/2024
Total Fire & Police Pension Assn.:					3,318.64			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
Hellman Motor Company								
80	Hellman Motor Company	546065	SEAL	04/17/2024	6.26		60-50-23 VEHICLE EXPENSE	04/30/2024
80	Hellman Motor Company	546065	SEAL	04/17/2024	6.27		70-51-23 VEHICLE EXPENSE	04/30/2024
Total Hellman Motor Company:					12.53			
Kelly PC								
1277	Kelly PC	05012024	PROF. SVS. THROUGH APRIL 3	05/01/2024	3,854.00		10-41-20 LEGAL, ENGINEERING & PR	05/31/2024
Total Kelly PC:					3,854.00			
Leon, Susan								
470	Leon, Susan	LEON-05-2024	Cleaning Contract	05/01/2024	775.00		10-41-20 LEGAL, ENGINEERING & PR	05/31/2024
Total Leon, Susan:					775.00			
Mail Services, LLC.								
645	Mail Services, LLC.	1933441	Postage	03/29/2024	188.62		60-50-17 POSTAGE	04/30/2024
645	Mail Services, LLC.	1933441	Postage	03/29/2024	183.07		70-51-17 POSTAGE	04/30/2024
645	Mail Services, LLC.	1933441	Postage	03/29/2024	183.07		80-52-17 POSTAGE	04/30/2024
Total Mail Services, LLC.:					554.76			
NAPA - Paonia Auto Parts								
122	NAPA - Paonia Auto Parts	410577	Oil	04/15/2024	12.13		70-51-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	410577	Oil	04/15/2024	12.14		60-50-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	410602	ANTIFREEZE & FILTER	04/16/2024	20.87		10-45-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	410602	ANTIFREEZE & FILTER	04/16/2024	20.87		10-46-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	410602	ANTIFREEZE & FILTER	04/16/2024	20.87		60-50-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	410602	ANTIFREEZE & FILTER	04/16/2024	20.87		70-51-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	410678	AIR FILTERS, HOSES, COOLAN	04/18/2024	92.26		10-46-22 REPAIRS & MAINTENANCE	04/30/2024
122	NAPA - Paonia Auto Parts	410678	AIR FILTERS, HOSES, COOLAN	04/18/2024	92.26		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
122	NAPA - Paonia Auto Parts	410901	AIR FILTERS	04/26/2024	76.04		80-52-23 VEHICLE EXPENSE	04/30/2024
122	NAPA - Paonia Auto Parts	411148	BATTERY	05/06/2024	177.72		10-46-23 VEHICLE EXPENSE	05/31/2024
Total NAPA - Paonia Auto Parts:					546.03			
Norris, Mary								
991	Norris, Mary	NORRIS-05-01	PENSTION PAYMENT - MAY 202	05/01/2024	560.00		60-50-44 NORRIS RETIREMENT	05/31/2024
991	Norris, Mary	NORRIS-05-01	PENSTION PAYMENT - MAY 202	05/01/2024	560.00		70-51-44 NORRIS RETIREMENT	05/31/2024

Report dates: 4/23/2024-5/28/2024

May 07, 2024 05:18PM

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
Total Norris, Mary:					1,120.00			
Paonia Farm & Home Supply Inc								
125	Paonia Farm & Home Supply Inc	186123	WASHER HOSE RUBBER	04/24/2024	2.99		10-41-22 REPAIRS & MAINTENANCE	04/30/2024
125	Paonia Farm & Home Supply Inc	186152	PRIMER, CEMENT, COUPLING,	04/24/2024	21.85		10-46-22 REPAIRS & MAINTENANCE	05/31/2024
125	Paonia Farm & Home Supply Inc	186169	POTTING SOIL	04/24/2024	22.79		10-46-22 REPAIRS & MAINTENANCE	04/30/2024
125	Paonia Farm & Home Supply Inc	186699	AXE SINGLE BIT	04/29/2024	23.99		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
Total Paonia Farm & Home Supply Inc:					71.62			
PHOENIX RISING RESOURCES LLC								
1297	PHOENIX RISING RESOURCES	MARCH 2024	SERVICES FOR MARCH	04/05/2024	6,420.00		10-41-20 LEGAL, ENGINEERING & PR	04/30/2024
Total PHOENIX RISING RESOURCES LLC:					6,420.00			
Phonz +								
499	Phonz +	16604	Water	04/22/2024	632.23		60-50-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16604	Sewer	04/22/2024	632.23		70-51-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16604	General	04/22/2024	632.23		10-41-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16604	Sanitation	04/22/2024	632.22		80-52-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16610	Water	04/25/2024	83.23		60-50-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16610	Sewer	04/25/2024	83.23		70-51-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16610	General	04/25/2024	83.23		10-41-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16610	Sanitation	04/25/2024	83.24		80-52-31 DUES & SUBSCRIPTIONS	04/30/2024
499	Phonz +	16702	Water	05/01/2024	614.02		60-50-31 DUES & SUBSCRIPTIONS	05/31/2024
499	Phonz +	16702	Sewer	05/01/2024	614.02		70-51-31 DUES & SUBSCRIPTIONS	05/31/2024
499	Phonz +	16702	General	05/01/2024	614.02		10-41-31 DUES & SUBSCRIPTIONS	05/31/2024
499	Phonz +	16702	Sanitation	05/01/2024	614.00		80-52-31 DUES & SUBSCRIPTIONS	05/31/2024
Total Phonz +:					5,317.90			
PROFESSIONAL MANAGEMENT SOLUTIONS								
1325	PROFESSIONAL MANAGEMENT	84921	FINANCIAL CONSULTING SERVI	04/26/2024	700.32		10-41-20 LEGAL, ENGINEERING & PR	04/30/2024
1325	PROFESSIONAL MANAGEMENT	84921	FINANCIAL CONSULTING SERVI	04/26/2024	700.31		60-50-20 LEGAL, ENGINEERING & PR	04/30/2024
1325	PROFESSIONAL MANAGEMENT	84921	FINANCIAL CONSULTING SERVI	04/26/2024	700.31		70-51-20 LEGAL, ENGINEERING & PR	04/30/2024
1325	PROFESSIONAL MANAGEMENT	84921	FINANCIAL CONSULTING SERVI	04/26/2024	700.31		80-52-20 LEGAL, ENGINEERING & PR	04/30/2024
Total PROFESSIONAL MANAGEMENT SOLUTIONS:					2,801.25			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
Recla Metals LLLP								
140	Recla Metals LLLP	50202	Steel PLATES & FEES	04/22/2024	402.33		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
140	Recla Metals LLLP	50389	SIDEWALK STEEL PLATES & FE	04/26/2024	114.90		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
Total Recla Metals LLLP:					517.23			
RESPEC Company LLC								
1124	RESPEC Company LLC	INV-0324-916	PAONIA WATER/WW GENERAL	03/31/2024	1,917.50		60-50-20 LEGAL, ENGINEERING & PR	04/30/2024
1124	RESPEC Company LLC	INV-0324-917	PAONIA DORRIS AVE 03/01/2024	03/31/2024	53.75		70-51-20 LEGAL, ENGINEERING & PR	04/30/2024
1124	RESPEC Company LLC	INV-0324-918	WATER CIP PHASE 1 SYSTEM I	03/30/2024	30,759.75		60-50-20 LEGAL, ENGINEERING & PR	04/30/2024
Total RESPEC Company LLC:					32,731.00			
Roop Excavating LLC								
931	Roop Excavating LLC	R24-250	3/4 ROAD BASE & COLD PATCH	04/24/2024	645.00		10-45-16 OPERATING SUPPLIES	04/30/2024
Total Roop Excavating LLC:					645.00			
SGM, INC.								
1335	SGM, INC.	2013-471.013-	2MG TANK RECOATING PROF S	04/25/2024	594.75		60-50-20 LEGAL, ENGINEERING & PR	04/30/2024
1335	SGM, INC.	2013-471.014-	5TH & GRAND REALIGNMENT P	04/25/2024	7,919.75		10-45-20 LEGAL, ENGINEERING & PR	04/30/2024
Total SGM, INC.:					8,514.50			
Shums Coda Associates								
1170	Shums Coda Associates	17726	PLAN REVIEW SVS FOR MARC	04/29/2024	360.00		10-43-20 LEGAL, ENGINEERING & PR	04/30/2024
Total Shums Coda Associates:					360.00			
Simmons Lock & Key Delta								
566	Simmons Lock & Key Delta	5430	DND KEYS FOR PD	05/01/2024	9.00		10-42-15 OFFICE SUPPLIES	05/31/2024
Total Simmons Lock & Key Delta:					9.00			
Southwestern Systems, Inc								
152	Southwestern Systems, Inc	203321	Jet Clean & TV Inspection	04/24/2024	2,169.35		70-51-22 REPAIRS & MAINTENANCE	04/30/2024
Total Southwestern Systems, Inc:					2,169.35			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
SWEENEY, ESTELLE								
1386	SWEENEY, ESTELLE	REIMBURESM	REFUND OF SWEENEY PAYME	04/17/2024	100.00		10-34-02 POLICE FINES	05/31/2024
Total SWEENEY, ESTELLE:					100.00			
UNCC								
161	UNCC	224041067	WATER RTL Transmissions	04/30/2024	20.00		70-51-20 LEGAL, ENGINEERING & PR	05/31/2024
161	UNCC	224041067	WW RTL Transmissions	04/30/2024	19.99		60-50-20 LEGAL, ENGINEERING & PR	05/31/2024
Total UNCC:					39.99			
United Companies Inc								
162	United Companies Inc	1569451	Street AND ALLEYWAYS	04/17/2024	286.70		10-46-16 OPERATING SUPPLIES	04/30/2024
162	United Companies Inc	1570151	ROAD & ALLEY WAY REPAIRS -	04/14/2024	2,476.54		10-45-22 REPAIRS & MAINTENANCE	04/30/2024
Total United Companies Inc:					2,763.24			
URBAN RURAL CONTINUUM LLC								
1323	URBAN RURAL CONTINUUM LL	PAONIA-8	AMENDMENT #2 HOUSING ACT	04/30/2024	3,815.00		10-41-75 GRANT PROJECTS	05/31/2024
Total URBAN RURAL CONTINUUM LLC:					3,815.00			
USA Blue Book								
441	USA Blue Book	INV00340477	CHLORINE REAGENTS FOR AN	04/19/2024	687.12		60-50-16 OPERATING SUPPLIES	04/30/2024
Total USA Blue Book:					687.12			
Wain, Simon								
1064	Wain, Simon	05042024	TREE SERVICES - TWO LARGE	05/04/2024	4,500.00		10-46-42 CONTRACT SERVICES	05/31/2024
Total Wain, Simon:					4,500.00			
WRIGHT WATER ENGINEERS, INC.								
1385	WRIGHT WATER ENGINEERS, I	69572	PROF. SVS. MARCH 1, 2024 - M	04/30/2024	3,357.25		60-50-20 LEGAL, ENGINEERING & PR	05/31/2024
Total WRIGHT WATER ENGINEERS, INC.:					3,357.25			
Grand Totals:					111,376.79			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
--------	-------------	----------------	-------------	--------------	-----------------------	--------	----------------------	----------------

Board Meeting Date: _____

Town Administrator: _____

Finance Committee: _____

Date Reviewed: _____



**TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT**

AGENDA ITEM:	Consent Agenda: Liquor License Renewal 2024-107 West Elk Wine & Spirits
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	May 14, 2024
BACKGROUND:	• All paperwork and fees have been paid to both the Town and the Department of Revenue. • Public Works has no concerns or issues with the renewal of this liquor license. • The Police Department has no concerns or issues with the renewal of this liquor license. • The Clerk's Office can confirm that all legal requirements have been met for the renewal of this liquor license
BUDGET:	\$250.00 to 10-32-01 Liquor Licenses
RECOMMENDATION:	All legal requirements have been met for the renewal of this license.
ATTACHMENT:	LLL 2024-107 One Thirty-Three LLC dba West Elk Wine & Spirits Application

Submit to Local Licensing Authority

WEST ELK WINE & SPIRITS
PO BOX 1805
PAONIA CO 81428-1805

Fees Due	
Renewal Fee	352.50
Storage Permit \$100 X _____	\$ /
Sidewalk Service Area \$75.00	\$ /
Additional Optional Premise Hotel & Restaurant \$100 X _____	\$ /
Related Facility - Campus Liquor Complex \$160.00 per facility	\$ /
Amount Due/Paid	\$ 352.50

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

Retail Liquor License Renewal Application

Please verify & update all information below

Return to city or county licensing authority by due date

Licensee Name ONE THIRTY-THREE LLC		Doing Business As Name (DBA) WEST ELK WINE & SPIRITS	
Liquor License # 26-49220-0000	License Type Retail Liquor Store (city)		
Sales Tax License Number 026492200000	Expiration Date 06/09/2024	Due Date 04/25/2024	
Business Address 427 SAMUEL WADE ROAD PAONIA CO 81428-6127		Phone Number 9705274575	
Mailing Address PO BOX 1805 PAONIA CO 81428-1805		Email jmcgavin133@gmail.com	
Operating Manager Jennifer McGavin	Date of Birth [REDACTED]	Home Address 42822 Hidden Valley Dr. Paonia CO 81428	Phone Number [REDACTED]
1. Do you have legal possession of the premises at the street address above? ☒ Yes ☐ No Are the premises owned or rented? ☐ Owned ☒ Rented* *If rented, expiration date of lease Dec 31, 2025			
2. Are you renewing a storage permit, additional optional premises, sidewalk service area, or related facility? If yes, please see the table in upper right hand corner and include all fees due. ☐ Yes ☒ No			
3a. Are you renewing a takeout and/or delivery permit? (Note: must hold a qualifying license type and be authorized for takeout and/or delivery license privileges) ☐ Yes ☒ No			
3b. If so, which are you renewing? ☐ Delivery ☐ Takeout ☐ Both Takeout and Delivery			
4a. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? ☐ Yes ☒ No			
4b. Since the date of filing of the last application, has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? ☐ Yes ☒ No			
5. Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. ☐ Yes ☒ No			
6. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. ☐ Yes ☒ No			

7. Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. ☐ Yes ☒ No
8. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. ☐ Yes ☒ No

Affirmation & Consent

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct and complete to the best of my knowledge.

Type or Print Name of Applicant/Authorized Agent of Business	Title
JENNIFER MCGAVIN	OWNER
Signature	Date
[REDACTED]	4/22/24

Report & Approval of City or County Licensing Authority

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 44, Articles 4 and 3, C.R.S., and Liquor Rules.

Therefore this application is approved.

Local Licensing Authority For		Date
Signature	Title	Attest

Tax Check Authorization, Waiver, and Request to Release Information

I, Jennifer McGavin am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Jennifer McGavin (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee. 133 LLC

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <u>ONE THIRTYTHREE, LLC</u>		Social Security Number/Tax Identification Number <u>33-1082715</u>	
Address <u>427 SAMUEL WADE RD</u>			
City <u>PAONIA</u>		State <u>CO</u>	Zip <u>81428</u>
Home Phone Number <u>[REDACTED]</u>		Business/Work Phone Number <u>970-527-4575</u>	
Printed name of person signing on behalf of the Applicant/Licensee <u>JENNIFER MCGAVIN</u>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) <u>[REDACTED]</u>			Date signed <u>7/12/24</u>

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).



**TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT**

AGENDA ITEM:	Consent Agenda: Special Event Permit Liquor License SEP 2024-06
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	May 14, 2024
BACKGROUND:	The Learning Council is hosting a fundraiser and are applying for a Special Event Liquor License at 138 Grand Avenue for June 14th from 4 pm to midnight. • All paperwork and fees are turned into the Town Clerk • Public Works has no issues with this Special Event Liquor License being issued. • The Police Department has no issues with this Special Event Liquor License being issued. • The Clerk's Office confirms that all legal requirements have been met for this Special Event Liquor License to be issued.
BUDGET:	\$50.00 to 10-32-01
RECOMMENDATION:	All legal requirements have been met for the issuance of this license
ATTACHMENT:	SEP 2024-06 Application

Application for a Special Events Permit

Departmental Use Only

28

In order to qualify for a Special Events Permit, You **Must Be Nonprofit**
and **One of the Following** (See back for details.)

- | | | |
|--|--|--|
| ☒ Social | ☐ Athletic | ☐ Philanthropic Institution |
| ☐ Fraternal | ☐ Chartered Branch, Lodge Or Chapter | ☐ Political Candidate |
| ☐ Patriotic | ☐ Of A National Organization Or Society | ☐ Municipality Owning Arts Facilities |
| ☐ Political | ☐ Religious Institution | |

LIAB Type of Special Event Applicant is Applying for:

2110 ☒ Malt, Vinous And Spirituous Liquor	\$50.00 Per Day
2170 ☐ Fermented Malt Beverage	\$10.00 Per Day

DO NOT WRITE IN THIS SPACE

Liquor Permit Number

1. Name of Applicant Organization or Political Candidate <i>The Learning Council</i>	State Sales Tax Number (Required) <i>30858151-0006</i>
---	---

2. Mailing Address of Organization or Political Candidate
(include street, city/town and ZIP)

*PO Box 1744
Paonia, CO
81428*

3. Address of Place to Have Special Event
(include street, city/town and ZIP)

*138 Grand Ave
Paonia, CO 81428*

Name	Date of Birth	Home Address (Street, City, State, ZIP)	Phone Number
4. Pres./Sec'y of Org. or Political Candidate <i>Brandy Emesol</i>	<i>[REDACTED]</i>	<i>[REDACTED] 3500 Rd Hitchhiker</i>	<i>[REDACTED]</i>
5. Event Manager <i>Alicia Michelson</i>	<i>[REDACTED]</i>	<i>[REDACTED] Orchard Ave Paonia</i>	<i>[REDACTED]</i>
6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? ☒ NO ☐ YES HOW MANY DAYS? _____		7. Is premises now licensed under state liquor or beer code? ☒ NO ☐ YES TO WHOM? _____	

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☒ Yes ☐ No

List Below the Exact Date(s) for Which Application is Being Made for Permit

Date <i>6/19/2024</i>	Date	Date	Date	Date
Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.	Hours From .m.
<i>4 To 12</i>	To .m.	To .m.	To .m.	To .m.

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>[REDACTED]</i>	Title <i>Executive Director</i>	Date <i>4/9/2024</i>
--------------------------------	------------------------------------	-------------------------

Report and Approval of Local Licensing Authority (City or County)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) <i>Paonia</i>	☒ City ☐ County	Telephone Number of City/County Clerk
Signature	Title	Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information

License Account Number	Liability Date	State	Total
		-750 (999)	\$

(Instructions on Reverse Side)

Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- ☐ Appropriate fee.
- ☒ Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions.
Note: If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- ☒ Copy of deed, lease, or written permission of owner for use of the premises.
- ☒ Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; or
- ☐ If not incorporated, a NONPROFIT charter; or
- ☐ If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- ☐ Application must first be submitted to the local licensing authority (city or county) at least thirty (30) days prior to the event.
- ☐ The premises to be licensed must be posted at least ten (10) days before a hearing can be held. (44-5-106 C.R.S.)
- ☐ An approved application must be received by the liquor enforcement division at least ten (10) days prior to the event.
- ☐ Check payable to the Colorado Department Of Revenue

(44-5-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

If an event is cancelled, the application fees and the day(s) are forfeited.

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

the learning council

is a

Nonprofit Corporation

formed or registered on 01/10/2007 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20071014530 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/07/2024 that have been posted, and by documents delivered to this office electronically through 02/08/2024 @ 14:48:06 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 02/08/2024 @ 14:48:06 in accordance with applicable law. This certificate is assigned Confirmation Number 15736285



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the -Validate a Certificate page of the Secretary of State's website, <https://www.colorado.gov/biz/certificates-of-good-standing> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.colorado.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

REVIEWED
FOR CODE
COMPLIANCE

09/19/2025 5:25 PM



138 Grand Ave, 7th Fl, Paonia, CO 81454
Phone: 970.824.1231
www.studiomw.com

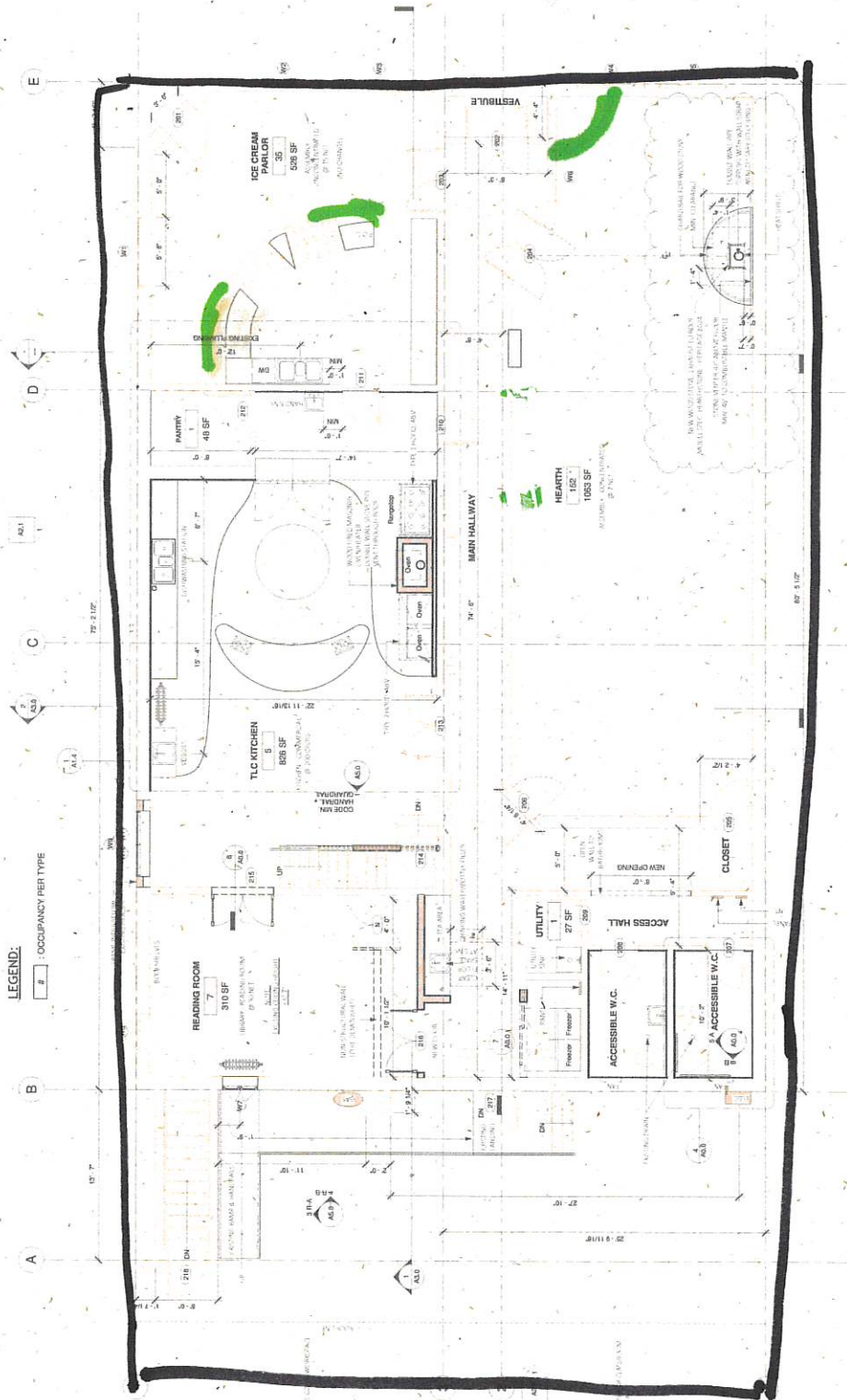
NOTES:
Any dimensions reported on this set of drawings are based on the information provided by the client. The architect is not responsible for the accuracy of the information provided by the client. The architect is not responsible for the accuracy of the information provided by the client. The architect is not responsible for the accuracy of the information provided by the client.

REVISIONS:

THE HEARTH - RENOVATION
138 GRAND AVE, PAONIA, CO
PERMIT SET

Project Number: 138-2025-001
Date: 09/19/2025
Drawn by: [Name]
Author: [Name]
Checked by: [Name]

A1.2
PROPOSED
FIRST FLOOR
Scale: 1/4" = 1'-0"
Date: 09/19/2025 10:50 AM
Note: 100% scale is printed @ 50% on 11x17"



1. PROPOSED FIRST FLOOR
1/4" = 1'-0"

05/18/2023 5:25:35 PM

REVIEWED
FOR CODE
COMPLIANCE



138 GRAND AVE, PAONIA, CO 80651
PERMIT SET
PROJECT NO. 2023-001
DATE: 05/18/2023
DRAWN BY: [signature]
CHECKED BY: [signature]

NOTES:
Any questions regarding the details of the design should be directed to the architect or the engineer. The architect and engineer are not responsible for the construction of the project. The architect and engineer are not responsible for the construction of the project. The architect and engineer are not responsible for the construction of the project.

REVISIONS:

THE HEARTH - RENOVATION
138 GRAND AVE, PAONIA, CO
PERMIT SET

Project Number	2023-001
Client	138 Grand Ave, Paonia, CO
Architect	Studio MW
Engineer	Studio MW
Permit Set	Yes

A1.3

PROPOSED
LOFT FLOOR

Scale: 1/4" = 1'-0"
Note: All walls are 1/2" thick unless otherwise noted.



1. PROPOSED T.O. LOFT FLOOR
1/4" = 1'-0"



TITLE DEPARTMENT – DELIVERY TRANSMITTAL
8055 E Tufts Ave, Suite 300
Denver, CO 80237
(720) 324-5865 Fax:

The Learning Council, a Colorado nonprofit corporation
138 Grand Avenue
Paonia, CO 81428

File Number: 597-H0651880-091-VP2
Property Address: 138 Grand Ave, Paonia, CO 81428
Policy Number: CO-FFAH-IMP-81306-1-22-H0651880

Dear New Property Owner:

Congratulations on your real estate purchase. Enclosed is your Policy of Title Insurance. This policy contains important information about your real estate transaction, and it insures you against certain risks to your ownership. Please read it and retain it with your other valuable papers.

A permanent record of your recorded title documents is accessible through our office. These records will enable prompt processing of future title orders and save valuable time should you wish to sell or obtain a loan on your property. Visit or call our office and simply give us your personal policy file number when you need assistance.

In the event you sell your property or borrow money from a mortgage lender you may be entitled to a discount rate if you order your title insurance through this company.

We appreciate the opportunity of serving you and will be happy to assist you in any way in regard to your future title service needs.

Sincerely,

Heritage Title Company, Inc.



Commonwealth Land Title Insurance Company

POLICY NO.: CO-FFAH-IMP-81306-1-22-H0651880

OWNER'S POLICY OF TITLE INSURANCE

Issued by

Commonwealth Land Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Florida corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from:
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;

81306 (6/06)

ALTA Owner's Policy (6/17/06)

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



- (c) the subdivision of land; or
- (d) environmental protection

if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.

6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

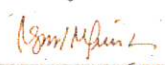
IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers.

Commonwealth Land Title Insurance Company

Countersigned:

By: 
Authorized Officer or Agent



By: 
Rand, Quirk, President
Attest: 
Michael Gravelle, Secretary

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS**1. DEFINITION OF TERMS**

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy; increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written

instrument established by the Insured named in Schedule A for estate planning purposes.

(ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

(e) "Insured Claimant": An Insured claiming loss or damage.

(f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.

(g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

(h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.

(i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.

(j) "Title": The estate or interest described in Schedule A.

(k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to

purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation, in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.

(b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

(c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal from any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium

maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

(a) To Pay or Tender Payment of the Amount of Insurance.

To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

(b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.

(i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

(ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred

by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

(a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of

(i) the Amount of Insurance; or

(ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.

(b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,

(i) the Amount of Insurance shall be increased by 10%; and

(ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.

(c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

(a) If the Company establishes the Title, or removes the alleged defect, lien or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.

(b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.

(c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

(a) Whenever the Company shall have settled and paid a claim under this policy, it shall be

ALTA Owner's Policy (6/17/06)



subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

(b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy

provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

(a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.

(b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.

(c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

(d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

If the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

(a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

(b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at Commonwealth Land Title Insurance Company, Attn: Claims Department, Post Office Box 45023, Jacksonville, Florida 32232-5023.



NOTICE CONCERNING FRAUDULENT INSURANCE ACTS**(This Notice is Permanently Affixed Hereto)**

It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the department of regulatory agencies.

C. R. S. A. § 10-1-128 (6)(a).

Commonwealth Land Title Insurance Company**SCHEDULE A**

Name and Address of Title Insurance Company: **Heritage Title Company, Inc.**
300 Stafford Lane, Ste 3013
Delta, CO 81416

Policy No.: **CO-FFAH-IMP-81306-1-22-H0651880**Order No.: **H0651880-091-VP2**Address Reference: **138 Grand Ave, Paonia, CO 81428**Amount of Insurance: **\$500,000.00**Date of Policy: **December 30, 2021 at 11:21:49 AM**

1. Name of Insured:
The Learning Council, a Colorado nonprofit corporation
2. The estate or interest in the Land that is insured by this policy is:
FEE SIMPLE
3. Title is vested in:
The Learning Council, a Colorado nonprofit corporation
4. The Land referred to in this policy is described as follows:
See Exhibit A attached hereto and made a part hereof.



EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

**Lots 19 and 20, Block 2 in the Original Town of Paonia, Colorado,
County of Delta, State of Colorado**

81306A (6/06)

ALTA Owner's Policy (6/17/06)

Copyright American Land Title Association. All rights reserved. The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Water rights, claims of title to water, whether or not shown by the Public Records.
2. All taxes and assessments for the year 2021 and subsequent years, a lien but not yet due or payable.
3. All taxes and assessments, now or heretofore assessed, due or payable.
4. Terms, conditions, restrictions, provisions, notes and easements as disclosed on Plat(s) of said Subdivision recorded December, 1989 in Book 7 at Page 8.
5. Terms, conditions, provisions and obligations of Growth Management Agreement recorded January 24, 2011 at Reception No. 648360.
6. Terms, conditions, provisions and obligations of Town of Paonia Highway 133 Corridor Master Plan recorded January 24, 2011 at Reception No. 648361.
7. Any loss or damage arising from the fact that any fence lines on or near the perimeter of subject property may not coincide with property lines.
8. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$200,000.00
Trustor/Grantor: The Learning Council, a Colorado nonprofit corporation
Trustee: Public Trustee of Delta County
Beneficiary: Alpine Bank, A Colorado Banking Corporation
Loan No.: Unknown
Recording Date: December 30, 2021
Recording No.: 735659



The Learning Council

education, creativity, & life skills

PO Box 1744 Paonia, CO 81428 970-433-5852



Alcohol Policy Plan for The Hearth

This Alcohol Policy and Plan (APP) provides a practical/workable document that outlines what plans The Learning Council has in place to deal with the responsible service and management of alcohol.

The plan is to make sure that all aspects relating to the sale and service of liquor and host responsibility requirements are incorporated in the operation of the license. The APP also provides a reference tool for all volunteer staff to enable them to quickly familiarize themselves with the operation of events which serve alcohol.

1. Type of Event

Events at TLC are family and community events. The expectations of attendants is not a beer fest, but rather a community gathering to benefit a beloved organization. Attendees anticipated are North Fork Valley farmers and parents, working people and nature-lovers. They are coming to support TLC. We will be serving beer and alcohol conservatively. Our servers will be TIPS certified.

2. Promotion of the event

Pre-event marketing will set the expectations prior to the event that it is a family-friendly event. We expect laying this out in advance will influence patrons behavior at the event. When they enter the Hearth we will have printed signs:

- Explicit information regarding the legal requirements to exclude or remove intoxicated patrons.
- Explicit information about restrictions on bringing alcohol into the venue
- Explicit information about age restrictions (if any) into the venue.
- Explicit information conveying intolerance toward unruly or aggressive behavior.

3. Intoxication

In this section, our APP sets procedures to:

- Acknowledge organizers and staff will proactively monitor patrons for intoxication throughout the event.

- Identify and refuse entry to intoxicated persons
- Identify potential problems amongst patrons
- Reduce the risk of patrons becoming intoxicated on the premises by having food available and limiting the number of drinks each patron can buy.
- Appropriately and safely deal with patrons who require intervention
- Identify a "safe place" that can be used for the care and protection of an intoxicated patron until they can be safely removed from the premises.
- Have a sensible limit on the number of drinks patrons are able to purchase or obtain.
- Outline our plan for slowing down/ cutting off service of alcohol.

We understand and will impart to our Staff our responsibilities under the Sale of Liquor Act to prevent intoxication. We will go over the signs of and what to look for before serving a patron. We understand that when a person's speech, coordination and behavior is clearly impaired, as a result of the use of alcohol or other substance, they are considered to be in a state of "escalated intoxication". We are apprised that prosecution of staff, Licensee and event organizers under the Sale of Liquor Act may result if any person is allowed to reach this point of escalated intoxication on licensed Premises. Our Staff and Managers will work together to prevent intoxication and intervene prior to the point of escalated intoxication, not just cut/stop service to a person who has reached that point of intoxication. Our Event Organizers will be proactively monitoring and surveying patrons for signs of intoxication during the event, and critically reviewing the intoxication level at the function to ensure compliance with the Sale of Liquor Act and licensed conditions.

The key to compliance is the prevention of escalated intoxication, and we understand that and will coach our staff to identify the early signs referred to as onset, and have a strategy to intervene.

4. Food

In this section of the APP we outline the food available for our guests, so help prevent over-intoxication.

We will be offering a community meal on the gift model, wholesome and hearty food, as well as snacks and ice cream.

We will promote food on our posters and PSAs.

We will ensure menu items remain available throughout the event.

We understand that it is a standard license requirement that food must be conveniently available for consumption on the premises at all times liquor is available for purchase,

and all food must be readily available in sufficient quantity for the duration of the event, well promoted, and reasonably priced.

If food is no longer available alcohol sales will STOP.

5. Non-Alcoholic Beverages

Non-alcoholic beverages will be available throughout the event. A reasonable range of non-alcoholic beverages will be available at all times during the event. This will include teas and soft drinks as well as "mocktails"

6. Minors

In this section the APP outlines how we avoid serving minors:

- The forms of identification to be accepted for verification of age will be limited to any state issued, Canadian, Mexican or US territory issued driver's license; Military ID; Passport; State- Issued ID with Photo; Alien Registration Card; A valid employment card w/photo and DOB issued by immigration & Naturalization Service; Tribal I.D.
- Our procedures to verify the age of any person appearing to be under 25 years of age are to separate the carding of individuals and giving wristbands, from the actual serving. Staff who are carding individuals will have time to closely look at their ID and their behavior before offering a brightly colored wristband, signaling to the pourer that they are okay to serve.
- We will not allow one person to buy multiple beers for people that the server does not see. Each person must have identification for each drink.

7. Signage

In this section the APP specifies where signage will be displayed.

- We will have our License displayed on the premises, at the point of sale.
- We will also display a sign relating to the prohibition of intoxicated persons.
- Also, importantly, we have a perimeter barrier for the alcohol, with signs that guests shall not carry their drinks beyond that perimeter.

10. Staff Training

The staff serving alcohol will be TIPS Certified . They will also receive a review and briefing prior to the event. Management will ensure that any new staff, regardless of their previous experience, will receive training, especially covering the conditions of the license, before

commencing their first shift. Volunteers without TIPS training will fulfill other duties like selling food, stocking ice and cups, and cleaning.

Training will include the following:

- Host responsibly and the licensee's expectations
- Understanding the conditions of the special license.
- The Alcohol Management Plan and assigned roles
- The Responsible service and management of alcohol
- How to prevent intoxication
- How to deal with intoxication
- Surveying patrons for intoxication
- Communication between staff on intoxication issues
- Non-supply to minors, e.g. under-25 protocol
- Briefing on individual roles and responsibilities

12. Security

We will notify local police about our event and have a security team in house. We have security protocols in place for events at The Hearth. Our team is committed to creating safe space for our participants.

13. Environment

The environment at The Hearth is family friendly and an educational space. We welcome a diversity of participants. The vast majority of our events are alcohol free so people coming to our venue do not anticipate alcohol.



Paonia Police Department

DEPARTMENT BRIEFING: SUMMARY OF PROGRESS

05/01/2024

- ☐ All department personnel, along with members of the Gunnison County Sheriff's department successfully completed "Stop The Bleed" training. This training was provided to first responders by Delta Health free of charge.
- ☐ Officer Heiniger completed training to become a Certified Vin Inspector. Moving forward, the Paonia Police Department will be able to assist community members in completing certified vin inspections and providing the appropriate documentation.
- ☐ The department issued 23 "verbal warnings" under the new inoperable vehicle ordinance. All warnings were issued to owners whose vehicles were on public right of way or city streets. Most community members were very cooperative and several sections of street in town were decluttered and visibility was increased.
- ☐ Public works was able to outfit a patrol car with a repurposed radar unit and siren. Being fully staffed has placed an increased demand on our equipment and public works has been extremely helpful in addressing those needs.

Paonia Police Department

Law Incident Table, by Date and Time

Date Occurred: 04/03/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:45:10	AGENCY ASSIST	ALDER CT, Paonia, CO	PPD	PPD	
11:14:04	Parking Problem	GRAND AVE, Paonia, CO	PPD	PPD	VW
Total Incidents for this Date: 2					

Date Occurred: 04/04/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
15:50:59	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
21:19:11	SUSPICIOUS	GRAND AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 2					

Date Occurred: 04/07/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:42:36	SUSPICIOUS	4TH ST, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 04/08/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
08:12:35	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD		
11:24:46	Information	PEACEFUL LN, Paonia, CO	PPD	DIST3	
Total Incidents for this Date: 2					

Date Occurred: 04/09/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:05:23	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
12:26:00	CITIZEN ASSIST	BOX ELDER AVE, Paonia, CO	PPD	PPD	
14:04:30	CIVIL PROBLEM	GRAND AVE, Paonia, CO	PPD	PPD	
14:12:55	SUSPICIOUS	RIO GRANDE AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 4					

Date Occurred: 04/10/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
01:36:54	Medical/transfe	COLORADO AVE, Paonia, CO	PPD	PPD	
13:44:00	AGENCY ASSIST	PEONY LN, Paonia, CO	PPD	DIST3	

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
18:06:06	CIVIL PROBLEM	DELTA AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 3					

Date Occurred: 04/11/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:58:14	Information	MEADOWBROOK BLVD, Paonia, CO	PPD	PPD	
16:11:38	AGENCY ASSIST	BETHLEHEM RD & HIGHWAY 133, Paonia, CO	PPD	DIST3	
Total Incidents for this Date: 2					

Date Occurred: 04/12/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:48:08	MISSING PERSON	ONARGA AVE, Paonia, CO	PPD	PPD	
17:52:18	AGENCY ASSIST	HIGHWAY 133, Somerset, CO	PPD	GSO	
Total Incidents for this Date: 2					

Date Occurred: 04/13/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:59:37	Information	GRAND AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 04/15/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
08:50:04	VIN INSPECTION	GRAND AVE, Paonia, CO	PPD	PPD	
08:50:17	CITIZEN ASSIST	100 BLK GRAND AVE, Paonia, CO	PPD		
20:42:27	Information	3RD ST, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 3					

Date Occurred: 04/16/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:02:26	CITIZEN ASSIST	CLARK AVE, Paonia, CO	PPD	PPD	
14:39:31	THEFT FROM AUTO	GRAND AVE, Paonia, CO	PPD	PPD	
17:20:26	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
19:39:12	SUSPICIOUS	ALDER DR, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 4					

Date Occurred: 04/17/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
07:19:00	TRAFFIC	GRAND AVE / 3RD St, Paonia, CO	PPD	DIST3	CIT

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
14:24:09	CITIZEN ASSIST	GRAND AVE, Paonia, CO	PPD	PPD	
15:36:22	Code Enforce	MAIN AVE, Paonia, CO	PPD	PPD	VW
15:52:18	Code Enforce	2ND ST, Paonia, CO	PPD	PPD	VW
16:02:49	Code Enforce	OAK AVE, Paonia, CO	PPD	PPD	VW
Total Incidents for this Date: 5					

Date Occurred: 04/18/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
05:50:47	TRAFFIC	SAMUEL WADE RD & STAHL RD, Paonia, CO	PPD	PPD	
08:32:02	Information	GRAND AVE, Paonia, CO	PPD	PPD	
09:10:20	Traffic Stop	MATHEWS LN, Paonia, CO	PPD	DIST3	CIT
15:49:00	CITIZEN ASSIST	MINNESOTA AVE, Paonia, CO	PPD	PPD	
16:32:41	CITIZEN ASSIST	RIO GRANDE AVE, Paonia, CO	PPD	PPD	
18:16:06	Traffic Stop	SAMUEL WADE RD, Paonia, CO	PPD	PPD	
20:25:32	ANIMAL CONTROL	ONARGA AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 7					

Date Occurred: 04/19/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:58:46	CITIZEN ASSIST	SAMUEL WADE RD, Paonia, CO	PPD	PPD	
17:53:59	Information	ONARGA AVE, Paonia, CO	PPD	PPD	
20:55:30	CITIZEN ASSIST	RIO GRANDE AVE, Paonia, CO	PPD	PPD	
23:02:11	Traffic Stop	SAMUEL WADE RD, Paonia, CO	PPD	PPD	CIT
Total Incidents for this Date: 4					

Date Occurred: 04/20/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
08:38:57	Code Enforce	3RD ST, Paonia, CO	PPD	PPD	WW
12:44:02	Traffic Stop	200 BLK NIAGARA, Paonia, CO	PPD		CIT
13:08:19	Traffic Stop	2ND ST & BOX ELDER AVE, Paonia, CO	PPD	PPD	CIT
16:56:33	Traffic Stop	400 Block of 2nd St., Paonia, CO	PPD	PPD	CIT
17:11:14	Medical/transfe	OAK AVE, Paonia, CO	PPD	PPD	
19:28:00	FIRE	MAIN AVE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 6					

Date Occurred: 04/21/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:00:58	LOST/FOUND PROP	4TH St and Grand AVE, Paonia, CO	PPD	PPD	
14:35:28	Traffic Stop	3RD ST & NIAGARA AVE, Paonia, CO	PPD	PPD	CIT
15:24:22	Traffic Stop	400 Block 5th St., Paonia, CO	PPD	PPD	CIT
15:55:07	Traffic Stop	600 5TH ST, Paonia, CO	PPD	PPD	CIT

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
Total Incidents for this Date: 4					

Date Occurred: 04/22/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:00:00	CITIZEN ASSIST	STAHL RD, Paonia, CO	PPD	PPD	
14:48:13	DOMESTIC	ALDER DR, Paonia, CO	PPD	PPD	UNF
20:47:50	CITIZEN ASSIST	MINNESOTA AVE, Paonia, CO	PPD	PPD	
21:58:32	Noise Complaint	2ND ST, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 4					

Date Occurred: 04/24/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
10:00:00	CITIZEN ASSIST	GRAND AVE; PAONIA POLICE, Paonia, CO	PPD	PPD	
Total Incidents for this Date: 1					

Date Occurred: 04/25/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
14:06:56	SUSPICIOUS	MEADOWBROOK BLVD, Paonia, CO	PPD	PPD	UNF
18:34:41	Traffic Stop	400 Block 2nd St., Paonia, CO	PPD	PPD	VW
Total Incidents for this Date: 2					

Date Occurred: 04/26/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
13:02:04	ANIMAL CONTROL	POPLAR AVE, Paonia, CO	PPD	PPD	VW
Total Incidents for this Date: 1					

Date Occurred: 04/28/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
12:58:45	Information	GRAND AVE, Paonia, CO	PPD	PPD	
15:55:24	Traffic Stop	400 Block 2nd St., Paonia, CO	PPD	PPD	VW
16:39:29	Traffic Stop	300 Block 5th St., Paonia, CO	PPD	PPD	CIT
Total Incidents for this Date: 3					

Date Occurred: 04/29/24

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
09:59:20	FIRE	MAIN AVE, Paonia, CO	PPD	PPD	
16:24:43	ANIMAL CONTROL	COLORADO AVE, Paonia, CO	PPD	PPD	

<u>Time</u>	<u>Nature</u>	<u>Address</u>	<u>Agency</u>	<u>Loctn</u>	<u>Dsp</u>
Total Incidents for this Date: 2					

Total reported: 65

CIT 10, UNF 2, VW 7, WW 1

CIT = CITATION
UNF = UNFOUNDED
VW = VERBAL WARNING
WW = WRITTEN WARNING

Report Includes:
All dates between `00:00:01 04/01/24` and `00:00:01 04/30/24`, All agencies matching `PPD`, All disposition's, All natures,
All location codes, All cities



**TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT**

AGENDA ITEM:	Agenda Item #1 Consideration of Variance to the set-backs at 231 & 235 Box Elder Avenue for the construction of an ADA ramp for access into Paonia Christian Fellowship Church
SUBMITTED BY:	Stefen Wynn, Town Administrator & Treasurer
DATE:	5.8.2024
BACKGROUND:	On April 1, 2024 the Zoning Board of Adjustments held a Public Hearing to discuss a variance from required setbacks at 231 & 235 Box Elder Avenue for the construction of an ADA ramp to access Paonia Christian Fellowship Church. Because the setback variance encroaches onto the public right of way, the ZBOA gave a condition that the variance would be granted upon a favorable determination from the Board of Trustees. This condition was considered by the Town Attorney and its inclusion was requested since the ZBOA is an appointed body without the authority to grant encroachments onto the public right of way. Proper public notice has been given for this Public Hearing and was given for the previous Public Hearing as well. A previous staff report was also given to the ZBOA that is relevant to the Board of Trustees and is also attached to this staff report.
BUDGET:	N/A.
RECOMMENDATION:	RECOMMENDED MOTION: I move to approve Variance 2024-01 because it mitigates an existing non-conforming encroachment, that there is a need for use that is described by the applicant with meeting the requirements of the ADA, and that there exists a hardship to the Applicant that is unique to the property and that this approval intends to relieve.
ATTACHMENT:	Attachment A: 20240401 Staff Report V24-01.pdf Attachment B: SRV 2024-02 Paonia Christian Fellowship Packet_Redacted.pdf Attachment C: Notice Proof.pdf Attachment D: PH 4.1.24 ZBOA.pdf Attachment E: PH 5.14.24.pdf



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

REPORT OF THE TOWN ADMINISTRATOR

APPLICATION FOR ZONING VARIANCE V-24-01

(Real Estate Parcel Number: 324506123012,

Commonly known as: 235 Box Elder Avenue Paonia, CO 81428)

April 1, 2024

Background

V-24-01 Application for variance as outlined in § 16-3-30 of the Town of Paonia's Municipal Code of Ordinances for the Paonia Christian Fellowship Church for the property commonly known as: 235 Box Elder Avenue Paonia, CO 81428.

The request is to vary from §16-3-30, R-1 District Front Yard Setback Requirement of twenty (20) feet (Attachment A).

General Information

The applicant seeks a variance request to construct an ADA-accessible ramp to the entrance of their building. The applicant demolished and removed a previous ramp that was in the location, but upon investigation there was no variance on file for the previous ramp. The Town Administrator denied reconstruction of the ramp and directed the applicant to file for a variance from the code for setbacks. The applicant has provided drawings and reasonings for the encroachment of the setback onto the lot line.

The applicant would like to provide better access to individuals with disabilities, specifically, individuals utilizing a wheelchair, the elderly, persons on crutches, persons that use adaptive mobility devices such as walkers, persons using strollers, and to allow for caskets to egress and ingress during funeral processions.

The applicant does not want to change their land boundary but does want to encroach upon the setback that abuts public rights of way. The proposed ADA-accessible ramp is a free-standing structure, supported on its own with landings and decks from ground-level to the entrance of the church building. There are no anticipated changes to utilities with the construction of the ADA-accessible ramp.

The property is a church that has existed at the intersection since before the most recent iteration of the zoning and building code was adopted. The zoning for the property is within R-1, and a church is an acceptable use in that location by the existing zoning code through a special review. Since the current use and building predates the most recent zoning code, the use is allowed by right until such time that the use is changed to a different conforming use by right, such as Residential.

Since the church is typically open to parishioners and the general public as a part of its outreach programs, it stands to reason that the applicant would want to make efforts towards compliance with



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

the ADA. The applicant believes that foot traffic through the proposed ADA-accessible ramp would be 25-40, twice weekly. The applicant requests the variance so that the main entrance to the building will meet ADA-compliance. Per the plans submitted with the Application, there appear to be no environmental impacts such as noise, lighting glare, and pollutants. The applicant does not show any additional lighting upon the ADA-accessible ramp or decking.

The Town's Code contemplates how to measure a front yard setback, §16-1-100, Definitions, *Setbacks*, "are measured from the front yard, side yard and rear property lines. Front setbacks are to be measured from the front edge of any porch or wall of a structure excluding an eave with a maximum of twenty-four-inch projection into the setback area."

The Applicant is requesting an encroachment into the front yard setback of twenty (20) feet, to be along the sidewalk along Box Elder Avenue.

The Applicant demolished and removed an existing ramp that was determined to be the source of water intrusion that caused damage to the main structure of the property. The proposed construction would not funnel water towards the foundation of the building and would mitigate the previous ramp's encroachment into the setback.

The Zoning Board of Adjustments and Appeals has jurisdiction over whether or not the encroachment may be heard during a Public Hearing under §16-5-10 (a). Should the Zoning Board of Adjustments and Appeals wish to grant this request, it would not be the final decision-maker for this variance since the abutting and affected property is the public right of way. Any consideration of approval by the Zoning Board of Adjustments and Appeals would be conditioned upon the Board of Trustees voting favorably to approve the encroachment.

Required Findings Needed to Issue a Variance and/or Considerations for a Special Review

§16-4-50 (a), Site plan review criteria and performance standards

(1) Compliance of the application with this Code in general. Staff find that the Applicant's situation is unique and peculiar to the property and that an exceptional and unique hardship exists. There was a previous ramp that was demolished and removed, but no existing variance was found for the property. Since the structure was removed, conformity to the Town's code is required, and the Town Administrator denied the request to replace the demolished ADA-accessible ramp. Due to the denial, the Applicants submitted a request for variance to rebuild the ramp with a deck that meets ADA standards and mitigates the encroachment by the previous ramp.

(2) The compatibility of the proposed use and site plan with the character of the surrounding area. The construction of an ADA-accessible ramp improves the church's ability to bring their space into compliance with the requirements of the ADA. There was a ramp in the location previously that did not impede or protrude into the public right of way, it abutted the sidewalk. Replacing the ADA-accessible ramp with mitigation of the previous encroachment is compatible with the character of the area.



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

- (3) The desirability and need for the proposed use. The Town Administrator is also the ADA Coordinator for the Town and it is desirable for more existing structures to become compliant with the requirements of the ADA. Although the proposed structure encroaches on the public right of way, it is necessary to bring the primary structure into compliance with the ADA.
- (4) The potential for adverse environmental influences that might result from the proposed use. Staff find that the potential for adverse environmental influences does not exist for the proposed use or for the variance being requested.
- (5) Compatibility of the proposed use and site plan with the policies and guidelines in the Comprehensive Plan. Staff find that the variance does not conflict with provisions of the existing Comprehensive Plan from 1996.
- (b) Lights and Signs shall be located in a manner that will not be distracting to adjoining properties or passing motorists. The applicant does not propose any lighting on the ADA-accessible ramp.
- (c) Landscaping shall be provided in areas near the public right-of-way and located with consideration for energy conservation. An acceptable plan must be provided for maintenance of the required landscaped areas. Staff have determined that this provision is not applicable to the proposed use or the variances being sought by the applicant.
- (d) Control of storm drainage shall be provided so as to not damage adjoining properties. The plan must be approved by the Town Engineer. Staff believe that the proposed improvement will not need a full storm drainage plan since the proposal will have minor revisions to the grading of the property, and the applicant will provide for adequate area for storm water to percolate through grass within the yard.
- (e) Site design and building plans shall include provisions for needs of handicapped individuals as required by the Building Code or other ordinances of the Town. The proposed site plan and drawings associated with the application include necessary provisions for handicapped individuals as required by this provision of the code.
- (f) Approved landscaping or solid fencing capable of screening adjacent properties shall be provided where commercial uses abut residential uses. The proposed improvements do not abut residential uses.
- (g) Commercial and industrial uses shall conform to the following performance standards:
Staff find that no subsection applies to this application for variance.



**TOWN OF PAONIA
PLANNING COMMISSION & COMMUNITY DEVELOPMENT
STAFF REPORT**

Staff Recommendation

Staff recommends approval of the variances and bases their recommendation on the information given by the applicant, the applicant's plan mitigates the previous encroachment into the Town's Right of Way, and the benefit to the general public provided by the improvements.

Potential Motions:

- 1.) I move to recommend approval of Variance 2024-01 because it mitigates an existing non-conforming encroachment, that there is a need for use that is described by the applicant with meeting the requirements of the ADA, and that there exists a hardship to the Applicant that is unique to the property and that this approval intends to relieve; with the following condition: that the applicant also receives a favorable determination from the Board of Trustees prior to completing any of the proposed improvements.
- 2.) I move to recommend denial of Variance 2024-01 because it doesn't meet the criteria for a special review or a variance since the applicant hasn't demonstrated that it meets the goals and objectives of the Comprehensive Plan and that the hardship for which the applicant seeks relief was caused by themselves.
- 3.) I move to defer a decision for Variance 2024-01 to the Board of Trustees.

Sec. 16-3-30. Schedule of requirements, residential districts.

Table 16-2
Schedule of Requirements¹- Residential Districts

	R-1 District		R-2 District		R-3 District		E-1 District		MH District	
Minimum Lot Area Requirements	Dwelling units	Min. lot area (sq. ft.)	Dwelling units	Min. lot area (sq. ft.)	Dwelling units per story	Min. lot area (sq. ft.)	Dwelling units	Min. lot area (sq. ft.)	Dwelling units	Min. lot area (sq. ft.)
Residential uses permitted by right	1	6,000	1	6,000	1	6,000	1	3 acres	1	5,000
			2	8,000	2	6,000	2		N/A	N/A
					3	8,000				
					4	10,000				
					5	12,500				
					6	15,000				
Residential uses permitted by special review			3	12,000	Over 6 units	15,000 sq. ft.				
			4	16,000		+				
			5	20,000		2,500 sq. ft.				
			6	24,000		for each unit over 6				

Yard Requirements ²	R-1 District	R-2 District	R-3 District	E-1 District	MH District
All yard areas adjacent to an arterial street major and minor	50 ft.	35 ft.	35 ft.	75 ft.	50 ft.
Front yard setback					
Collector (major and minor)	25 ft.	25 ft.	25 ft.	50 ft.	25 ft.
Local	20 ft.	20 ft.	20 ft.	35 ft.	20 ft.
Side yard	6 ft.	6 ft.	10 ft. ³	20 ft.	6 ft.
Rear yard	10 ft.	10 ft.	20 ft.	20 ft.	15 ft.
Minimum lot width	50 ft.	50 ft.	50 ft.	200 ft.	50 ft.
Minimum landscaped open space (% of lot area)	-	20%	20%	30%	-
Minimum lot coverage	30%	30%	30%	20%	50%
Maximum building height	25 ft.	25 ft.	35 ft.	30 ft.	25 ft.

¹ See also the following provisions: 16-3-40 to 16-3-60 pertaining to average lot areas, side yard setback variation and front yard variation.

² See supplementary requirements in Section 16-10-60.

³ When a building is 3 stories, a 15-foot setback is required.

(Ord. No. 2000-02, Art. X, 2000; Ord. No. 2014-04, § 1, 1-13-2015)

Property Record Card

DELTA COUNTY Delta County Assessor

**PAONIA CHRISTIAN
FELLOWSHIP**

235 BOX ELDER AVE
PAONIA, CO 81428-0000

Account: R008942

Tax Area: BR- - BR-

Acres: 0.300

Parcel: 324506123012

Situs Address:
231 BOX ELDER AVE
PAONIA, 81428

Value Summary

Value By:	Market	Override
Commercial (1)	\$155,338	N/A
Land (1)	\$80,000	N/A
Residential (1)	\$205,407	N/A
Total	\$440,745	\$440,745

Legal Description

231 BOX ELDER AVE PAONIA 81428 235 BOX ELDER AVE
PAONIA 81428 S: 6 T: 14S R: 91W Subdivision: HALEYS ADDITION
TO PAONIA Block: 4 Lot: 1 THRU:- Lot: 5 TOTAL 0.34 AC+- LOTS 1
THRU 5 BLK 4 HALEY'S ADD. SEC 6 T14S R91W 6PM. BK 368 PG
15 BK 379 PG 179 BK 448 PG 994 (R-353931) BK 517 PG 271 BK 604
PG 235 BK 850 PG 977 BK 912 PG 61 BK 912 PG 62 BK 912 PG 64
DPT EX (15-01186-01)


Public Remarks

Entry Date	Model	Remark
12/06/2012		EXEMPTION VERIFIED PER DPT FOR 2012. JS #15-01186
02/25/2014		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2014-NN
01/12/2015		CHG EFF YR BLT AND DPRT
01/26/2015		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2015-NN
01/27/2016		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2016-NN
01/23/2017		EXEMPTIONV ERIFIED PER DPT #15-01186 01 FOR 2017
08/14/2018		EXEMPTIONV ERIFIED PER DPT #15-01186 01 FOR 2018 - MW
02/04/2019		EXEMPTIONV ERIFIED PER DPT #15-01186 01 FOR 2019 - MW
02/11/2020		EXEMPTION VERIFIED PER DPT #15-01186 FOR 2020 - MW
02/11/2021		EXEMPTION VERIFIED PER DPT #15-01186 FOR 2021 - AG
02/03/2022		EXEMPTION VERIFIED PER DPT # 15-010186 FOR 2022 - MW
02/02/2023		EXEMPTION VERIFIED PER DPT LIST. 2/2/2023. FILE # 15-01186. -JH
01/30/2024		EXEMPTION VERIFIED PER DPT LIST. 1/30/2024. FILE # 15-01186. -JMB

Property Record Card

DELTA COUNTY Delta County Assessor

Public Remarks

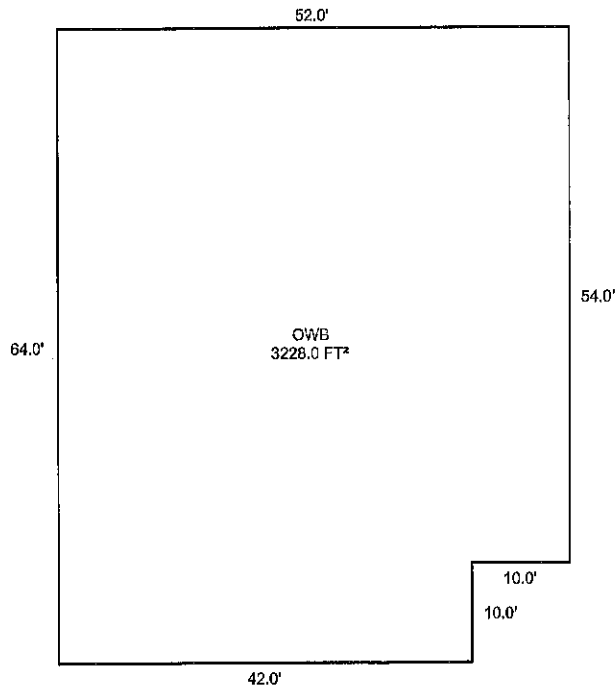
01/30/2024

EXEMPTION VERIFIED PER DPT LIST. 1/30/2024. FILE # 15-01186. -JMB

Commercial Occurrence 1

BVAL	925100 - CHAPEL	Abstract Code	9251 - CHURCH
Arch Style	15 - MISC	Exterior wall	21 - STONE
RCVR	3 - COMP SHNGL	RSTR	3 - GABLE/HIP
Interior Wall	3 - PLASTER	Flooring	14 - CARPET
Heating Fuel	3 - GAS	Heating Type	3 - FORCED AIR
Air Conditioning	1 - NONE	Subdivision	40002 - PAONIA ORIGINAL
QUAL	3 - AVERAGE	Frame type	3 - MASONRY
STYS	1 - STYS	Number of Baths	2
FIXT	0	RMS	10
Number of Bedrooms	0	Actual Year Built	1906
Effective Year Built	1960	Neighborhood	200411 - PAO COMMERCIAL
DEPR01	1960 - DEPR01	UD1	0 - N/A
Use Code	9000	CEIL	0 - N/A

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
OWB - 1 STY/BSMT	3,874	3,228	3,228	3,228
Total	3,874.00	3,228.00	3,228.00	3,228.00
	Value	Rate	Rate	Rate
	\$155,338	40.10	48.12	48.12



Sketch by Apex IV Windows™

Land Occurrence 1

LVal	200412 - PAO COMMERCIAL > .15 AC	Abstract Code	9151 - 9151 - church
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100
Adj 3	100	Adj 4	100

Property Record Card

DELTA COUNTY Delta County Assessor

Land Occurrence 1

Adj 3	100	Adj 4	100
Neighborhood	41001 - PAONIA	Road	6 - S PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	3 - PAONIA - CHRIS	Subdivision	40002 - PAONIA ORIGINAL
Use Code	9000	Review Date	999999 - BEFORE 2000

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
UT	1			1
Total	1.00			1.00
	Value	Rate	Rate	Rate
	\$80,000	80,000.00		80,000.00

Residential Occurrence 1

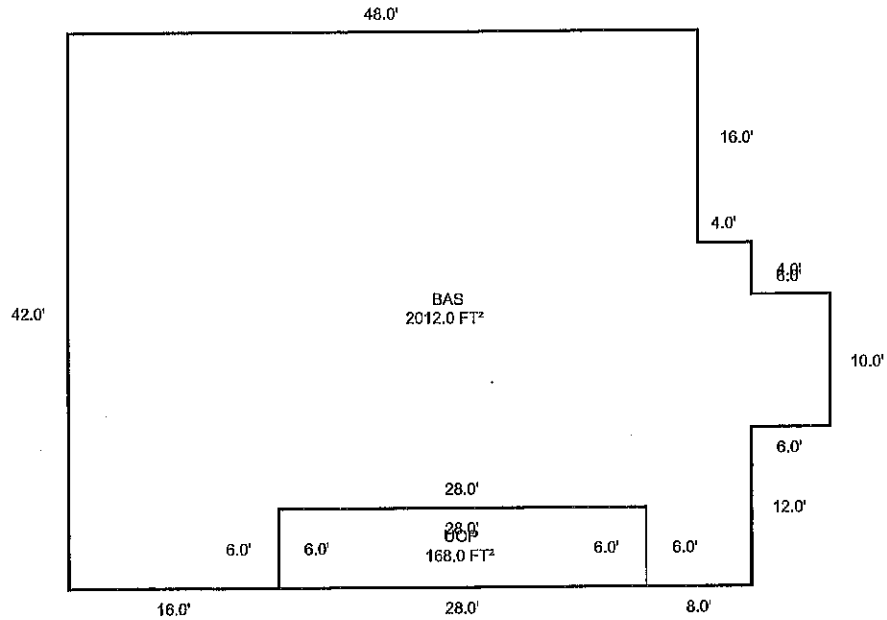
Abstract Code	9254 - 9254 - parsonage	BVAL	121203 - SFR PAONIA
Arch Style	7 - RANCH	Exterior wall	4 - SINGLE SID
RCVR	12 - MODULAR METAL	RSTR	3 - GABLE/HIP
Interior Wall	3 - PLASTER	Flooring	14 - CARPET
Heating Fuel	3 - GAS	Heating Type	2 - CONVECTION
QUAL	3 - AVERAGE	Frame type	2 - WOOD FRAME
Appr Dist	PAONIA - CHRIS	STYS	1 - 1
Subdivision	40002 - PAONIA ORIGINAL	Number of Baths	1
RMS	5	Number of Bedrooms	3
Actual Year Built	1904	Use Code	9000
DEPR01	1960 - DEPR01	Neighborhood	41001 - PAONIA
UDI	0 - N/A		

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
BAS - BASE AREA	2,012	2,012	2,012	2,012
UOP - UF/OPN/PRC	34			168
Total	2,046.00	2,012.00	2,012.00	2,180.00
	Value	Rate	Rate	Rate
	\$205,407	100.39	102.09	94.22

Property Record Card

DELTA COUNTY Delta County Assessor

Residential Occurrence 1

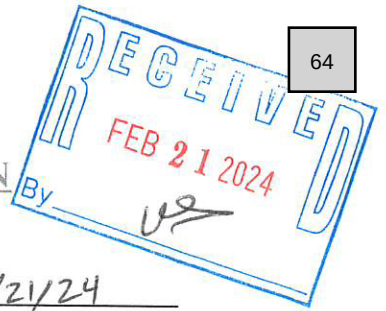


Sketch by Apex IV Windows™

Abstract Summary

Code	Classification	Actual Value	Taxable Value	Actual Override	Taxable Override
9151	9151 - church	\$80,000	\$22,320	NA	NA
9251	9251 - church	\$155,338	\$43,339	NA	NA
9254	9254 - parsonage	\$205,407	\$13,762	NA	NA
Total		\$440,745	\$79,421	NA	NA

SPECIAL REVIEW/VARIANCE APPLICATION



Name PAONIA CHRISTIAN FELLOWSHIP C/O JOSH MCINTIRE Application Date 2/21/24
 Property Address 235/231 BOX ELDER AVE ZBoA Hearing Date _____
 Telephone Number [REDACTED] Council Hearing Date _____

11.01 Intent. Each established zoning district is intended for a specific type or category of land use (e.g., single family dwelling in an R-1 district). However, there are certain uses, which may or may not be appropriate in a district depending on the situation. For example, the location, nature of the proposed use, character of the surrounding area, traffic capacities of adjacent streets, and potential environmental effects all may dictate that the circumstances of the development should be individually reviewed. The special review process is established to provide for these specific uses without establishing numerous separate zoning classifications. It is the intent of this chapter to provide a review of such uses so that the community is assured that the proposed uses are compatible with the location and surrounding land uses.

Encroachment into R/W & Setback needs Variance from Ch. 16

11.02: When Allowed. Within each zoning district, certain land uses are permitted by right, by special review or prohibited. Special review uses may be permitted in designated districts upon review by the Planning and Zoning Commission and approval by the Town Board.

11.03: Site Plan and Supporting Documents. There shall be filed with each special review application a site plan drawn to scale and an appropriate number of copies as determined by the Town Manager. The site plan shall be drawn in black ink on Mylar. Following approval by the Town Board the applicant shall submit a reproducible copy of the original site plan to the Town for the Town's permanent records.

PAID
FEB 21 2024

The special review application shall include the following:

- ☒ The site plan showing the location of all buildings, structures and other improvements to be placed on the real property. A building envelope may be used in lieu of showing the exact building or structure location to allow for minor variations in the location.
- ☒ A legal description of the property, which may require a survey.
- ☒ A list of the names and addresses of all property owners within 200 ft. of the property.
- ☒ All off-street parking and loading areas.
- ☐ The location of all ways for ingress and egress to all buildings, and parking areas.
- ☐ Service and refuse collection areas. *N/A*
- ☒ Major screening proposals.
- ☒ The size, shape, height and character of all signs.
- ☐ The area and location of all open space and recreation areas.
- ☐ The location and type of outdoor lighting. *N/A*
- ☐ The character and type of landscaping to be provided. The landscaping shall be indicated in tabular form showing the type of plant material, minimum size and quantity. *N/A*
The approximate location of landscaping shall be indicated on the site plan.
- ☒ The anticipated timetable for completion. If the project is to be completed in phases, then the data for completion of each phase shall be indicated.

TOWN OF PAONIA
PL #250

- ☐ All owners and lien-holders of the property shall sign the following agreement that will be placed on the original special review site plan.
- ☐ Home Owner's association Written plan approval (if applicable)

The undersigned agree that the real property described on the site plan shall be developed only in accordance with the approved special review site plan and other provisions of the zoning regulations of the Town of Paonia.

I. Site Plan

Any application for Special Review/Variance that includes a new structure or improvement to an existing structure will require a site plan. Plans may be hand drawn, but must be clearly written with accurate measurements indicated. The Site Plan may be submitted as two separate drawings or one drawing with an overlay.

II. Project Summary

Please answer only the questions that apply to your Special Review/Variance request. Any additional information, which would be beneficial in the consideration, may be noted in the "Comments" section.

- a. Reason for Special Review/Variance PROVIDE ADA- ACCESSIBILITY FOR PERSONS IN WHEELCHAIRS, ELDERLY, PERSONS WITH CRITCHES, WALKERS, BABY STROLLERS, ETC. ALSO ALLOW FUNERAL PROCESSIONS WITH CASKET ACCESS.
- b. Current Zoning of Property _____
- c. What land boundary changes are necessary? NONE.
- d. What addition/changes to existing buildings/structures will be made? NONE. THE ADA RAMP WILL BE FREE-STANDING.
- e. What new buildings/structures will be constructed? AN ADA RAMP W/ LANDINGS AND DECK. TO BE COMPLETED NO LATER THAN JULY 2024.
- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric. NONE.
- g. Will property have Commercial/Private or Public Use? PUBLIC AND POSSIBLY COMMERCIAL, DEPENDING ON HOW ZONING IS UNDERSTOOD.
- h. Anticipated traffic flow and volume? AN ESTIMATED 25-40 PEOPLE, TWICE WEEKLY, UPON ENTRANCE AND EXIT OF CHURCH BUILDING.

- i. Detail the Safety and Disabled Access accommodations? PROVIDE
ACTUAL ADA ACCESS
- j. Detail the possible environmental impact; such as noise, lighting glare, pollutants, etc. NONE.

Comments: THERE WAS A PREVIOUS RAMP ALREADY EXISTED IN THE PROPOSED LOCATION, BUT IT WAS FOUND & DETERMINED TO BE THE SOURCE OF WATER DAMAGE FOR THE BUILDING. THE NEW PROPOSED RAMP WOULD NOT FUNNEL WATER INTO THE BUILDING, AND WOULD ALSO ENCRACH SEVERAL FEET *LESS* INTO THE 6 FOOT SETBACK.

III. Public Notice Requirements

All property owners within 200 feet of the property being reviewed shall be notified via certified mail of a public hearing whereby the Zoning Board of Adjustments shall consider this application. It is incumbent upon the applicant to request the names of the property owners from the Delta County GIS Department (970-874-2119). Please have the GIS e-mail the information to StefenW@townofpaonia.com. Applications for Special Review shall be filed at least 30 days in advance of the meeting at which they are to be considered by the Zoning Board of Adjustments. Incomplete applications shall result in denial of application acceptance and returned for completion, consequentially delaying hearings.

IV. Acknowledgement to Pay Fees

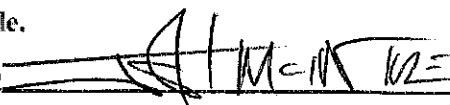
This application must be completed and a fee of \$250.00 is assessed to include preliminary costs of administrative services, initial correspondence, publication and certified mailings to property owners within 200 feet of said property.

Payment must accompany this application.

FEES PAID HEREUNDER ARE NON-REFUNDABLE UPON SIGNING

By signing below, I acknowledge that I will be billed for any overages of costs incurred for this Special Review/Variance. I am aware that upon acceptance of the Special Review/Variance by the Planning and Zoning Commission, a building permit must be applied and approved by the Building Inspector, if applicable.

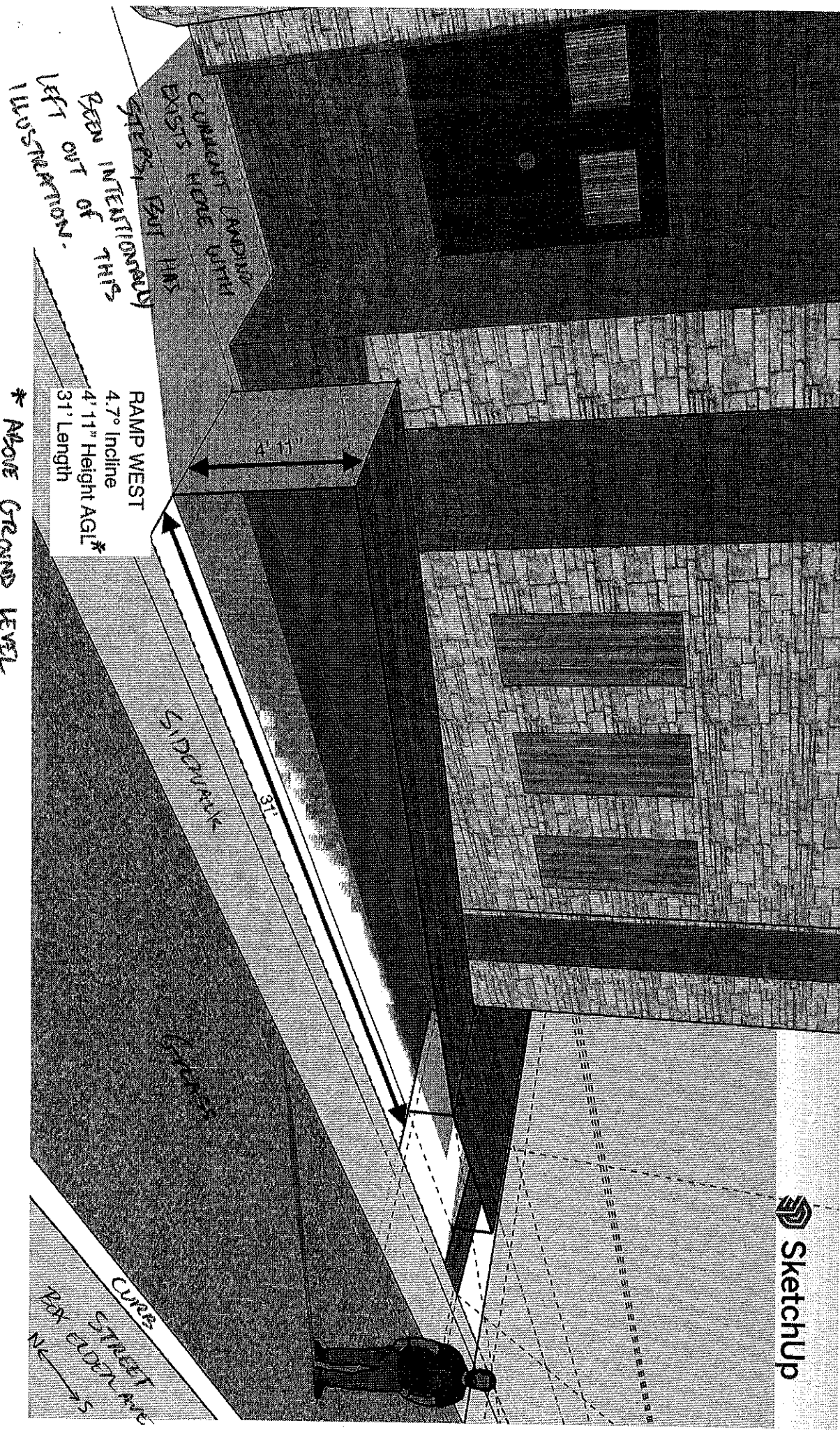
SIGNED



PRINTED NAME JOSEPH MCINTIRE

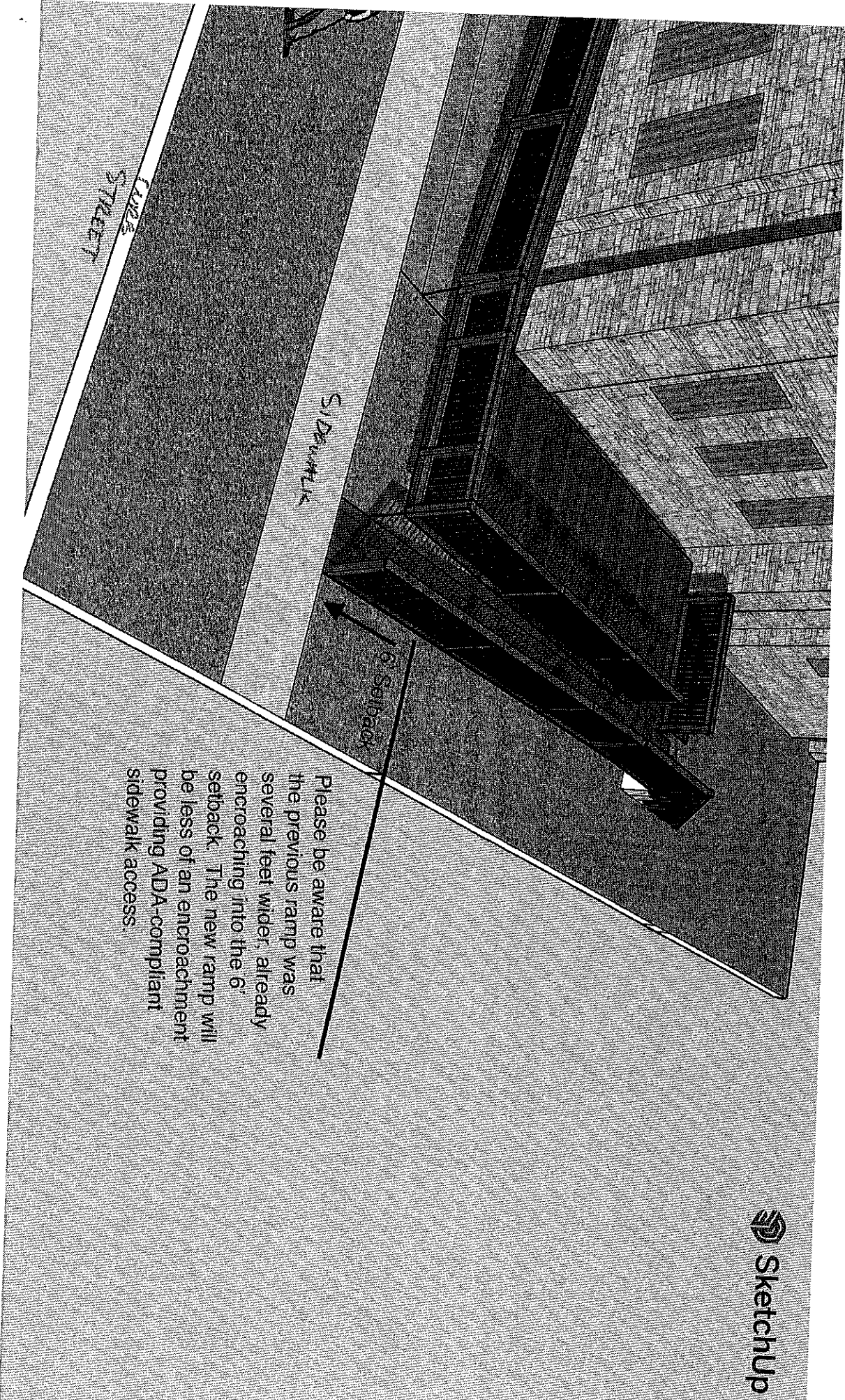
DATE: 2/21/24

Clerks Acceptance _____ DATE _____



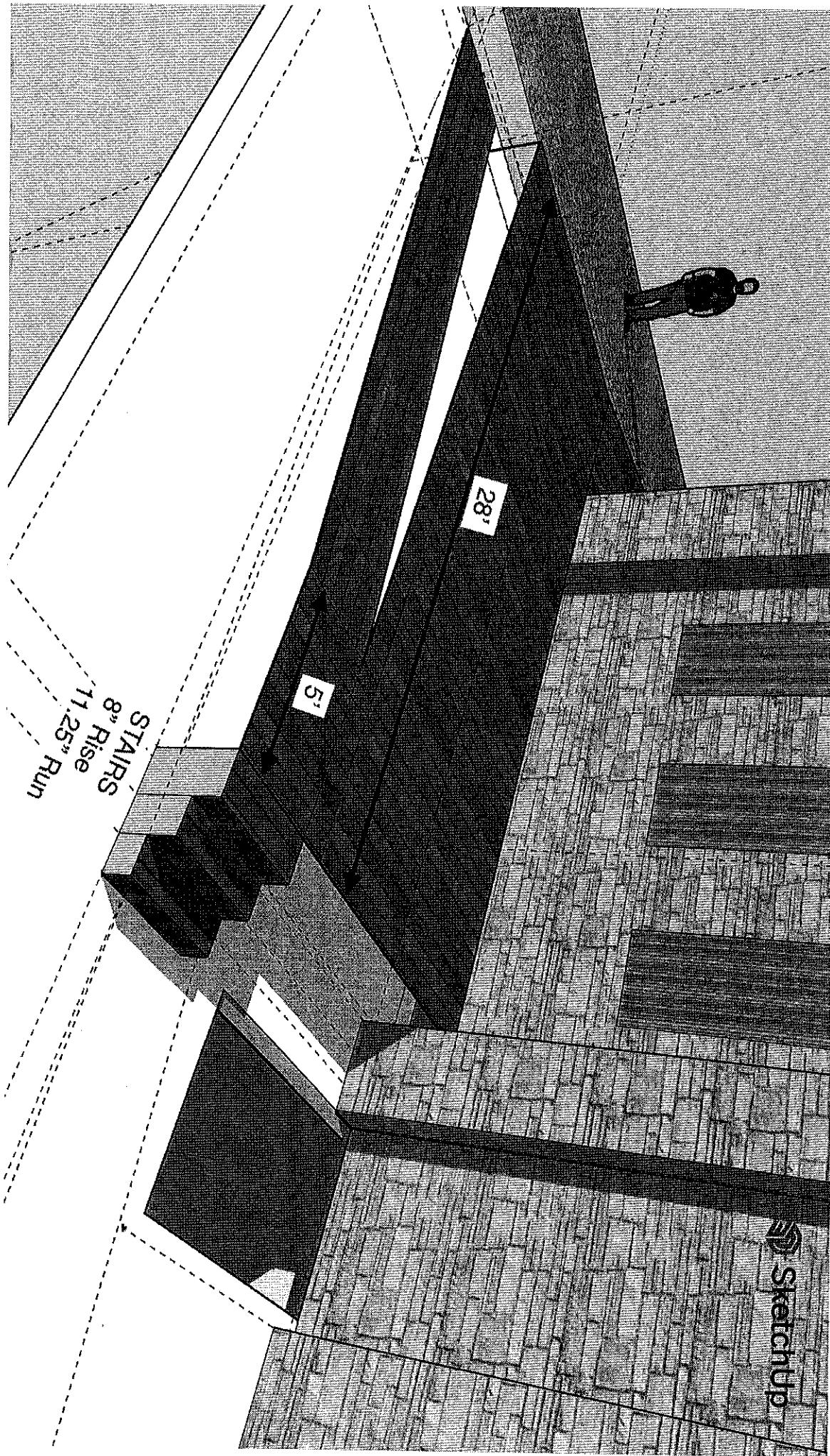
SketchUp

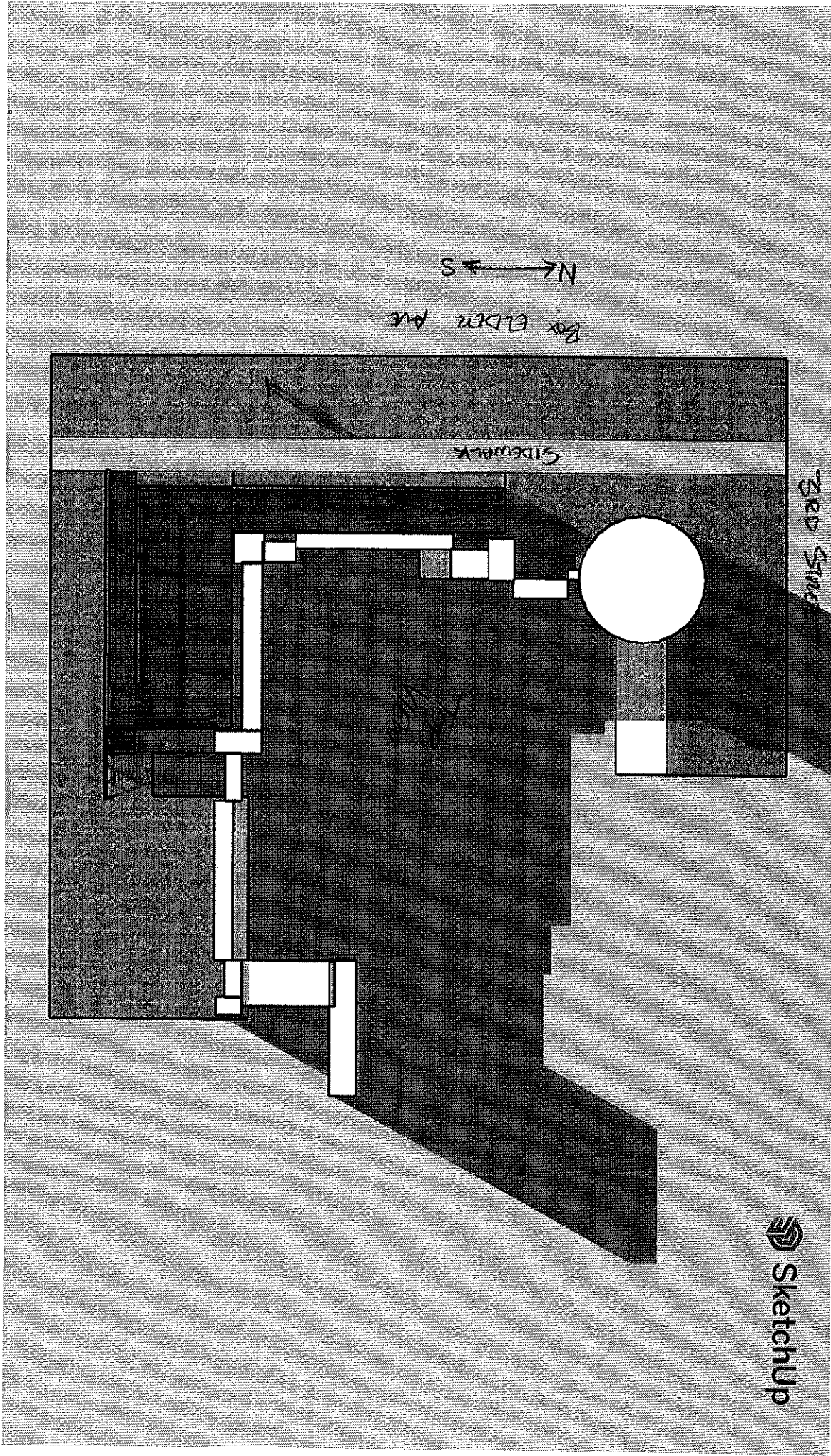
CURB
STREET
EIDER AVE
N
S





SHOWN WITHOUT RAILING
FOR FREE OF VIEWING





Property Record Card

DELTA COUNTY Delta County Assessor

**PAONIA CHRISTIAN
FELLOWSHIP**

235 BOX ELDER AVE
PAONIA, CO 81428-0000

Account: R008942

Tax Area: BR- - BR-

Acres: 0.300

Parcel: 324506123012

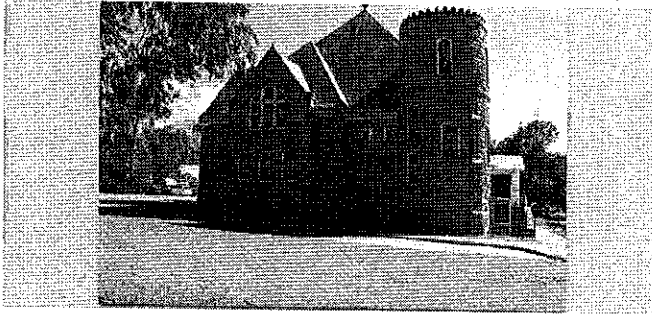
 Situs Address:
231 BOX ELDER AVE
PAONIA, 81428

Value Summary

Value By:	Market	Override
Commercial (1)	\$155,338	N/A
Land (1)	\$80,000	N/A
Residential (1)	\$205,407	N/A
Total	\$440,745	\$440,745

Legal Description

231 BOX ELDER AVE PAONIA 81428 235 BOX ELDER AVE
PAONIA 81428 S: 6 T: 14S R: 91W Subdivision: HALEYS ADDITION
TO PAONIA Block: 4 Lot: 1 THRU:- Lot: 5 TOTAL 0.34 AC+- LOTS 1
THRU 5 BLK 4 HALEY'S ADD. SEC 6 T14S R91W 6PM. BK 368 PG
15 BK 379 PG 179 BK 448 PG 994 (R-353931) BK 517 PG 271 BK 604
PG 235 BK 850 PG 977 BK 912 PG 61 BK 912 PG 62 BK 912 PG 64
DPT EX (15-01186-01)


Public Remarks

Entry Date	Model	Remark
12/06/2012		EXEMPTION VERIFIED PER DPT FOR 2012. JS #15-01186
02/25/2014		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2014-NN
01/12/2015		CHG EFF YR BLT AND DPRT
01/26/2015		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2015-NN
01/27/2016		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2016-NN
01/23/2017		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2017
08/14/2018		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2018 - MW
02/04/2019		EXEMPTION VERIFIED PER DPT #15-01186 01 FOR 2019 - MW
02/11/2020		EXEMPTION VERIFIED PER DPT #15-01186 FOR 2020 - MW
02/11/2021		EXEMPTION VERIFIED PER DPT #15-01186 FOR 2021 - AG
02/03/2022		EXEMPTION VERIFIED PER DPT # 15-010186 FOR 2022 - MW
02/02/2023		EXEMPTION VERIFIED PER DPT LIST. 2/2/2023. FILE # 15-01186. -JH
01/30/2024		EXEMPTION VERIFIED PER DPT LIST. 1/30/2024, FILE # 15-01186. -JMB

Property Record Card

DELTA COUNTY Delta County Assessor

Public Remarks

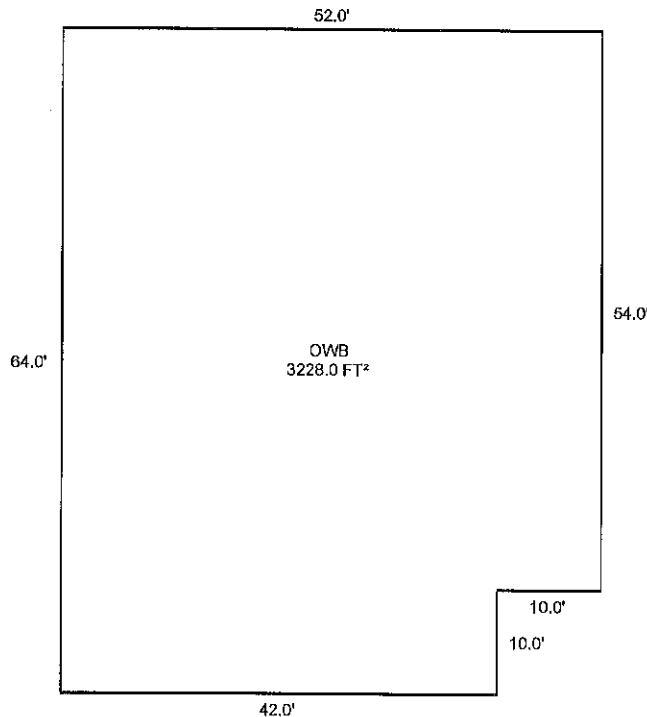
01/30/2024

EXEMPTION VERIFIED PER DPT LIST. 1/30/2024. FILE # 15-01186. -JMB

Commercial Occurrence 1

BVAL	925100 - CHAPEL	Abstract Code	9251 - CHURCH
Arch Style	15 - MISC	Exterior wall	21 - STONE
RCVR	3 - COMP SHNGL	RSTR	3 - GABLE/HIP
Interior Wall	3 - PLASTER	Flooring	14 - CARPET
Heating Fuel	3 - GAS	Heating Type	3 - FORCED AIR
Air Conditioning	1 - NONE	Subdivision	40002 - PAONIA ORIGINAL
QUAL	3 - AVERAGE	Frame type	3 - MASONRY
STYS	1 - STYS	Number of Baths	2
FIXT	0	RMS	10
Number of Bedrooms	0	Actual Year Built	1906
Effective Year Built	1960	Neighborhood	200411 - PAO COMMERCIAL
DEPR01	1960 - DEPR01	UD1	0 - N/A
Use Code	9000	CEIL	0 - N/A

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
OWB - 1 STY/BSMT	3,874	3,228	3,228	3,228
Total	3,874.00	3,228.00	3,228.00	3,228.00
	Value	Rate	Rate	Rate
	\$155,338	40.10	48.12	48.12



Land Occurrence 1

LVal	200412 - PAO COMMERCIAL > .15 AC	Abstract Code	9151 - 9151 - church
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100
Adj 3	100	Adj 4	100

Property Record Card

DELTA COUNTY Delta County Assessor

Land Occurrence 1

Adj 3	100	Adj 4	100
Neighborhood	41001 - PAONIA	Road	6 - S PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	3 - PAONIA - CHRIS	Subdivision	40002 - PAONIA ORIGINAL
Use Code	9000	Review Date	999999 - BEFORE 2000

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
UT	1			1
Total	1.00			1.00
	Value	Rate	Rate	Rate
	\$80,000	80,000.00		80,000.00

Residential Occurrence 1

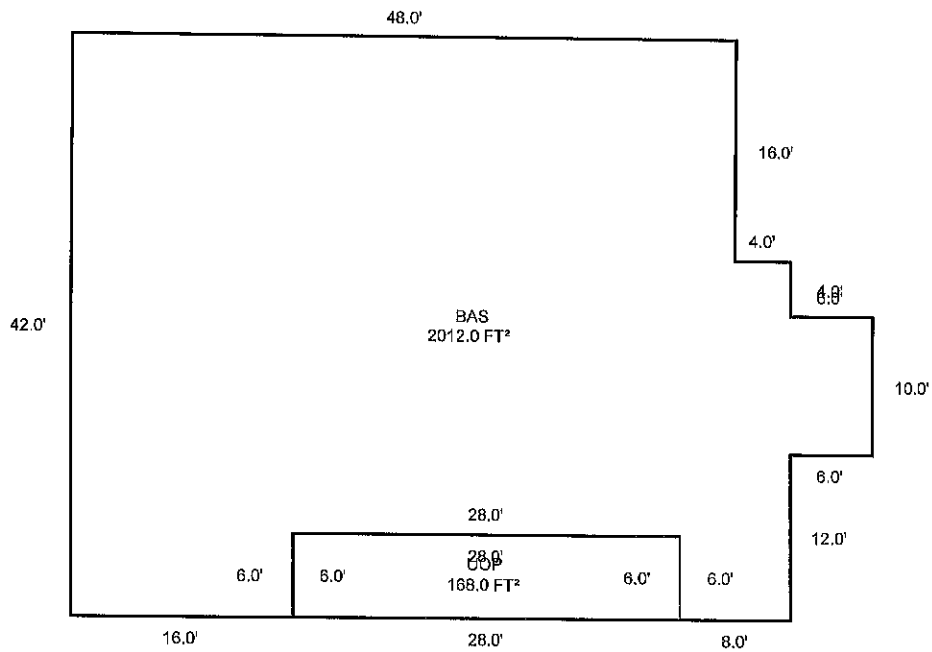
Abstract Code	9254 - 9254 - parsonage	BVAL	121203 - SFR PAONIA
Arch Style	7 - RANCH	Exterior wall	4 - SINGLE SID
RCVR	12 - MODULAR METAL	RSTR	3 - GABLE/HIP
Interior Wall	3 - PLASTER	Flooring	14 - CARPET
Heating Fuel	3 - GAS	Heating Type	2 - CONVECTION
QUAL	3 - AVERAGE	Frame type	2 - WOOD FRAME
Appr Dist	PAONIA - CHRIS	STYS	1 - 1
Subdivision	40002 - PAONIA ORIGINAL	Number of Baths	1
RMS	5	Number of Bedrooms	3
Actual Year Built	1904	Use Code	9000
DEPR01	1960 - DEPR01	Neighborhood	41001 - PAONIA
UD1	0 - N/A		

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
BAS - BASE AREA	2,012	2,012	2,012	2,012
UOP - UF/OPN/PRC	34			168
Total	2,046.00	2,012.00	2,012.00	2,180.00
	Value	Rate	Rate	Rate
	\$205,407	100.39	102.09	94.22

Property Record Card

DELTA COUNTY Delta County Assessor

Residential Occurrence 1



Sketch by Apex IV Windows™

Abstract Summary

Code	Classification	Actual Value	Taxable Value	Actual Override	Taxable Override
9151	9151 - church	\$80,000	\$22,320	NA	NA
9251	9251 - church	\$155,338	\$43,339	NA	NA
9254	9254 - parsonage	\$205,407	\$13,762	NA	NA
Total		\$440,745	\$79,421	NA	NA

RECEIPT

Town of Paonia

214 Grand Avenue
Paonia CO 81428
970-527-4101

NO. 360095

76

DATE 2-21-24

RECEIVED FROM Paonia Christian Fellowship \$ 200

Two Hundred Fifty PAID DOLLARS

FOR Special Review application Fee FEB 21 2024

AMOUNT OF ACCOUNT		
THIS PAYMENT	250	
BALANCE DUE		

☐ CASH
☒ CHECK TOWN OF PAONIA
☐ CREDIT CARD BY
☐ MONEY ORDER

Town of Paonia
PO Box 460
214 Grand Avenue
Paonia CO 81428-0460 (970) 527-4101

Receipt No: 1.183237 Feb 22, 2024

PAONIA CHRISTIAN FELLOWSHIP

Previous Balance:	.00
Licenses & Permits - Special Review - RAMP	250.00
Total:	250.00
Check Check No: 237	250.00
Total Applied:	250.00
Change Tendered:	.00

02/21/2024 2:58 PM

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Delta County Independent** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 249-3444**.

Notice ID: UAgmh4sTfa0Wy8S3buEY | **Proof Updated: Apr. 02, 2024 at 09:14am MDT**
Notice Name: PH 231 & 235 Box Elder

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Samira Vetter
samirav@townofpaonia.com
(970) 527-4101

FILING FOR

Delta County Independent

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 4.95

Number of Lines: 46

04/25/2024: Custom	16.56
05/02/2024: Custom	11.96
05/09/2024: Custom	11.96

Subtotal	\$40.48
Tax	\$0.00
Processing Fee	\$0.00
Total	\$40.48

**TOWN OF PAONIA, COLO-
RADO
NOTICE OF PUBLIC HEARING**

79

Notice is hereby given that the Board of Trustees of the Town of Paonia will hold a Public Hearing commencing Tuesday, May 14, 2024, at 6:30 p.m., at the Paonia Town Hall, 214 Grand Avenue, Paonia, Colorado 81428. The purpose of the Public Hearing is to consider an application from Paonia Christian Fellowship for a Variance to the setbacks required under the Paonia Municipal Code in order to permit the Applicant's construction of a ramp providing ADA access to the building located on the property having a street address of 231 & 235 Box Elder Avenue, Paonia, Colorado 81428. Any person may appear at the Public Hearing and be heard regarding the matters under consideration. Copies of the proposed plans and related application materials are on file and available for public inspection in the office of the Town Clerk, 214 Grand Avenue, Paonia, Colorado 81428.

**Dated the 2nd day of April,
2024.**

**TOWN OF PAONIA, COLO-
RADO**

Samira Vetter, Town Clerk
Published Thursday, April 25,
May 2, 9, 2024

Minutes
Zoning Board of Adjustments
Town of Paonia, Colorado
April 01, 2024

RECORD OF PROCEEDINGS

PRESENT

Gia Fanelli
Dale Duesterback
Steve Clisset
Zuzana Tauvinkl

ABSENT

Ian Oeser

Approval of Agenda

Item was not addressed.

Appointment of Officers

Commissioner Tauvinkl makes a motion, seconded by Commissioner Fanelli, to make Commissioner Duesterbeck, Chair.

The motion carries unanimously.

Commissioner Fanelli makes a motion, seconded by Commissioner Clisset, to make Commissioner Tauvinkl, Vice-Chair.

The motion carries unanimously.

Commissioner Clisset makes a motion, seconded by Vice-Chair Tauvinkl, to make Commissioner Fanelli, Secretary.

The motion carries unanimously.

Actions & Presentations

Chair Duesterbeck opens the public hearing at 6:03 pm.

Town Administrator Wynn provides his staff report and recommendation.

Josh McIntire, applicant, is sworn to tell the truth. He gives background of the sinking and flooding issues from the previous ramp construction and placement. He also highlights the difficulties for their parishioners without the ramp in place.

Public Comment opened at 6:19 pm.

No public is in attendance.

Chair Duesterbeck adds the Town Administrator Staff Report to the evidence of record.

Vice-Chair Tauvinkl asks about affected homes around the Church.

Commissioner Fanelli asks about why the ramp was encroaching the first time.

Town Administrator Wynn explains that the non-conformity has been removed when the old ramp was removed the only way to put the ramp back up is to have the property apply for the variance.

Chair Duesterbeck asks about caskets being able to use the ramp, differences in ADA accommodations for different areas and lighting requirements.

Commissioner Clisset asks whether any comments from the community or adjacent property owners have been received. Town Clerk Vetter replies in the negative.

Chair Duesterbeck closes the Public Hearing at 6:28 pm.

Secretary Fanelli makes a motion, seconded by Commissioner Clisset, to recommend approval of Variance 2024-01 because it mitigates an existing non-conforming encroachment, that there is a need for the use that is described by the applicant with meeting the requirements of the ADA, and that there exists a hardship to the Applicant that is unique to the property and that this approval intends to relieve; with the following condition: that the applicant also receives a favorable determination from the Board of Trustees prior to completing any of the proposed improvements.

The motion carries unanimously.

The meeting adjourns at 6:31 pm.

Samira M. Vetter, Town Clerk

Dale Duesterbeck, Chair

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Paonia, CO 81428

Certified Mail Fee \$4.40
\$3.65
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Tyler J. Reynolds
PO Box 1627

City, State, ZIP+4®
Paonia, CO 81428-1627

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

04/25/2024

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Paoia, CO 81428

Certified Mail Fee \$4.40
\$3.65
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Lizabath Schiffer
222 Box Elder Ave.

City, State, ZIP+4®
Paonia, CO 81428

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

04/25/2024

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Hotchkiss, CO 81419

Certified Mail Fee \$4.40
\$3.65
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Linda M. Racigalupi
36291 Sunshine Mesa Road

City, State, ZIP+4®
Hotchkiss, CO 81419-6204

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

04/25/2024

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Paoia, CO 81428

Certified Mail Fee \$4.40
\$3.65
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Paonia Christian Fellowship
235 Box Elder Ave.

City, State, ZIP+4®
Paonia, CO 81428

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

04/25/2024

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Denver, CO 80214

Certified Mail Fee \$4.40
\$3.65
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Melissa Matici-Jaffee Trust
2522 Chase St.

City, State, ZIP+4®
Edgewater, CO 80214-1231

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

04/25/2024

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Paoia, CO 81428

Certified Mail Fee \$4.40
\$3.65
Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$10.00
☐ Return Receipt (electronic) \$0.00
☐ Certified Mail Restricted Delivery \$0.00
☐ Adult Signature Required \$0.00
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Lee Chadrick York
PO Box 1677

City, State, ZIP+4®
Paonia, CO 81428-1677

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Postmark
Here

04/25/2024

9589 0710 5270 0665 1374 52

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Pawnee, CO 81428

Certified Mail Fee	\$4.40	0541 07
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Sent To **Joan Hunt**
Street and Apt. No., or PO Box No.
PO Box 1668
City, State, ZIP+4®
Pawnee, CO 81428-1668

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1374 38

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Pawnee, CO 81428

Certified Mail Fee	\$4.40	0541 07
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Sent To **Tamara Aegerter**
Street and Apt. No., or PO Box No.
PO Box 303
City, State, ZIP+4®
Pawnee, CO 81428-0303

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1374 07

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Pawnee, CO 81428

Certified Mail Fee	\$4.40	0541 07
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Sent To **Rose Lyett Luther Trust**
Street and Apt. No., or PO Box No.
PO Box 1329
City, State, ZIP+4®
Pawnee, CO 81428-1329

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1374 45

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

83

For delivery information, visit our website at www.usps.com®.

Grand Rapids, MI 49546

Certified Mail Fee	\$4.40	0541 07
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Sent To **Wisney-Jachin Trust**
Street and Apt. No., or PO Box No.
6216 Acropolis Drive SE
City, State, ZIP+4®
East Grand Rapids, MI 49546-7102

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1374 21

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Pawnee, CO 81428

Certified Mail Fee	\$4.40	0541 07
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Sent To **Kara Manns**
Street and Apt. No., or PO Box No.
PO Box 965
City, State, ZIP+4®
Pawnee, CO 81428-0965

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1374 14

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Pawnee, CO 81428

Certified Mail Fee	\$4.40	0541 07
Extra Services & Fees (check box, add fee as appropriate)		
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Sent To **Katherine May Redmond**
Street and Apt. No., or PO Box No.
PO Box 163
City, State, ZIP+4®
Pawnee, CO 81428-0163

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Paonia, CO 81428

Certified Mail Fee	\$4.40	0541
Extra Services & Fees (check box, add fee as appropriate)	\$3.45	07
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Postmark Here
04/25/2024

Sent To Patricia A. Logan
Street and Apt. No., or PO Box No. PO Box 201
City, State, ZIP+4® Paonia, CO 81428-0201

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Paonia, CO 81428

Certified Mail Fee	\$4.40	0541
Extra Services & Fees (check box, add fee as appropriate)	\$3.45	07
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Postmark Here
04/25/2024

Sent To Mary Jane Paulos
Street and Apt. No., or PO Box No. PO Box 164
City, State, ZIP+4® Paonia, CO 81428-0164

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Fort Collins, CO 80524

Certified Mail Fee	\$4.40	0541
Extra Services & Fees (check box, add fee as appropriate)	\$3.45	07
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Postmark Here
04/25/2024

Sent To Diane K Judy
Street and Apt. No., or PO Box No. 624 Stover St
City, State, ZIP+4® Fort Collins, CO 80524-3125

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Paonia, CO 81428

Certified Mail Fee	\$4.40	0541
Extra Services & Fees (check box, add fee as appropriate)	\$3.45	07
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Postmark Here
04/25/2024

Sent To Carla Augenstein
Street and Apt. No., or PO Box No. PO Box 903
City, State, ZIP+4® Paonia, CO 81428-0903

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Paonia, CO 81428

Certified Mail Fee	\$4.40	0541
Extra Services & Fees (check box, add fee as appropriate)	\$3.45	07
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Postmark Here
04/25/2024

Sent To Paul D Rakestraw
Street and Apt. No., or PO Box No. PO Box 1164
City, State, ZIP+4® Paonia, CO 81428-1164

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

U.S. Postal ServiceTM
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Fountain Hills, AZ 85268

Certified Mail Fee	\$4.40	0541
Extra Services & Fees (check box, add fee as appropriate)	\$3.45	07
☐ Return Receipt (hardcopy)	\$0.00	
☐ Return Receipt (electronic)	\$0.00	
☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$8.73	

Postmark Here
04/25/2024

Sent To Stuart James Bryson
Street and Apt. No., or PO Box No. 15223 E. Aspen Pr.
City, State, ZIP+4® Fountain Hills, AZ 85268-1319

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1373 15

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

85

For delivery information, visit our website at www.usps.com.

Denver, CO 80227

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fees as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Joshua Moore Crower

Street and Apt. No., or PO Box No.

6155 W. Harvard Dr.

City, State, ZIP+4[®]

Lawrence, CO 80227-4026

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 0665 1372 78

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com.

Moab, UT 84532

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$0.68

Total Postage and Fees \$8.73

Sent To

Doug Nichols

Street and Apt. No., or PO Box No.

821 S 400 E

City, State, ZIP+4[®]

Moab, UT 84532-3009

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

Prepared by: Tiffany Gonsalves
 After recording return to: Rita Drinkwater
 SBA Network Services, LLC
 8051 Congress Avenue
 Boca Raton, FL 33487
 Ph: 800-487-7483 ext. 7872

Parcel ID: 324506400008

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (“First Amendment”) is executed this _____ day of _____, 2024 (“Effective Date”) by and between **TOWN OF PAONIA, a Colorado municipality**, having an address of 214 Grand Avenue, Paonia, CO 81428 (“Landlord”) and **SBA TOWERS II LLC, a Florida limited liability company**, having a principal office located at 8051 Congress Avenue, Boca Raton, FL 33487-1307 (“Tenant”).

WHEREAS, Landlord and NTCH-Colorado, Inc., a Colorado corporation, entered into that certain Lease Agreement dated October 10, 2000, as evidenced by that certain Memorandum of Lease recorded November 29, 2000, in Book 869, Page 360 (collectively, “Agreement”) and assigned to Tenant, pursuant to that certain Assignment and Assumption Agreement dated December 26, 2007, and recorded April 4, 2008, Reception No. 624491; said recordings of the Clerk and Recorder of Delta County, Colorado, for Tenant’s use of a portion of the real property (“Property”) located at 40581 O Road, Paonia, CO 81428 (hereinafter referred to as “Parent Parcel”), being more particularly described and depicted in the attached **Exhibit “A”**, for the purpose of constructing, maintaining, and operating communication facilities and uses incidental thereto; and

00708834 - v3

CO10486-A / P-Hill

1

WHEREAS, Landlord and Tenant desire and intend to amend and supplement the Agreement as provided herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Agreement:

1. **Section 4. Extended Term Rental**, of the Agreement is hereby amended as follows:

The annual rental for the extended terms shall be as follows:

<u>Extended Term</u>	<u>Annual Rent</u>
1st ¹	\$ 6,700.00
2nd	\$ 7,594.00
3rd	\$ 8,543.00
4th (Supplement Date–2025)	\$ 15,011.00
5th (2026–2030)	\$ 16,887.38
6th (2031–2035)	\$ 18,998.30
7th (2036–2040)	\$ 21,373.09
8th (2041–2045)	\$ 24,044.73
9th (2046–2051)	\$ 27,050.32

At commencement of construction on the tower to increase the height to seventy-five feet (75') ("Construction"), Tenant shall pay Landlord a one-time payment in the amount of Five Thousand Four Hundred and No/100 Dollars (\$5,400.00) to supplement the Rent paid to Landlord for the subject year ("Supplement Date").

2. The first sentence of **Section 6. Use**, of the Agreement is hereby deleted and replaced with the following:

TENANT shall use the Property for the purpose of constructing, maintaining and operating communication facilities and uses incidental thereto, which facilities may consist of such

^[1] 1st though 3rd Extended Terms unchanged because Agreement is in 4th Extended Term. ¹
00708834 - v3

buildings as are necessary to house telecommunications equipment, **one free standing seventy-five foot (75') monopole** as determined by TENANT, now or in the future to meet TENANT's telecommunication needs and all necessary appurtenances, and a security fence of chain link or comparable construction that may, at the option of the TENANT, be placed around the perimeter of the Property (collectively, the "Communications Facility"), and for no other purpose. The defined Construction shall not be commenced until such time as plans for the Communications Facility described herein have been approved by the Delta County Building Department, or other appropriate department of the County or other proper jurisdictional authority, and until TENANT has provided documentation of such approval to LANDLORD. Following such Construction completion, TENANT shall return all areas of the Parent Parcel disturbed by such Construction to a condition equal to or better than its condition prior to Construction commencement. Within thirty (30) days of Construction completion, TENANT shall provide LANDLORD with a list and as-built drawings of all equipment, technologies, facilities, structures, and improvements forming the Communications Facility and appurtenances installed within the Property

3. **Section 6. Use**, of the Agreement is hereby further amended by adding the following sentence to follow the second full paragraph of such Section:

After TENANT's initial installation of the Communications Facility, without further approval of or additional rent payable to, LANDLORD, TENANT may make modifications or alterations that allow TENANT to (i) modify or add additional technologies to the tower, or (ii) modify or add equipment within the Property; provided, however, that in either case such modification or alteration shall not expand, or purport to expand, the Communications Facility, the Property, or any of the rights granted to TENANT under the Agreement, as amended ("Permitted Modification"). For any modification or alteration that is not a Permitted Modification, such as increasing the height above 75' or expanding the Property, TENANT shall seek LANDLORD's written approval of TENANT's installation plans and specifications at least thirty (30) days prior to commencing any such modification or alteration. LANDLORD, by way of the Town Administrator, shall give such approval or provide TENANT with its requests for changes within ten (10) business days of LANDLORD's receipt of TENANT's plans. If LANDLORD does not provide such approval or request for changes within such ten (10) business day period, LANDLORD shall be deemed to have denied the plans. LANDLORD reserves the right to receive additional consideration in exchange for giving its approval of any alterations or modifications that increase the size of the Communications Facility or increase the area of the Parent Parcel or Property occupied by the Communications Facility or appurtenances (beyond that shown on the as-built drawings provided to LANDLORD in accordance with the first paragraph of this Section 6). Within thirty (30) days of completion of alterations or modifications contemplated

hereunder, TENANT shall provide LANDLORD with as-built drawings and a list of all installed equipment and materials. As may be applicable, after notice and default and cure periods, LANDLORD at LANDLORD's option shall have the right to either (i) order the removal of, or (ii) receive additional compensation for, any equipment, fixtures, or materials installed as party of any modification or alteration made in violation of this Section. Any reasonable and proven costs incurred by LANDLORD relative to LANDLORD's enforcement of its rights under this Section, including without limitation attorneys' and expert witness fees, recording fees, and court costs, shall be reimbursed by TENANT within thirty (30) days of LANDLORD's written demand therefor.

4. The first sentence of **Section 7. Governmental Approvals**, of the Agreement is hereby amended as follows:

LANDLORD shall cooperate with TENANT in its effort to obtain and maintain in effect all certificates, permits, licenses and other approvals required by governmental authorities for TENANT's use of the Property; provided that, all application, certificate, permit, license, and similar fees, and any costs incurred by TENANT in its efforts to obtain such certificates, permits, licenses, and other approvals, shall be borne by TENANT, and TENANT shall provide LANDLORD with courtesy copies of all written communications exchanged between TENANT and such government authorities from whom such certificates, permits, licenses, and other approvals are required.

5. The last sentence of **Section 7. Government Approvals**, of the Agreement is hereby deleted and replaced by the following sentence:

Upon termination as provided for in this paragraph, this Agreement shall become null and void and LANDLORD and TENANT shall have no further obligations to each other, other than TENANT's obligations under Sections 11 and 18, and those obligations surviving termination in accordance with Section 24.

6. **Section 8. Indemnification**, of the Agreement is amended by replacing the heading with "**Indemnification and Insurance**," and by the addition of the following sentences at the end of the paragraph:

TENANT's Comprehensive General Liability insurance policy shall be endorsed to include the Town of Paonia, and its elected and appointed officers and employees, as additional insureds (the "LANDLORD PARTIES"), unless the LANDLORD in its sole discretion waives such requirement. The policy required above shall be primary insurance, and any insurance carried by the LANDLORD PARTIES, shall be excess and not contributory insurance to that provided by the TENANT. Such policy shall contain a severability of interests provision. TENANT shall be solely responsible for any deductible losses under

the policy required above. Failure on the part of TENANT to procure or maintain the policy providing the required coverage, conditions, and minimum limits shall constitute a material breach of contract upon which LANDLORD may immediately terminate this Agreement. The parties understand and agree that LANDLORD PARTIES are relying on, and do not waive or intend to waive by any provision of this contract, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the LANDLORD PARTIES.

7. The last sentence of **Section 10. Termination**, of the Agreement is hereby amended to read as follows:

Upon such termination, this Agreement shall become null and void and LANDLORD and TENANT shall have no further obligations to each other, other than TENANT's obligations under Sections 11 and 18, and those obligations surviving termination in accordance with Section 24.

8. **Section 11. Removal of Improvements**, of the Agreement is hereby amended to delete and replace the last sentence with the following:

If TENANT fails to perform its removal and restoration obligations to LANDLORD's satisfaction within the above-allotted, 180-day period, TENANT shall pay LANDLORD rent at the then-current rate *plus* three percent (3%) on a prorated, monthly basis, until such obligations are fulfilled.

9. **Section 13. Quiet Enjoyment**, of the Agreement is hereby amended by the addition of the following sentence at the end of the paragraph:

Excepting areas of the Property surrounded by fencing installed by TENANT as permitted hereunder, LANDLORD reserves (i) for itself, the right to access and use any portion of the Parent Parcel for any lawful municipal purpose, and (ii) for the public, right to access, use, and enjoy any hiking or walking trails and the picnic area on the Parent Parcel; provided, however, that LANDLORD's exercise of such reserved rights, for itself or for the benefit of the public, shall not interfere with TENANT's entrance to the Property or TENANT's telecommunications operations.

10. **Section 18. Hazardous Substances**, of the Agreement is hereby amended by adding the following paragraph at the end of the Section:

TENANT will not bring, or cause any hazardous substances to be brought upon, kept or used in or on the Property in a manner or for a purpose prohibited by or that could result in liability under any federal, state or local statutes, laws, ordinances or regulations now existing or

existing after the Effective Date that control, classify, regulate, list or define hazardous substances or materials ("Hazardous Substances Laws"). TENANT, at its sole cost and expense, will comply with all Hazardous Substances Laws and prudent industry practice relating to the presence, treatment, storage, transportation, disposal, release or management of hazardous substances in, on, under or about the Property required for TENANT's use of the Property and will notify LANDLORD of any and all hazardous substances TENANT brings upon, keeps or uses on the Property. On or before the expiration or earlier termination of this Agreement, TENANT, at its sole cost and expense, will completely remove from the Property (regardless whether any Hazardous Substances Law requires removal) in compliance with all Hazardous Substances Laws, all hazardous substances TENANT causes to be present in, on, under or about the Property. TENANT will not take any remedial action in response to the presence of any hazardous substances in on, under or about the Property, nor enter into any settlement agreement, consent decree or other compromise with respect to any claims relating to or in any way connected with hazardous substances in, on, under or about the Property, without first (a) notifying LANDLORD of TENANT's intention to do so and (b) affording LANDLORD reasonable opportunity to investigate, appear, intervene and otherwise assert and protect LANDLORD's interest in the Property. As used herein the term "hazardous substances" means any of the following, in any amount: (i) any petroleum or petroleum product, asbestos in any form, urea formaldehyde and polychlorinated biphenyls; (ii) any radioactive substance; (iii) any toxic, infectious, reactive, corrosive, ignitable or flammable chemical or chemical compound; and (iv) any chemicals, materials or substances, whether solid, liquid or gas, defined as or included in the definitions of "hazardous substances," "hazardous wastes," "hazardous materials," "extremely hazardous wastes," "restricted hazardous wastes," "toxic substances," "toxic pollutants," "solid waste," or words of similar import in any federal, state or local statute, law, ordinance or regulation now existing or existing on or after the Effective Date as the same may be interpreted by government offices and agencies.

11. Section 21. Notices, of the Agreement is hereby amended as follows:

If to Tenant: SBA Towers II LLC
 Attn: Site Administration
 8051 Congress Avenue
 Boca Raton, FL 33487-1307
 Re: CO10486-A / P-Hill

12. Upon full execution of this Agreement, Tenant shall pay to Landlord a one-time payment of Fifteen Thousand and No/100 Dollars (\$15,000.00), to offset the Town's legal fees in

negotiating this Agreement, which sum may be used by Landlord for any lawful municipal purpose.

13. TENANT shall pay promptly for all costs and charges for all labor done or materials furnished for any work or repair, maintenance, improvement, alteration, or addition including installment of fixtures done by TENANT in connection with the Construction, and shall indemnify and hold LANDLORD, the Parent Parcel, and the Property free, clear and harmless of and from all liens and claims of liens, and all other liability, claims and demands that arise by reason of any such work, unless caused by the negligence or intentional acts of LANDLORD or its parties. If any such lien shall at any time be filed against the Parent Parcel or the Property, TENANT shall either cause the same to be discharged of record within twenty (20) days after the date upon which the same is filed, or, if TENANT in its discretion and in good faith determines that such lien should be contested, TENANT shall furnish to LANDLORD a security, in a form acceptable to LANDLORD, in an amount equal to one hundred fifty percent (150%) of the contested value as may be necessary or required to prevent any foreclosure proceedings against the Parent Parcel or Property, which shall not be refunded (i) unless the lien(s) is discharged or otherwise eliminated, and (ii) until the conclusion of such contest.
14. Capitalized terms not defined in this First Amendment will have the meaning ascribed to such terms in the Agreement.
15. This First Amendment will be governed by and construed and enforced in accordance with the laws of the state in which the Parent Parcel is located without regard to principles of conflicts of law.
16. Except as specifically set forth in this First Amendment, the Agreement is otherwise unmodified and remains in full force and effect and is hereby ratified and reaffirmed. In the event of any inconsistencies between the Agreement and this First Amendment, the terms of this First Amendment shall take precedence.
17. Landlord acknowledges that the attached **Exhibit "A"** is preliminary and incomplete and, accordingly, Tenant shall replace and substitute such exhibit with an accurate survey and legal descriptions of the Property and Easement and re-record this First Amendment, which it may do without obtaining the further approval of Landlord's governing body; provided, however, that: (i) the replacement or substitution exhibit shall provided to the Town Administrator for review and approval prior to Tenant's recording of the same, which approval shall not be withheld if such replacement or substitution exhibit does not expand, or purport to expand, the Parent Parcel, the Communications Facility, or any of the rights granted to Tenant under the Agreement as amended by this First Amendment; (ii) any expansion or purported expansion of the Parent Parcel or any of the rights granted to Tenant

under the Agreement as amended by this First Amendment shall be (a) voidable by Landlord, or (b) compensated in a mutually agreed-upon amount, as set forth in a subsequent writing signed by both parties; and (iii) any costs incurred by Landlord relative to Landlord's enforcement of its rights under this Section, including without limitation attorneys' and expert witness fees, recording fees, and court costs, shall be reimbursed by Tenant within thirty (30) days' of Landlord's written demand therefor. Following such re-recording in accordance with and subject to the requirements of this paragraph, the descriptions of the Parent Parcel and Access Easement (as defined in the Agreement) described therein shall serve as the descriptions for same for all purposes under the Agreement.

18. Landlord represents and warrants to Tenant that Landlord is the sole owner in fee simple title to the Parent Parcel and Landlord's interest under the Agreement and that consent or approval of no other person is necessary for Landlord to enter into this First Amendment.
19. This First Amendment may be executed in one or more counterparts, and by the different parties hereto in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same First Amendment.
20. Tenant shall record this First Amendment in the real property records of the Delta County Clerk and Recorder at Tenant's cost.

[The remainder of this page is intentionally left blank. Signatures to follow.]

IN WITNESS WHEREOF, the parties have executed this First Amendment as of the day and year above written.

ATTEST:

LANDLORD:

Town of Paonia, a Colorado municipality

Samira Vetter, Town Clerk

By: _____
Paige Smith, Mayor

STATE OF COLORADO

COUNTY OF DELTA

The foregoing instrument was acknowledged before me this ____ day of _____, 202____, by Paige Smith as Mayor of the Town of Paonia, a Colorado municipality.

Witness my hand and official seal.

Notary Public_____
My Commission Expires _____

(NOTARY SEAL)

WITNESSES:

TENANT:

SBA Towers II LLC, a Florida limited liability company

Print Name: _____

By: _____
Joshua Koenig, Executive Vice
President and General Counsel

Print Name: _____

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this ____ day of _____, 202____, by Joshua Koenig, Executive Vice President and General Counsel of SBA Towers II LLC, a Florida limited liability company, on behalf of said company, who is personally known to me and did not take an oath.

Notary Public _____
My Commission Expires _____

(NOTARY SEAL)

EXHIBIT “A”

Legal description to be incorporated upon receipt of final survey.

That certain Lease Agreement by and between Town of Paonia, a municipal corporation and NTCH-Colorado, Inc., a Colorado corporation as evidenced by that Memorandum of Lease recorded November 29, 2000 in Book 869 at Page 360 and further evidenced by that Option and Lease Agreement recorded January 4, 2005 at Reception No. 587016 and Assignment and Assumption of Land Lease, recorded January 4, 2005 at Reception No. 587017, in the Delta County Clerk and Records Office, Delta County, Colorado.

TOWN OF PAONIA
REQUEST TO BE PLACED ON AGENDA
 PO Box 460
 Paonia, CO 81428
 970/527-4101
 Paonia@townofpaonia.com



Here are things you need to know:

Formal Board agenda items should be matters of substance for the Board to consider. Examples include: Presentations to the Board seeking support or wishing to inform the Board of plans that affect the Town, Committees presenting their goals and accomplishments, Items that need Board approval to proceed.

Submitting an agenda request does not guarantee placement on an agenda. The Mayor will determine if this is an appropriate item for consideration on the Board of Trustees' formal agenda.

Should this request be denied, the requester may present their item in writing to the Board under correspondence received or by making a verbal comment within the established time limit at the beginning of a regular meeting.

Please complete the following information and return this form no later than Tuesday, two weeks prior to the Board meeting to the Town Hall at 214 Grand Avenue. If the regular meeting is on the Tuesday the 28th, the request must be received before 5pm on Tuesday the 14th.

If your issue is placed on the agenda, be aware that your presentation is limited to 5 minutes.

Office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.
 Regular Board meetings are scheduled for the second and fourth Tuesdays of each month.

Subject: Up to 6 words (example: Town Park, Potholes, Open Meetings, etc.)

Name of Requester or Presenter: *Laura Chittenden*
Representing: (Group or Agency name, or Self) *Indigo Autumn*

Date of submittal: *4-5-24*

Date of Requested Board Meeting: (Insert Board Meeting date) *4/23/24*

Specific request:



Describe the problem that requires resolution* or the topic(s) to be presented:

***The Problem**

- What is the problem that needs to be addressed?
- Please start with defining the problem, not describing the solution.
- Please explain briefly why it is essential that the Town address this problem.
- This section should be no more than 4-5 sentences long.

Many people are parking on the 200 block, and 100 block) of Grand all day long (and sometimes all night as well for apartment-dwellers). This contributes to a lack of parking during busy times of the day, and especially looking toward Summer.

Recommendation (Please state your recommendation here, along with the main points needed for approval of your request, at most 50 words.) Example: The Paonia Association recommends the Board pass an ordinance preventing elk from standing in the road.

I would like to see parking time limits reinstated and enforced. There used to be 2 hour parking limit signs.

What staff member have you spoken to about this? Please summarize your discussion:

I've spoken to Paige to express my concerns and received this form

Contact information:

Name: *Laura Chittenden*
Physical Address: *230 Grand*
Mailing Address: *PO Box 967 Parma 81428*
E-mail: *indigoautumn LLC@gmail.com*
Daytime Phone: *970-433-5693*

Office Use Only:
Received: _____

Approved for Agenda: _____

Board Meeting Date: _____

Print Form

Email Form



TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT

AGENDA ITEM:	Agenda Item #4: Consideration of Appointing an Interested Applicant to the Vacant Seat on the Board of Trustees
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	May 14, 2024
BACKGROUND:	The process the Board has used in the past is: • The sitting Board agree on 2 or 3 questions for all applicants to answer. • Each Trustee casts one vote on a piece of paper that also includes their own name. • The Town Clerk collects the votes and reads them out loud, including whose vote it is. • The Applicant with the most votes gets appointed, the Mayor voting in a tie.
BUDGET:	N/A
RECOMMENDATION:	
ATTACHMENT:	Board of Trustees applications and Letters of Interest for the Vacant Seat.

TOWN OF PAONIA

NOTIFICATION OF INTEREST IN SERVING ON VARIOUS COMMITTEES & BOARDS

EVERY FEW YEARS THE BOARD OF TRUSTEES FOR THE TOWN OF PAONIA ADVERTISE TO RECRUIT EXISTING BOARD MEMBERS WHO HAVE TERMS DUE TO EXPIRE AND INTERESTED VOLUNTEERS WILLING TO FILL VACANCIES ON VARIOUS BOARDS.

PLEASE LIST THE COMMITTEE THAT YOU ARE INTERESTED IN SERVING ON AND INDICATE IF YOU ARE A CURRENT MEMBER OR INTERESTED IN FILLING A VACANCY ON THIS BOARD OR COMMITTEE. THIS FORM IS TO MAKE IT EASIER FOR ALL PERSONS INTERESTED IN SERVING ON BOARDS.

DATE: 4/24/2024

NAME OF COMMITTEE/BOARD:

ARE YOU A CURRENT COMMITTEE/BOARD MEMBER? LIST YOUR NAME AND WHICH BOARD YOU ARE CURRENTLY ON AND IF YOU ARE INTERESTED IN CONTINUING SERVICE FOR NEW TERM:

NAME (PLEASE PRINT)

PLANNING & ZONING COMMISSION ☐ TREE BOARD ☐ VOLUNTEER ☐
ZONING BOARD OF ADJUSTMENTS/APPEALS ☐ ADVISORY WATER COMMITTEE ☐

ARE YOU INTERESTED IN SERVING ON BOARD/COMMITTEE: NAME OF PERSON INTERESTED IN BEING CONSIDERED FOR APPOINTMENT ON BOARD:

Lucy Hunter

NAME (PLEASE PRINT)

337 Main Avenue / P.O. Box 1809, Paonia, CO 81428

ADDRESS:
lucy@odiseanet.com

CONTACT PHONE: (970) 270-7353

E-MAIL:

NOTES: (INCLUDE LETTER OF INTEREST LISTING YOUR INTERESTS, KNOWLEDGE & SKILLS YOU FEEL WILL BENEFIT THE TOWN)

Lucy Hunter, P.E.

Digitally signed by Lucy Hunter,
P.E.
Date: 2024.04.24 15:35:36 -06'00'

SIGNATURE

Lucy Hunter

(970) 270-7353

lucy@odiseanet.com

337 Main Avenue / P.O. Box 1809

Paonia, CO 81428

Town of Paonia

Mayor and Board of Trustees

214 Grand Avenue / P.O. Box 460

Paonia, CO 81428

To Whom It May Concern

I am interested in serving on the Board of Trustees because I like the direction the Town is moving in, and I would like to help that continue. My husband purchased our home in 2006 and we moved here in 2012 after working abroad in Afghanistan. As a Town resident for 12+ years, a property owner, a business owner, and mother, I have many reasons to want the Town to succeed and continue to be the amazing place it is.

I am a structural engineer with my business located right next to Town Hall. I have a BS degree in Civil Engineering and am currently licensed to practice in five states. I have experience working with private entities and municipalities within the U.S. and worked in Afghanistan for two years. My work in Afghanistan was as the Director of the Design Division, overseeing a staff of about 45 architects and engineers for a design-build construction company whose main client was the U.S. Army Corps of Engineers. Our projects included military and paramilitary bases with build-outs of 5,000+ people and included the design and construction of all of the infrastructure (site preparation, roads and bridges, buildings, power generation and electrical distribution, water treatment and distribution, wastewater collection and treatment, and mechanical systems) that would be typical of building a new small town from scratch.

I have also served on the Planning Commission for the Town of Paonia and have attended most Trustee meetings via Zoom. I am familiar with the current state of affairs and am mostly familiar with Robert's Rules of Order, though I will appreciate any training the Town provides in that regard.

Sincerely,

Lucy

Hunter, P.E.

Digitally signed by
Lucy Hunter, P.E.
Date: 2024.04.24
16:26:30 -06'00'

Lucy Hunter

April 24, 2024

TOWN OF PAONIA

NOTIFICATION OF INTEREST IN SERVING ON VARIOUS COMMITTEES & BOARDS

EVERY FEW YEARS THE BOARD OF TRUSTEES FOR THE TOWN OF PAONIA ADVERTISE TO RECRUIT EXISTING BOARD MEMBERS WHO HAVE TERMS DUE TO EXPIRE AND INTERESTED VOLUNTEERS WILLING TO FILL VACANCIES ON VARIOUS BOARDS.

PLEASE LIST THE COMMITTEE THAT YOU ARE INTERESTED IN SERVING ON AND INDICATE IF YOU ARE A CURRENT MEMBER OR INTERESTED IN FILLING A VACANCY ON THIS BOARD OR COMMITTEE. THIS FORM IS TO MAKE IT EASIER FOR ALL PERSONS INTERESTED IN SERVING ON BOARDS.

DATE: May 04, 2024

NAME OF COMMITTEE/BOARD: Town Council

ARE YOU A CURRENT COMMITTEE/BOARD MEMBER? LIST YOUR NAME AND WHICH BOARD YOU ARE CURRENTLY ON AND IF YOU ARE INTERESTED IN CONTINUING SERVICE FOR NEW TERM:

NAME (PLEASE PRINT)

PLANNING & ZONING COMMISSION ☐ TREE BOARD ☐ VOLUNTEER ☐
ZONING BOARD OF ADJUSTMENTS/APPEALS ☐ ADVISORY WATER COMMITTEE ☐

ARE YOU INTERESTED IN SERVING ON BOARD/COMMITTEE: NAME OF PERSON INTERESTED IN BEING CONSIDERED FOR APPOINTMENT ON BOARD:

Sheree Fischer

NAME (PLEASE PRINT)

103 Onarga #1

ADDRESS:

CONTACT PHONE:

970-234-0413

E-MAIL:

rerejamie@gmail.com

NOTES: (INCLUDE LETTER OF INTEREST LISTING YOUR INTERESTS, KNOWLEDGE & SKILLS YOU FEEL WILL BENEFIT THE TOWN)

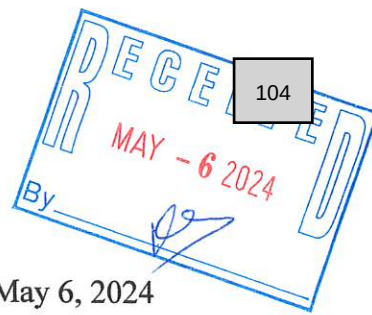
Sheree Fischer

SIGNATURE



Paonia Town Council
214 Grand Ave,
Paonia, CO 81428

Sheree Fischer
103 Onarga #1
Paonia, CO 81428
970-234-0413



Letter of Intent for Paonia Town Council

May 6, 2024

To: Members of Paonia Town Council,

My name is Sheree Fischer and I'm interested in contributing more to our community by volunteering for our Paonia Town Council. My husband and I have lived here for 17 years and counting! I have been on the Paonia Cherry Days Committee as the Committee Chair for the Beer Garden for the past twelve years, as well as Committee Chair for the Top 'o the Rockies BMW rally. I've also Coordinated the Beer Garden for Mountain Harvest Festival from 2014-2019.

I am experienced in contributing on different Boards, I'm familiar with Robert's Rules of Order and Conduct. I have Bachelor Degrees in Business, Accounting and Culinary Arts. I am in the process of becoming an entrepreneur within our community as a food truck owner operator. My career as a chef has carried me across Colorado from Denver to Aspen and everywhere in between. I've not only managed restaurants but have owned and operated restaurants and catering businesses over the past 40 years. I am very organized and able to multi task well. I am able to grasp subjects and understand them quickly, as well as educating myself through research and resources. I will bring the community's needs and wants to the table, because I am a person that people from all walks of life feel comfortable speaking to about our town and community. This would include our youth, our valued senior citizens, business owners, farmers, ranchers, coal miners and everyday people.

My interests include our arts and artists, keeping our agriculture and ranching strong and sustainable, building small businesses so they not only flourish, but our town and community also with them.

I would like to see our local living costs decrease in however we may manage that, from the price of groceries and the opportunities to get groceries locally from our farmer's markets. I'd like to see more affordable living for our local people. I would like to see changes within our infrastructure; our sidewalks, water systems and our roads. I understand that these cannot be completed until the water and sewer issues are addressed. I would like to promote our small businesses via social media and local print and any other opportunities that may come our way. It is evident that our local housing situation is critical! Local people are not able to afford the rents or buy property due to our economic inflations and employment scarcity. This is unreasonable to expect a small town to profit and thrive under these conditions.

My intent is to fulfill the position of town council with regard to infrastructure, affordable housing and profitable small businesses.

Thank you for your consideration and time regarding my application for the position of Paonia Town Council.

Sincerely,

Sheree Fischer – 970-234-0413

SAMPLE APPLICATION FORM FOR NOMINATION (FOR CANDIDATE) TO CML'S EXECUTIVE BOARD

DATE

CML Board Nominating Committee
Colorado Municipal League
1144 Sherman Street
Denver, CO 80203
VIA EMAIL

Dear CML Nominating Committee:

Please accept this letter as my application for nomination to the Colorado Municipal League's Executive Board for the slate of nominees who are to be voted on by the membership at the 2024 CML Annual Business Meeting.

As _____ (your elected or appointed position) for the (City/Town) of _____, a member of the Colorado Municipal League, I am eligible for one of the vacancies in the (Small, Medium, Large, or Largest) _____ population category to be filled at the Annual Business Meeting.

You may choose to briefly describe your experience in municipal government, past involvement with the League, and any other information you wish to convey to the Nominating Committee. (Since the committee will only be certifying eligibility, this paragraph is optional)

Sincerely,

Applicant Name

A written endorsement of your City Council or Board of Trustees is required.

Both the application and the endorsement MUST be received no later than 5:00 p.m. on Friday, May 31, 2024. Please email to Kevin Bommer, CML executive director, at kbommer@cml.org

**SAMPLE ENDORSEMENT FORM OF APPLICANT
FOR NOMINATION TO CML'S EXECUTIVE BOARD**

DATE

CML Nominating Committee
1144 Sherman Street
Denver, Colorado 80203
VIA EMAIL

Dear Committee Members:

The (City Council/Board of Trustees) for the (City/Town) of , endorses the application of (Applicant's name/position) for nomination to the Colorado Municipal League's Executive Board for the slate of nominees who are to be voted on by the membership at the 2024 CML Annual Business Meeting.

Sincerely,

(Should be signed by the Mayor, Mayor pro-tem, Manager, City/Town Clerk, or another appropriate municipal official affirming the endorsement of the governing body. A resolution of the governing body is not required)

A written application is required and is the responsibility of the applicant.

Both the application and the endorsement MUST be received no later than 5:00 p.m. on Friday, May 31, 2024. Please email to Kevin Bommer, CML executive director, at kbommer@cml.org

Mayor's Report Regarding Revised Board Committee Duties

May 14, 2024

A Work session was held on May 6, 2024, with the Board of Trustees and open to the public to discuss proposed changes to Board Committee duties. The revised proposed draft duties were suggested by the Mayor, Town Administrator and Town Clerk.

The draft proposed duties for the following four Committees are attached for discussion, Board of Trustees modification (as needed) and approval:

Finance Committee

Personnel Committee

Public Safety Committee

Parks Committee

Paonia Board of Trustees
Finance Committee Duties
Draft ~~3/20/2023~~ 5/6/2024

The Purpose of the Finance Committee is primarily to provide oversight of the Town of Paonia's income and expenses. This committee is integral in maintaining adequate internal controls as required by CRS 29-1-603 and the Governmental Accounting Standards Board. ~~accomplished by working closely with the Finance Director/Treasurer who is tasked with managing the Town's Finances. The Finance Committee works with the Finance Director/Treasurer and serves as a liaison between the Town Finance Officer/Treasurer and the Town Board of Trustees. The Finance Director/Treasurer is directly supervised by the Town Administrator.~~

The Town Board of Trustees approves payments of the Town's expenses and adopts the annual budget. ~~The Town Mayor approves payroll spending.~~

The duties of the Finance Committee include:

1. Reviewing the Accounts Payable process, including all expense invoices with the Town Administrator/Treasurer and recommending approval of disbursements to the full Board of Trustees;
- ~~2. Reviewing all payroll with the Finance Director/Treasurer;~~
3. Review all monthly financial statements before presentation to the full Board of Trustees. ~~and approving all bank¹ and investment accounts² through the review of bank /investment account statements, transfers between accounts including ACH transfers and individual amounts expended in each account;~~
4. Serving as primary signatories on checks issued for Town Disbursements. The Town Mayor also serves as an alternate signatory for the Finance Committee when one of the Board Trustee Finance Committee members is unable to attend a Finance Committee work session.
- ~~5. Reviewing monthly and year end budget categories to monitor actual income and expenditures to budgeted;~~
6. ~~Reviewing the annual audit with the Town contracted auditor and~~ Serve as a liaison to the Auditors ~~Board of Trustees concerning the~~ during the annual fiscal audit;
- ~~7. Recommending approval of payments for Town expenses at each Board of Trustees meeting; and,~~
8. All other duties deemed necessary by the Auditor ~~Audit team~~, Town Administrator/Treasurer, and/or Board of Trustees ~~or the Finance Director/Treasurer~~ as needed to maintain proper internal controls.

¹—~~Bank accounts include accounts held in a local bank(s) used for payment of operating expenses such as payroll, employee benefits and monthly Town expenditures (including loan payments) and other funds being held for specific budgeted purposes.~~

²—~~Investment accounts include certificates of deposit held in local banks and funds set aside for long term specifically restricted spending and reserves held in Colotrust trust accounts or local bank money market accounts.~~

Paonia Board of Trustees
Personnel Committee Duties

DRAFT

5/6/2024

The Purpose of the Personnel Committee is to hear grievances in accordance with requirements within the personnel policies and determine appeals brought by Town employees on matters of suspension, demotion, and dismissal. The Committee conducts appeal proceedings, acting as a fact finder reaching a decision, and makes recommendations to the Town Administrator while preserving the rights and dignity of all who come before the Committee. The Committee meets on an as-needed basis, at least once a year to organize.

The Personnel Committee also assists the Mayor and Board of Trustees in the hiring process for the Town Administrator and the Police Chief during periods of time when either position is vacant.

The Committee is made up of the Mayor, a Trustee selected by the employees of the Town, and one current staff member also selected by the employees of the Town.

Paonia Board of Trustees
Public Safety Committee Duties
Draft
3/10/23-5/6/2024

~~Core Function: Provide an informal forum for citizens, staff, and Trustees to discuss policies and core functions of Public Safety.~~

~~Purpose: Forward recommendations to Town Administrator/Chief and/or Town Board for approval or modification as appropriate.~~

~~Questions for Board:~~

~~When issues arise, there is confidentiality and sensitivity to consider. What are the expectations for transparency?~~

~~When citizen complaints arise, does this Committee serve as a sounding board (similarly to citizen review boards)?~~

~~How should the Committee fit into the structure and reporting relationships of Board, Town Administrator, and Chief?~~

~~Areas of review may include:~~

- ~~• Listening to citizen priorities, issues, and requests~~
- ~~• Serve as a feedback mechanism to Chief on community concerns~~
- ~~• Planning for improvements~~
- ~~• Review of current approach~~
- ~~• Policy review with Lexipol implementation~~
- ~~• Making recommendations for priorities to Board for budget and planning~~

The Public Safety Committee will be convened when there is a specific issue pertaining to public safety within the Town of Paonia. The Committee will be requested by a vote of the Board of Trustees to:

- research the background/current circumstances creating the issue*;
- review current code in-place (if any) addressing the particular issue;
- identify potential gaps in the code which are contributing to the issue persisting; and
- draft (in conjunction with staff) code revisions intended to address the issue for presentation to the public and full Board of Trustees after Town Attorney review.

* At this time the use of off-road vehicles within Town of Paonia boundaries has become an issue for some town residents. This is an example of an issue in need of resolution that the Public Safety Committee could be integral to solving.

Paonia Board of Trustees
Parks Committee Duties
Draft
~~3/10/23~~ 5/6/2024

~~Core Function: Provide an informal forum for citizens, staff and Trustees to discuss plans, requests and initiatives for Town Parks.~~

~~Purpose: Forward recommendations to Town Board for approval or modification.~~

~~Areas of review may include:~~

- ~~• Listening to citizen priorities, issues and requests~~
- ~~• Planning for improvements~~
- ~~• Review of current park conditions~~
- ~~• Implementation of Paonia in Motion~~
- ~~• Walking tours of Parks~~
- ~~• Making recommendations for priorities for budget and planning~~

The Board of Trustees adopted the Paonia Parks, Recreation and Trails Master Plan by resolution 08-2022 on June 23, 2022. As stated on page 10 of the Plan:

“This Plan is a tool to be used by Paonia’s elected and appointed officials and town staff to inform and guide decision-making processes, policy discussions, and community improvements. The Plan is also intended to serve as a key resource for residents, property and business owners, developers, and other stakeholders interested in understanding the community’s aspirations for the future of Paonia’s parks, recreation amenities, recreation programs, and trails.

The Parks, Recreation, and Trails Master Plan is an advisory document. It is not mandatory that the Plan be strictly adhered to. However, the community dedicated significant time and effort into developing the Plan and to ignore it, without legitimate reason, is not advised.”

The function of the Parks Committee is to review individual elements of the Plan in order to create a specific set of questions for each element to be addressed by staff for public discussion before the Board of Trustees. This Plan is advisory in nature and deserves a thorough review of which elements are a priority, can they be implemented as proposed, if not, what additional changes are needed, what is the fiscal impact to implementation, are changes to Town Code needed for implementation, does the element align with the Town’s Comprehensive Plan, etc.

RESOLUTION ~~10-2023~~__-2024

**A RESOLUTION ADOPTING RULES CONCERNING THE
ACTIVITIES OF COMMITTEES ESTABLISHED BY THE BOARD
OF TRUSTEES**

WHEREAS, the Town Board has established committees consisting of two (2) Board members to serve in an advisory capacity and as liaison to the full membership of the Board concerning certain categories of Town business, including the Personnel Committee, ~~Streets Committee~~, Public Safety Committee, Parks Committee, and Finance Committee, ~~and the Water, Sewer, and Trash Committee~~ (each, a “Board Committee”); an

WHEREAS, the Town Board desires to adopt rules for all Board Committees, currently or hereafter established, to ensure the activities of such Committees do not interfere or impermissibly overlap with the roles and responsibilities of Town officers and employees, or the powers and duties reserved to the Town Board as a whole.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES
OF THE TOWN OF PAONIA, COLORADO, THAT:**

Section 1. The following rules shall apply to all Board Committees currently or hereafter established:

A. Board members will be appointed to Board Committees by majority vote of the Board of Trustees at a regular meeting in April ~~January~~ of each year: or as needed in the event of a Trustee resignation or other unforeseen circumstance. Appointed members shall serve their respective Committees for a term of one (1) year, or until such time as the Board of Trustees reappoints Committee membership.

B. Board Committees shall serve in an advisory capacity and as liaison to the full membership of the Board and shall have no authority to direct the Town staff or make decisions on behalf of the Town Board.

C. Board Committees shall perform only such activities or duties as have been assigned to them by motion or resolution of the Board of Trustees.

D. The Board of Trustees will not assign to a Board Committee, and no Board Committee shall engage in or perform, any activity or duty that interferes with the duties of any Town officer or employee.

Section 2. Any previous resolutions, policies, documents, or any portions therefore, that conflict with the provisions of this resolution, are hereby repealed to the extent of such conflict.

PASSED, APPROVED, AND ADOPTED by the Board of Trustees of the Town of Paonia on this ~~11th day of July, 2023.~~

~~Mary Bachran~~ Paige Smith, Mayor

ATTEST:

Samira Vetter, Town Clerk



**TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT**

AGENDA ITEM:	#7 Resolution 2024-08 Authorized Signatories
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	May 14, 2024
BACKGROUND:	Since we changed the process for authorized signatories while Interim Administrator Klusmire was here, the bank needs to have the Finance Committee member or members, who are authorized to sign checks, named by resolution as well. Resolution 2024-08 adds the Finance Committee member or members while still leaving the creation or changing of accounts in the authority of a combination of Board of Trustees and Staff signatures for best practices of internal controls.
BUDGET:	N/A
RECOMMENDATION:	To approve the Resolution 2024-08 Authorized Signatories
ATTACHMENT:	Resolution 2024-08 Authorized Signatories

RESOLUTION 2024-08

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA DESIGNATING AUTHORIZED SIGNATURES ON APPLICATIONS OF NEW OR CHANGES TO BANK AND CREDIT ACCOUNTS

WHEREAS, the Town Board believes it would be appropriate and in accordance with proper auditing, bookkeeping, and accounting standards for the purpose of maintaining best practices for municipal financial external controls to require a combination of staff and elected official signatures on all applications to set up new or changes to bank and credit accounts.

WHEREAS, on April 23, 2024, the Mayor Mary Bachran and the Mayor Pro-Tem Dave Knutson completed their terms; and

WHEREAS, on April 23, 2024, Trustee Paige Smith was sworn in as Mayor and Trustee John Valentine was appointed Mayor Pro-Tem for the Paonia Board of Trustees; and

WHEREAS, the Town Board also desires to designate members of the Finance Committee as authorized signatories on the Town's accounts.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Paonia, Colorado, that:

Section 1. All applications for bank accounts or credit accounts shall require the following signatures:

1. Stefen Wynn (Town Administrator) or Samira Vetter (Town Clerk);

AND

2. Paige Smith (Mayor) or _____ (Mayor/Pro-Tern)

OR

3. Kathryn Swartz (Finance Committee member)

Section 2. All such setting up new accounts or changes to accounts, shall henceforth require a combination of one of the persons listed in paragraph #1 and one of the persons listed in paragraph #2 above.

THIS RESOLUTION WAS READ, PASSED, AND ADOPTED by the Board of Trustees of the Town of Paonia on this 14th day of May, 2024.

Paige Smith, Mayor

ATTEST:

Samira M. Vetter, Town Clerk

Approved as to form and contents:

Melinda Culley, Town Attorney

May 9, 2024

Dear Trustees,

At each council meeting, I propose that we set aside a few minutes to acknowledge the things that are happening in town that contribute to community. This is an opportunity for the community to share acts of kindness and community.

I am asking for Council's support for the following:

- 1.) Using up to 3 minutes under "Announcements" at the beginning of each meeting to share appreciations and good news from the community.
- 2.) Actively soliciting appreciations and good news from the community via the Paonia message boards. Suggested posting once/week.
- 3.) I volunteer to collect (via email), review the appreciations/good news, and share at Council meetings. (Trustees are also welcome to add their's—however, in the interest of time, I would like to limit this to a total of 3 minutes.)
- 4.) Trying this for three meetings and then evaluating at the 6/25/24 meeting.

I would like to propose posting on the Paonia message boards the following or some variation each week:

"Hi Paonia, My name is Kathy Swartz and I am a newly elected Town Trustee, who has been serving since September of 2023. After discussing at a Town Council meeting, we have a shared goal of making a regular practice of offering Appreciations at the beginning of Town Council meetings. There is so much good happening in this community and it needs to be shared!"

We are seeking your appreciations to share. We want to hear about the neighbor, stranger, town employee, or business who help make Paonia a Community!

Examples (both big and small) are: I would like to offer appreciation to the American Legion for their awesome program of loaning out medical supplies and neighbor Dianne S for picking it up for me; The Local Nomad for removing grass and planting wildflowers; Scott for carrying my heavy bag for me while I was walking on crutches; SK Bikes for sponsoring the community garage sales.

Please EMAIL me at Kswartz@townofpaonia.com. Please try to keep your appreciations concise so that we can share as many as possible."

Thank you for your consideration,

Kathy Swartz

Memorandum

To: Town of Paonia Board of Trustees

From: Mayor, Paige Smith/Paonia Local Government Designee

Date: May 14, 2024

Subject: Highlights from the 10th Annual Energy and Environment Symposium held on April 17 – 18, 2024

This is a well-attended and well-funded day and a half symposium hosted by Colorado Mesa University Unconventional Energy Center and Garfield County. Corporate partners (a total of 39) included oil and gas companies, oil field services companies, and consulting firms working for the oil and gas industry.

The purpose of the Symposium is to provide education regarding the oil and gas industry for local government employees and elected officials. Approximately 290 individuals were registered to attend and approximately 33% were municipal representatives, 46% industry representatives and the remainder were representatives of state or federal agencies

Speakers included CO Department of Public Health and Environment staff, Energy and Carbon Management Commission (ECMC) members and staff, BLM staff, research scientists studying carbon capture, methane detection technologies, and consultants to energy companies and employees of various oil and gas extraction companies.

A representative of the Governor's Office of State Planning and Budgeting provided statistics about oil and gas production:

- U.S. oil and gas production reached record highs in 2023, which has offset cuts from OPEC and Russia globally.
- Natural gas prices have dropped because of oversupply
- CO is ranked 4th at 4.1% (167 million barrels) in 2023 in national crude oil production (Texas, New Mexico and N. Dakota are 1, 2 and 3 respectively)
- Delta County has no oil production, only natural gas
- Largest oil producing county was Weld in 2023 (80% of statewide production)
- Delta Co. produced < 1 million (M) cubic feet of gas in 2023 while neighboring Garfield Co. produced 100 M – 500 M cubic feet (2nd highest producer after Weld Co.), Mesa CO. produced 10M – 100M cubic feet and Gunnison Co. produced 1M – 10 M cubic feet,
- State severance tax revenue is predicted to be 234 million in 2024 fiscal year – 50% goes to Dept of Natural Resources and 50% goes to DOLA, with 70% of this amount allocated to local governments for grants and loans
- 11.2 % of the state's GDP is attributed to all oil and gas related sectors

A second speaker discussed CO rulemakings to reduce Greenhouse Gas (GHG) emissions from the oil and gas industry. As part of the presentation a pie chart was provided which outlined GHG sources in the state:

- transportation 21%,
- electrical generation 19%,
- oil and gas 19%,
- industrial production 18%,
- buildings 10%
- agriculture 10%,
- waste 4%.

As part of this oil and gas GHG rulemaking, data was collected which identified that five oil and gas companies are emitting 80% of the GHG emissions and the three highest emitting counties made up 87% of the GHG emissions reported. This effort is also looking at a range of “reduction options” such as retrofitting to make efficiency improvements, adjusting operations, electrifying rig and compressor engines and turbines, retiring/shutting down less efficient equipment.

The state has adopted statewide goals for GHG reductions (percentages below are compared to 2005 estimated levels):

- 26% by 2025
- 50% by 2030
- 65% by 2035
- 75% by 2040
- 90% by 2045
- Net zero by 2050

Other speakers discussed up and coming projects for carbon capture (reforestation, soil carbon sequestration, agricultural production carbon capture and removal, direct air capture and storage, geologic carbon sequestration and industrial carbon capture processes) and the use of captured geothermal energy collected from converted oil and gas wells to drive turbines for electrical generation. These were some very hopeful breakthroughs to reduce GHG emissions.

Other speakers spoke negatively about the draft legislation brought to the Legislature this year to eliminate issuing new oil and gas permits beginning in 2030 (this bill failed), lawsuits filed with the ECMC and the negative effect on the state’s budget if oil and gas is eliminated.

In general, the symposium highlighted improvements being made to oil and gas exploration and production equipment to reduce emissions and the tension between regulating the industry and negative impacts to the state budget if the industry scales down.

I felt it was worthwhile attending the Symposium to be aware of the latest issues, challenges and improvements to the industry and the regulators. I did suggest that the organizers attempt to get more and a more diverse set of local government representatives to attend.