



Town of Paonia
214 Grand Avenue
Tuesday, April 22, 2025 6:30 PM
Town Board Agenda

<https://us02web.zoom.us/j/81065034677>

Meeting ID: 810 6503 4677

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

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

Roll Call

Approval of Agenda

Announcements

Appreciations - Trustee Swartz

Public Comment

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

Consent Agenda

- 1) March 25, 2025 Regular Meeting Minutes (Corrected)
April 1, 2025 Special Meeting Minutes
April 8, 2025 Regular Meeting Minutes

License Renewals

Disbursements

Staff Reports

Departmental Scorecards

Actions & Presentations

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

Public Hearing-

Consider a Request for Approval of a Major Subdivision Application from David Warren & Dan Rubinoff for Lot 2 of Clarks End Subdivision.

Item # 1- Special Event Permit 25-01 - Arbol Farmer's Market -

Item # 2 - Consideration of Selecting a Water Attorney Based on Proposals, Interviews and Scoring

Item # 3 - Consideration of Appointment to the Zoning Board of Adjustments

Item # 4 - Consideration of Appointment to the Tree Board

Item # 5 - Consideration of Directing Staff on Enforcing Section 16-11-20 of the Paonia Municipal Code

Item # 6 - Consideration of Approval of Ordinance 25-01 Publishing by Title

Item # 7 - Consideration of Adopting Resolution 12- 2025 Board Rules of Procedure

Item # 8 - Consideration of Resolution 13-2025 Temporary Moratorium on Enforcement

Item # 9 - Consideration of Acceptance of Resolution 14-2025 Expedited Review of Affordable Housing Applications

Item # 10 - Consideration of Approval of the Services Agreement between the Town of Paonia and Colorado Complete Clean

Item # 11 - Consideration of Approval of Ordinance 25-03 An Ordinance Approving Loans From the Colorado Water Resources and Power Development Authority (“CWRPDA”) in the Aggregate Principal Amounts Not to Exceed \$3,744,000 (the “Leveraged Loan”), \$3,000,000 (the “Direct Loan”) and \$3,000,000 (the “BIL Principal Forgiveness (PF) Loan”); Authorizing the Forms and Execution of the Loan Agreements and Governmental Agency Bonds to Evidence Such Loans; Authorizing the Construction of a Project; Prescribing Other Details in Connection Therewith; and Declaring an Emergency.

Mayor & Trustee Reports

Adjournment

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

I. Rules of Procedure

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

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

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

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

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

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

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

Section 6. Conduct of Board Members. Town Board Members shall treat other Board Members and the public in a civil and polite manner and shall comply with the Standards of Conduct for Elected Officials of the Town. Board Members shall address Town Staff and the Mayor by his/her title, other Board Members by the title of Trustee or the appropriate honorific (i.e.: Mr., Mrs. or Ms.), and members of the public by the

appropriate honorific. Subject to the Mayor's discretion, Board Members shall be limited to speaking two times when debating an item on the agenda. Making a motion, asking a question or making a suggestion are not counted as speaking in a debate.

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

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

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

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

II. Consent Agenda

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

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

Section 3. Removal of Item from Consent Agenda. One or more items may be removed from the Consent Agenda by a timely request of any Trustee. A request is timely if made prior to the vote on the Consent Agenda. The request does not require a second

or a vote by the Board. An item removed from the Consent Agenda will then be discussed and acted on separately either immediately following the consideration of the Consent Agenda or placed later on the agenda, at the discretion of the Board.

III. Executive Session

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

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

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

IV. Subject to Amendment

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

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

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
March 25, 2025

Meeting Video Link: <https://www.youtube.com/watch?v=p0P7WdTntT0&t=5269s>

RECORD OF PROCEEDINGS

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

PRESENT

Mayor Paige Smith
Mayor Pro-Tem Kathy Swartz
Trustee Rick Stelter
Trustee Walter Czech
Trustee Lucy Hunter
Trustee Mike Heck
Trustee John Valentine (Zoom)

Approval of Agenda

Mayor Pro-Tem Swartz, makes a motion to approve the agenda with the removal of 'Appreciations' and Item #5 RFP for Park Electrical, seconded by Trustee Hunter.

The motion carries unanimously.

Announcements

Public Works and the Town congratulates Jordan Redden for gaining his Class C certification. He now needs only one more certification level to be the Town's ORC.

Public Comment

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

D. Speigel: comments on the STR referendum

M. Brezonick: comments on R 10-2025 Clarifying Water Taps

L. Heidrick: comments on R 10-2025 Clarifying Water Taps

R. Santiago: comments on Tremors Movie Fundraiser.

P. Kaech: comments on R 10-2025 Clarifying Water Taps

Consent Agenda

Trustee Hunter makes a motion to remove the March 11, 2025 minutes and approve the consent agenda, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Staff Reports

Town Administrator Wynn announces that the Town has been awarded the Tier 2 EIAF Grant totaling \$1,000,000.

Town Administrator Wynn and Deputy Treasurer Bowman give an update on the R 2025-10 Clarifying Water Taps process.

Actions & Presentations

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

Item #1: Consideration of Change Order #5 from Earthworks Excavation

Public Works Director Heiniger gives background on the project.

Trustee Stelter makes a motion to approve Change Order #5 to Earthworks Excavation for \$4000.00, seconded by Trustee Czech.

The motion carries unanimously.

Item #2: Consideration of Resolution 12-2025 Amending FY 2024 Budget

Town Administrator Wynn explains why a Budget Amendment is not needed after review.

Item #3: Consideration of Resolution 13-2025 Accepting Loan from CWRPDA

Town Administrator Wynn explains why Bond Counsel is needed before a Resolution is adopted and asks the Board for direction on whether or not they want to adjust the loan amount with the knowledge of grant funding or to continue with the full amount so that there is some cushion for unforeseen circumstances with the project.

Public Comment-

L. Heidrick: comments in favor of full amount.

Trustee Hunter makes a motion to instruct staff to go for the total loan amount of \$9,744,00000 for the CWRPDA DWRF Loan, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Mayor Pro-Tem Swartz makes a motion to approve the Town Administrator selecting a Bond Counsel to provide an opinion with the assistance of the Town Attorney and the Town Clerk, seconded by Trustee Stelter.

The motion carries unanimously.

Item #4: Consideration of Approval of RFP for Park Electrical

Removed from agenda

Item #5: Consideration of RFP 2025-03 - Selecting an ADA Transition Plan Consultant

Town Administrator Wynn gives background on RFP process, requirements and scoring.

Topics: references, ranking, importance of project, requirements,

Mayor Pro-Tem Swartz makes a motion to direct staff to begin reference checks for MHAC and assuming low change orders associated with the project to begin negotiating a contract, seconded by Trustee Hunter.

The motion carries unanimously.

Mayor Pro-Tem Swartz makes a motion that in the event that MHAC is not a good fit, to move forward with reference checks and contract negotiations with RICK, seconded by Trustee Hunter.

The motion carries unanimously.

Item #6: Consideration of RFQ 2025-02 Water Attorney; Selecting Which Respondents to Interview.

Mayor Pro-Tem Swartz makes a motion to interview all four (4) firms and to ask staff to move forward with scheduling, seconded by Trustee Hunter.

The motion carries unanimously.

Item #7: Consideration of Approval of a Selection of the Responses to RFP 2025-01 Town Hall Cleaning Services

Deputy Treasurer Bowman gives background on the RFP and selection process.

Public comment:

E. Short: suggests a probationary period

Trustee Stelter makes a motion to have staff negotiate a contract with Colorado Complete Clean, seconded by Trustee Heck.

The motion carries unanimously.

Item #8: Consideration of Applying for a Grant from the Rural and Tribal Assistance Program for Engineering and Design Work on the Samuel Wade Bridge.

Administrator Wynn gives background on the Samuel Wade Bridge and it's needs.

Trustee Hunter makes a motion to direct staff to move forward with applying for a grant from the Rural and Tribal Assistance Program for Engineering and Design work on the Samuel Wade Bridge, seconded by Trustee Stelter.

The motion carries unanimously.

Item #9: Consideration of approval to renew the AXON Body-Worn Camera and video Storage Contract for five (5) years ending in May 2030

Police Chief Laiminger presents the contract, body worn cameras and all the things that the PD uses AXON for and how they interact with one another.

Trustee Stelter makes a motion to approve the renewal of the AXON Body-Worn Camera and video storage contract for five (5) years ending in May 2030, Seconded by Trustee Czech.

The motion carries unanimously.

Item #10: Appointment of a Trustee Liaison to the Tree Board

Trustee Heck volunteers to serve on the Tree Board.

Trustee Stelter makes a motion to nominate Trustee Heck to be appointed to the Tree Board, seconded by Trustee Hunter.

The motion carries unanimously.

Mayor & Trustee Reports

Adjournment

The meeting adjourns at 7:58 PM.

Samira M Vetter, Town Clerk

Paige Smith, Mayor

Minutes
Special Town Board Meeting
Town of Paonia, Colorado
April 01, 2025

Meeting Video Link: <https://www.youtube.com/watch?v=AIYaAzclwgc>

RECORD OF PROCEEDINGS

Mayor Smith calls the meeting to order at 6:30 pm.

Roll Call

PRESENT

Mayor Paige Smith
Mayor Pro-Tem Kathy Swartz
Trustee Rick Stelter
Trustee Walter Czech
Trustee Mike Heck
Trustee John Valentine (via Zoom - Arrived at 6:32 PM)

ABSENT

Trustee Lucy Hunter (Recused)

Approval of Agenda

Trustee Stelter makes a motion to approve the agenda, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Actions & Presentations

Consideration of Evidence of Sewer Tap at Lot 2, Dorris Avenue.

Town Administrator Wynn and Deputy Treasurer Bowman explain the issues with historical recordkeeping when it comes to some tap purchases and that this particular issue is time sensitive due to a real estate closing date and why it has been brought to the Board of Trustees for resolution.

Patty Kaech- presents her evidence as an agent who has helped buyers purchase the property.

Marsha Brezonick- presents her evidence as an agent who has represented sellers on the property.

Liz Heidrick presents information on processes for realtors when it comes to the Town, Title Companies and Closings.

Mayor Smith asks a question about a building inspector's letter from 2007 and there is discussion including: multiple tap sales before rezoning, subdivisions, requirements for duplexes. James Shelton- current buyer, comments on the situation from his experience as a builder.

Board topics include: differing procedures used historically, different timelines in buying taps vs plan approval.

Robin Nicholoff, former owner from the period in question presents his recollection and reviews documentation from his time as an owner.

Mayor Pro-Tem Swartz asks Mr. Nicholoff questions about the timeline of purchase and sale of property.

Board discussion includes: differing addresses of undeveloped lot, review of documentation.

Mayor Pro-Tem Swartz calls a point of order on interruptions from the public and Mayor Smith asks everyone to maintain decorum.

Board Discussion continues with topics: stand-by billing practices, tap purchase requirements, Code vs. historical practices, staff time vs the price of a sewer tap, length of stand-by payment and amount, handshake deals.

Mayor Pro-Tem Swartz makes a motion to accept the evidence presented tonight as satisfying the payment of sewer taps fees for both Lot 2 Dorris Avenue and 104 Dorris Avenue, seconded by Trustee Heck.

Trustee Stelter calls the previous question.

Voting Yea: Trustee Swartz, Trustee Czech, Trustee Heck

Voting Nay: Mayor Pro-Tem Valentine, Trustee Stelter

The motion carries.

Adjournment

Mayor Smith adjourns the meeting at 7:44 PM.

Samira M Vetter, Town Clerk

Paige Smith, Mayor

Minutes
Regular Town Board Meeting
Town of Paonia, Colorado
April 08, 2025

Meeting Video Link: <https://www.youtube.com/watch?v=TkmVUy-cdqs>

RECORD OF PROCEEDINGS

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

PRESENT

Mayor Paige Smith
Trustee John Valentine (Zoom)
Trustee Rick Stelter
Mayor Pro-Tem Kathy Swartz
Trustee Walter Czech
Trustee Lucy Hunter
Trustee Mike Heck

Approval of Agenda

Trustee Hunter makes a motion to approve the agenda with the addition of the second proclamation for Autism Awareness and Acceptance Month, seconded by Trustee Stelter.

The motion carries unanimously.

Announcements

Proclamation for Autism Awareness and Acceptance Month

Proclamation for National Donate Life Month.

Mayor Smith announces the winners from NFSIS and PK-8 5th grades of the Arbor Day Poster Contest.

Jessi Rochel on behalf of the Chris Klug Foundation thanks the Town for the Proclamation for Organ Donation.

Public Comment

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

Public Comment:

Madeline (No last name given): comments on STR's

P. Jackson: comments on protests and autism

Consent Agenda

Trustee Hunter makes a motion to approve the Consent Agenda with the removal of the March 25, 2025 minutes for corrections, seconded by Trustee Stelter.

The motion carries unanimously.

Staff Reports

Administrator Wynn presents a quarterly update that includes large projects, grants received and good news.

Sargeant Henderson presents the Police Chief's Staff Report

Actions & Presentations

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

Item #1- Consideration of Approval of Purchase for Playground Chips for Town, Lee's and Apple Valley Parks.

Public Comment:

A Member of the Community: Question about Lee's Park

Trustee Stelter makes a motion to accept Pioneer Sands quote for \$15,114.00, seconded by Trustee Czech.

The motion carries unanimously.

Item #2 - Consideration of Quotes to Repair and Update Electrical at Town Park

Mayor Pro-Tem Swartz makes a motion to accept the Quote from A.B. Electric for a not to exceed amount of \$6763.38, seconded by Trustee Hunter.

The motion carries unanimously.

Item #3 - Consideration of Approval of Using a Sole Source Vendor for the Temporary Water Tank.

Trustee Hunter makes a motion, to direct staff to proceed with the proposed sole source contractor due to meeting the requirements needed to be sole source, seconded by Trustee Stelter.

The motion carries unanimously.

Trustee Hunter makes a motion for a five minute recess, seconded by Trustee Stelter.

The motion carries unanimously.

Meeting resumes at 7:35 PM

Item #4 - Consideration of Directing Staff on Enforcing Section 16-11-20, 16-11-30, and 16-1-100 of the Paonia Municipal Code.

Topics covered: enforceability, rentals less than 30 days, lawyers interpretation of current code, discussion on next steps, forward progress needed, enforcing will cause more problems right now, Work session w/ public comment, moratorium on str enforcement for the short term, opponents have offered to bring something forward, rewrite STR ordinance

Public Comment:

S. Yeamans: comments in favor of working together with the Town to find a solution.

P. Gentzler: comments in favor of the open table approach

S. Watson: comments on home occupations and codes not enforced and needing updated.

Madeline: comments on community involvement

J. Yeamans: comments from prepared statement

Discussion: moratorium on renting of rooms in an owner-occupied house, six-month time frame, Comprehensive Plan needs to be approved, current Code rewrite,

Trustee Hunter makes a motion due to the ambiguity in the Paonia Municipal Code, to instruct staff to not enforce the section of the Code that deals with the renting of rooms, seconded by Mayor Pro-Tem Swartz.

Trustee Hunter and Mayor Pro-Tem Swartz withdraw their motion and second to clarify the motion.

Trustee Hunter makes a motion that due to ambiguity in the Paonia municipal code instruct staff to not enforce the regulation of any rental of homes or rooms in home for less than a month, as a moratorium for six months starting today, seconded by Mayor Pro-Tem Swartz.

The motion carries unanimously.

Item #5 - Consideration of Services Agreement with Butler Snow, Bond Counsel for CWRPDA Loan

Trustee Stelter makes a motion to engage the services of Butler Snow for bond counsel in the amount not to exceed \$20,000, seconded by Trustee Czech.

The motion carries unanimously.

Item #6 - Consideration of Agreement with MHAC for ADA Transition Plan and Evaluation

Trustee Stelter makes a motion to approve the services agreement with MHAC in an amount not to exceed \$33,500, seconded by Trustee Czech.

The motion carries unanimously

Item #7 - Consideration of Letter to the BLM RE: Supplemental Environmental Analysis - Dual Operator 5-Pad Proposal EA and Bull Mountain Unit Master Development Plan EIS

Executive Director for the Citizens for Healthy Communities, Natasha Leger is present to answer questions.

Trustee Hunter makes a motion, seconded by Trustee Stelter to approve sending the letter provided in the packet to BLM on behalf of the Town of Paonia, seconded by Trustee Stelter.

The motion carries unanimously.

Mayor & Trustee Reports

Adjournment

The meeting adjourns at 8:27 PM.

Samira M Vetter, Town Clerk

Paige Smith, Mayor

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
ADP, INC								
1352	ADP, INC	687236116	ADMIN PAYROLL	04/04/2025	42.14	10-41-20	LEGAL, ENGINEERING & PR	04/30/2025
1352	ADP, INC	687236116	WATER PAYROLL	04/04/2025	42.14	60-50-20	LEGAL, ENGINEERING & PR	04/30/2025
1352	ADP, INC	687236116	WW PAYROLL	04/04/2025	42.14	70-51-20	LEGAL, ENGINEERING & PR	04/30/2025
1352	ADP, INC	687236116	SANITATION PAYROLL	04/04/2025	42.14	80-52-20	LEGAL, ENGINEERING & PR	04/30/2025
1352	ADP, INC	687236116	PD PAYROLL	04/04/2025	42.12	10-42-20	LEGAL, ENGINEERING & PR	04/30/2025
Total ADP, INC:					210.68			
AFLAC								
749	AFLAC	460386	Individual supplemental insurance	03/25/2025	97.08	10-0225	AFLAC COVERAGE	04/30/2025
749	AFLAC	465488	Individual supplemental insurance	12/25/2024	97.08	10-0225	AFLAC COVERAGE	04/30/2025
Total AFLAC:					194.16			
All Copy Products Inc								
1268	All Copy Products Inc	5033969917	Contract, color image overages, fr	04/10/2025	114.44	70-51-77	MACHINERY & EQUIPMENT	04/30/2025
1268	All Copy Products Inc	5033969917	Contract, color image overages, fr	04/10/2025	114.44	10-41-74	MACHINERY & EQUIPMENT	04/30/2025
1268	All Copy Products Inc	5033969917	Contract, color image overages, fr	04/10/2025	114.44	60-50-77	MACHINERY & EQUIPMENT	04/30/2025
1268	All Copy Products Inc	5033969917	Contract, color image overages, fr	04/10/2025	114.45	80-52-77	MACHINERY & EQUIPMENT	04/30/2025
Total All Copy Products Inc:					457.77			
Bruin Waste								
1307	Bruin Waste	307510	Portable Toilet 4/2/25 to 4/29/25	04/02/2025	99.75	60-50-24	RENTALS	04/30/2025
1307	Bruin Waste	307514	Two Portable Toilet 4/2/25 to 4/29/	04/02/2025	231.00	80-52-24	RENTAL	04/30/2025
Total Bruin Waste:					330.75			
Caselle, Inc								
21	Caselle, Inc	139406	ADMIN - CASELLE SUPPORT	03/01/2025	155.13	10-41-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	139406	PD - CASELLE SUPPORT	03/01/2025	155.13	10-42-33	Data Processing	04/30/2025
21	Caselle, Inc	139406	WATER - CASELLE SUPPORT	03/01/2025	310.25	60-50-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	139406	WW - CASELLE SUPPORT	03/01/2025	310.25	70-51-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	139406	SANITATION - CASELLE SUPPO	03/01/2025	310.24	80-52-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	140074	ADMIN - CASELLE SUPPORT	04/01/2025	225.75	10-41-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	140074	PD - CASELLE SUPPORT	04/01/2025	225.75	10-42-33	Data Processing	04/30/2025
21	Caselle, Inc	140074	WATER - CASELLE SUPPORT	04/01/2025	451.50	60-50-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	140074	WW - CASELLE SUPPORT	04/01/2025	451.50	70-51-33	DATA PROCESSING	04/30/2025
21	Caselle, Inc	140074	SANITATION - CASELLE SUPPO	04/01/2025	451.50	80-52-33	DATA PROCESSING	04/30/2025
Total Caselle, Inc:					3,047.00			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
CEBT								
1320	CEBT	INVOICE PERI	medical	03/26/2025	28,446.00		10-0223 HEALTH/LIFE INSURANCE	04/30/2025
Total CEBT:					28,446.00			
Cedar Creek Supply LLC								
1284	Cedar Creek Supply LLC	INV-0531	Water Testing	04/03/2025	1,780.36		70-51-16 OPERATING SUPPLIES	04/30/2025
1284	Cedar Creek Supply LLC	INV-0532	Water Testing	04/03/2025	1,181.80		60-50-14 CHEMICALS	04/30/2025
Total Cedar Creek Supply LLC:					2,962.16			
City of Delta								
24	City of Delta	MARCH STAT	Wastewater Analysis & Building In	03/31/2025	608.00		70-51-20 LEGAL, ENGINEERING & PR	04/30/2025
24	City of Delta	MARCH STAT	Wastewater Analysis & Building In	03/31/2025	4,600.00		10-43-20 LEGAL, ENGINEERING & PR	04/30/2025
24	City of Delta	MARCH STAT	Wastewater Analysis & Building In	03/31/2025	680.00		70-51-20 LEGAL, ENGINEERING & PR	04/30/2025
24	City of Delta	MARCH STAT	Wastewater Analysis & Building In	03/31/2025	4,600.00		10-43-20 LEGAL, ENGINEERING & PR	04/30/2025
Total City of Delta:					10,488.00			
COLORADO WATER RESOURCES & POWER DEVELOP								
1380	COLORADO WATER RESOURC	REF NO. 1487	Loan Repayment	04/01/2025	10,791.51		60-50-55 LOAN PRINCIPAL	04/30/2025
1380	COLORADO WATER RESOURC	REF NO. 1487	Loan Repayment	04/01/2025	880.19		60-50-56 LOAN INTEREST	04/30/2025
Total COLORADO WATER RESOURCES & POWER DEVELOP:					11,671.70			
Delta County Landfill								
56	Delta County Landfill	MARCH STAT	Landfill Fee	03/31/2025	3,146.20		80-52-42 LANDFILL FEES	04/30/2025
Total Delta County Landfill:					3,146.20			
Empower Trust Company LLC								
1190	Empower Trust Company LLC	1287421863	Retirement Plan PPE	04/15/2025	3,900.54		10-0220 RETIREMENT PLAN	04/30/2025
Total Empower Trust Company LLC:					3,900.54			
ENVIRO-CHEM ANALYTICAL INC								
1221	ENVIRO-CHEM ANALYTICAL IN	14171095	NO2, NO3, Se, PD	04/11/2025	65.30		70-51-20 LEGAL, ENGINEERING & PR	04/30/2025
Total ENVIRO-CHEM ANALYTICAL INC:					65.30			
Fire & Police Pension Assn.								
63	Fire & Police Pension Assn.	03-29-2025 TO	Paonia Police SRP- DB Compone	04/15/2025	4,151.54		10-0219 FPPA	04/30/2025

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
Total Fire & Police Pension Assn.:					4,151.54			
Gambles of Hotchkiss, Inc								
960	Gambles of Hotchkiss, Inc	277738	Bathroom - 6oz walnut wood filter	04/11/2025	22.98		10-46-73 BUILDING IMPROVEMENTS	04/30/2025
960	Gambles of Hotchkiss, Inc	277823	Park bathroom	04/16/2025	44.26		10-46-73 BUILDING IMPROVEMENTS	04/30/2025
Total Gambles of Hotchkiss, Inc:					67.24			
HIGH COUNTRY PRINTING & GRAPHICS, INC.								
81	HIGH COUNTRY PRINTING & G	4-11-2025	Fix back covers of bound Comp.	04/11/2025	8.75		10-41-30 PUBLISHING & ADS	04/30/2025
Total HIGH COUNTRY PRINTING & GRAPHICS, INC.:					8.75			
Mesa County Public Health Regional Lab								
763	Mesa County Public Health Regio	13174	Water Testing	04/09/2025	25.00		60-50-20 LEGAL, ENGINEERING & PR	04/30/2025
763	Mesa County Public Health Regio	13175	Water Testing	04/09/2025	25.00		60-50-20 LEGAL, ENGINEERING & PR	04/30/2025
Total Mesa County Public Health Regional Lab:					50.00			
North Fork Service (Reedy's)								
141	North Fork Service (Reedy's)	MARCH STAT	WATER FUEL	03/03/2025	345.96		60-50-23 VEHICLE EXPENSE	04/30/2025
141	North Fork Service (Reedy's)	MARCH STAT	STREETS FUEL	03/03/2025	345.96		10-45-23 VEHICLE EXPENSE	04/30/2025
141	North Fork Service (Reedy's)	MARCH STAT	PARKS FUEL	03/03/2025	345.96		10-46-23 VEHICLE EXPENSE	04/30/2025
141	North Fork Service (Reedy's)	MARCH STAT	SANITATION FUEL	03/03/2025	345.96		80-52-23 VEHICLE EXPENSE	04/30/2025
141	North Fork Service (Reedy's)	MARCH STAT	WASTEWATER FUEL	03/03/2025	345.98		70-51-23 VEHICLE EXPENSE	04/30/2025
Total North Fork Service (Reedy's):					1,729.82			
Rhinehart Oil Co.								
1224	Rhinehart Oil Co.	123451CT	diesel fuel	03/31/2025	349.57		80-52-23 VEHICLE EXPENSE	04/30/2025
Total Rhinehart Oil Co.:					349.57			
TDS Telecom								
156	TDS Telecom	APRIL STATE	Internet and Communication	04/10/2025	230.33		60-50-29 TELEPHONE & INTERNET	04/30/2025
Total TDS Telecom:					230.33			
The Place I Go								
897	The Place I Go	TPIG 9054	Random DOT Drug Screen J. Red	03/31/2025	63.00		80-52-20 LEGAL, ENGINEERING & PR	04/30/2025
Total The Place I Go:					63.00			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
USDA Forest Service								
402	USDA Forest Service	BF020408AF0	Forest Service	03/26/2025	1,481.00		60-50-69 CAPITAL OUTLY-Raw Water M	04/30/2025
Total USDA Forest Service:					1,481.00			
Western Slope Auto Glass LLC								
1447	Western Slope Auto Glass LLC	IWS-0402-0114	Matts Truck	04/02/2025	207.82		10-46-23 VEHICLE EXPENSE	04/30/2025
1447	Western Slope Auto Glass LLC	IWS-0402-0114	Matts Truck	04/02/2025	207.81		10-45-23 VEHICLE EXPENSE	04/30/2025
Total Western Slope Auto Glass LLC:					415.63			
Xpress Bill Pay								
1436	Xpress Bill Pay	INV-XPR02296	Xpress Processing	03/31/2025	8.79		10-41-31 DUES & SUBSCRIPTIONS	04/30/2025
1436	Xpress Bill Pay	INV-XPR02296	Xpress Processing	03/31/2025	17.58		10-42-31 DUES & SUBSCRIPTIONS	04/30/2025
1436	Xpress Bill Pay	INV-XPR02296	Xpress Processing	03/31/2025	17.58		10-43-31 DUES & SUBSCRIPTIONS	04/30/2025
1436	Xpress Bill Pay	INV-XPR02296	Xpress Processing	03/31/2025	43.95		60-50-31 DUES & SUBSCRIPTIONS	04/30/2025
1436	Xpress Bill Pay	INV-XPR02296	Xpress Processing	03/31/2025	43.95		70-51-31 DUES & SUBSCRIPTIONS	04/30/2025
1436	Xpress Bill Pay	INV-XPR02296	Xpress Processing	03/31/2025	43.96		80-52-31 DUES & SUBSCRIPTIONS	04/30/2025
Total Xpress Bill Pay:					175.81			
Grand Totals:					73,642.95			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account and Title	GL Period Date
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Board Meeting Date: _____

Town Administrator: _____

Finance Committee/Mayor: _____

Finance Committee/Trustee: _____

Trustees: _____

Date Reviewed: _____

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
TOWN ADMINISTRATOR'S OFFICE						
CDOT Revitalizing Main Streets Grant, "Safe Pathways for Paonia," 3-Points InX Grand, 4th & 5th	SGM CO #1 Forthcoming adding scope of work for GeoTech Eng. Svcs., and MOT plan to design set & Striping Plan, and Adding Add'l. meetings to Project Admin. as req. by CDOT. (Odisea didn't include in original design). CO #1 approved at the 8.22.23 Board Meeting. CO #1 was executed and submitted to SGM on 8.28.23. CDOT approved RMS Grant, R/W acquired from School Board and design is being finalized for construction. CDOT & SGM informed the Town that construction is likely in Spring 2025 and the estimated probable cost of construction is \$2.5MM. Meeting held with affected property owners in July 2024. FOR Meeting with CDOT held on 8/7/2024, cost now \$2.9MM. RAISE grant submitted for supplemental funding on 1.21.2025	~\$2,900,000.00	7.14.23	1.24.2025	Pristine Infrastructure and Critical Facilities	
Policy Reviews: Purchasing, Internal Controls, and Personnel, Credit Card Policy	These processes and policies will be a product to be worked on during 2024. Purchasing, Internal Controls estimated completion 5/30/2024; Personnel estimated completion 12/30/2024. Credit Card policy is ready for 7.23.2024 agenda. Purchasing Policy with Internal Controls complete in Purchasing Manual ready for Board Consideration on 9/10/2024. Personnel Policy review to take place in December. Purchasing, credit card and related financial policies have been adopted and completed. Next month personnel policy updates will have its own line item.	Staff Time	7.17.23	8.23.2024	Communications and Records Management; Transparent, Secure and Accurate Financial and Administrative Systems; Organizational Excellence and Staff Development	9.17.2024
Ordinance for Consecutive Systems (Water Companies)/Agreements with Water Companies	At a minimum an agreement with water companies that describes expectations from the town, expectations from the water companies/subdivisions, indemnification, and insurance requirements should be considered to reduce liability to the town. Further discussion with the Water Attorney is necessary. Standardized IGA with Water Companies with clauses for maintenance and increasing bulk water rates for non-compliance/if Water Company chooses to have the town complete maintenance. Town Attorney working on Draft Agreement for Hidden Valley water company. Multiple Water Companies have requested formalized agreements with the Town. Hidden Valley has replied that they do not want to enter into a new agreement with the Town but would rather add a supplement to the agreement with the Town taking on additional responsibilities for meter reading and billing without fixing or repairing their system. Being Considered with Code Revision from Sustainable Futures. Collaborative Approach to Consecutive Systems TBD September - December. Creation of Paonia Water System Coalition, TBD February 2025.	Staff Time (for actual agreements there will be a fee from attorney review TBD)	7.11.23	1.24.2025	Pristine Infrastructure and Critical Facilities; Communications and Records Management	
Code Re-Write	If funded by DOLA grant, then an RFP will need to be issued to meet the competitive bid requirement. Scheduled a phone call with a separate consulting firm to get a budget figure on price for DOLA grant for 8.28.23, once budget price received, will submit to DOLA for their consideration. Received Council Approval for \$25,000 Match from DOLA Admin Grant on 9.14.23. Submission of Grant on 9.15.23. Resubmitted Grant information to DOLA on 11.22.23. RFQ will be live in 2024 after grant funding is awarded and approved. RFP will be made live on 2.5.24 RFP Consultant selection/decision being made on 4.23.2024. Work has begun on code rewrite, sustainable futures selected as consultant. Special Meeting held on 8/20/2024 for feedback from Trustees on Code Rewrite. Need to ask for extension on the project from DOLA. Consultant is awaiting completion of Comprehensive Plan to finalize code adjustments as of 1.22.2025.	\$38,000	7.11.23	1.24.2025	Transparent, Secure and Accurate Financial and Administrative Systems; Communication and Records Management	

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Chase ink Credit Account	Submitted a letter to Chase Card Services to get control of the online banking account for the Chase ink Credit Card. Would like to see if any cashback rewards have been earned, and if so, where are they. Continue to get control of Chase Bank Credit Cards - will need to travel to Telluride and visit Chase Banker in person. Form has been signed by former finance director and signed by myself and sent to Chase Bank for final approval. Awaiting Chase Banks response. Chase Bank denied the change of ownership and awaiting for further action.	Staff Time	7.28.23	7.19.2024	Transparent, Secure and Accurate Financial and Administrative Systems	
Special Event Process and Applications	Improve the process and include the recent ordinance for street closures in the application process. This also includes the process for park reservations. Request to be on agenda for 2.11.2025 for discussion of setting an ad-hoc policy committee of Trustees (who would also introduce an ordinance), staff, and special event organizers for policy development.	Staff Time	8.1.23	1.24.2025	Organizational Excellence and Staff Development; Communications and Records Management	
Creation of a Municipal Comprehensive Emergency Management Plan	Town staff have worked closely with a county-wide Hazard Mitigation Plan with Delta County Emergency Management and as approved by FEMA and state regulators. The Town needs a specific emergency management plan to the town for continuity of operations.	Staff Time	1.1.2025	1.24.2025	Organizational Excellence and Staff Development; Communications and Records Management; Safe and Resilient Community	
Personnel Policy and Handbook Updates	There is a need to update the personnel policy to include relevant federal and state requirements as well as clarify several existing policies. Updates need to be made to the handbook that reflect administrative policies that have been implemented, changed or enacted since 2018.	Staff Time	1.1.2025	1.24.2025	Organizational Excellence and Staff Development	
Creation of Neighborhood Watch Organization	Concerned Residents and business owners brought forward a request to discuss what can and can't be done about criminal activity and disturbances of peace downtown. Staff meet with the group and told them what the Town can and can't do in regards to protecting civil rights of individuals. Out of the discussion came a request to start a neighborhood watch organization and possibly a citizen's academy. Staff would like to formally create a plan with at least one Trustee, Staff and residents/business owners interested in helping form policy to serve on a committee that may result in a new ordinance.	Staff Time	1/12/1900	1.24.2025	Safe and Resilient Community; Communication and Records Management	
Sort/Dispose of Box of Outdated Bank Info		Staff Time	2/5/2025		Communication and Records Management	
FINANCE DEPARTMENT						
Add Community Development Module to Caselle	Board of Trustees approved a new module with Caselle for Community Development to track all permits issued by the town. Final step is building forms such as certificate of occupancy, event permits, etc. On the last step for setting this up, permit templates. Ran into Caelle issues but should be resolved now. In process of trying to reschedule when all key staff are available for training. Forms are done, waiting on property conversion	≈\$20,000 with recurring annual costs (already paid, implementation is beginning)	7.1.24	4.3.2025	Transparent, Secure and Accurate Financial and Administrative Systems	
Consider Adding Purchase Order module with Caselle	With the adoption of a Purchasing Manual in September, the new process will include a three-way match requirement for purchase orders. Current purchase orders are tracked on a spreadsheet, but with the module they'll be tracked in Caselle. Requisitions/Purchase Order package has been purchased and is in initial setup. Module has been adding, working implementing with the new year. First PO being made if process runs smoothly can consider project complete.	≈\$3,000 with recurring annual costs (already paid, implementation is beginning)	8.1.2024	4.3.2025	Transparent, Secure and Accurate Financial and Administrative Systems	
Meter Updates in Caselle	Working with Public Works department to check meter ids, endpoints in Caselle and change as many as possible to radio read. No recent meter changes due to sever cold. Project to resume in spring.	Time and Materials, each meter installation cost is ≈\$1,400	5.27.24	1.22.2025	Pristine Infrastructure and Critical Facilities; Transparent, Secure and Accurate Financial and Administrative Systems	

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Documenting Accounting and Utility Processes	Recording processes for water meter read input, utility billing, red tags, disbursement approval, printing checks for approved disbursements and other departmental tasks. Major department duties have been documented. Checking for smaller or new processes that still might need documentation. Payroll and Permits processes identified as needing to be documented as well. Progressing on both of these.	Staff Time	7.1.24	4.2.2025	Transparent, Secure and Accurate Financial and Administrative Systems; Communication and Records Management	
Take Over Payroll Process	Was decided that fiance would be taking over payroll process from HR. Still to train on additions, edits, and contributions. Have ran March payroll. Still many minor variances to learn. Have identified 2 additional possible training sources.	Staff Time	1.14.2025	4.3.2025	Organizational Excellence and Staff Development	
Bank Access Issues	Bank access for records and current information has been inconsistent. Work with an approved bank signer and bank to resolve issues.	Staff Time	2.5.2025	2.5.2025	Transparent, Secure and Accurate Financial and Administrative Systems	
Caselle Vendor Record Clean Up	Outdated vendors need to be closed out. Make sure all current and new vendors are set up correctly and have accurate W9 information on file. Handful of vendors updated. Making slow progress around other time sensitive projects	Staff Time	2.5.2025	4.3.2025	Transparent, Secure and Accurate Financial and Administrative Systems; Communication and Records	
Caselle Implementation of Accounts Receivable Module	Working with Caselle and Town staff to set up invoices and forms. Training for staff to be scheduled with Caselle after implementation is completed.	\$1,050 with recurring annual costs (already paid, implementation is beginning)	11.26.2024	4.3.2025	Transparent, Secure and Accurate Financial and Administrative Systems	
Website Updates	Work with Clerks Department and Town Administrator to clean up and standardize the Town website.	Staff Time	4.9.2025	4.9.2025	Communication and Records Management	
CLERK'S DEPARTMENT						
Xpress Bill Pay / Caselle Integration	Integration changes to Caselle System to disconnect Point & Pay and update it for XBP completed on 12/16/2024. Staff training on the new system was completed on 1/7/2025. XBP is now live but currently implemented for in-person payments at the Town Hall counter to ensure all is working as promised before opening it up to the public online. With the configuration changes made in Caselle, payments post in real-time. On track for opening up to the public on 2/1/2025. XBP went live to the public 2/1, with a separate non-utilities payment gateway added as well. As of 2/10/2025: 35 Online Accounts created, with 20 opting for paperless option. Reconciliation all good. All reported issued addressed, including accepting AMEX Cards.	Monthly fees + Staff Time	12.16.2024	02.10.2025	Organizational Excellence and Staff Development; Communications and Records Management; Transparent, Secure and Accurate Financial and Administrative Systems	02.15.2025
New SQL & Access Databases	Databases: Dog Tags (Completed and Live) - Need to update for 2025 and modify web pages for easier sorting. Completed SQL queries to sort 2024 vs 2025 for easier readability. Request to have it moved to our server has to wait until new server is aquired.	Staff Time	01.01.2024	04.14.2025	Organizational Excellence and Staff Development; Communications and Records Management; Transparent, Secure and Accurate Financial and Administrative Systems	
Create checklists for Clerk Duties	Create checklists, for all permits, licensing, agenda, board meeting, record retention, new hires etc for consistancy and thoroughness. Updating as we go concurrent with the training for new Deputy Clerk - Ongoing Collaborative project in Teams with Deputy Clerk; including other Deptments Heads as appropriate.	Staff Time	7.19.23	4.3.2025	Organizational Excellence and Staff Development; Communication and Records Management	
MuniDocs clean- up & catch up	Still in process as time permits, This has also become the landing place for Board Committee Agenda's and minutes. Maintaining at minimum right now and will stop completely once public portal for laserfiche is live, then Munidocs will be obsolete.		9.14.23	4.18.2025	Organizational Excellence and Staff Development; Communication and Records Management	
CIRSA Audit	Coordinating with Dept Heads to fix deficiencies	Staff time	5.9.24	6.4.24	Organizational Excellence and Staff Development; Communication and Records Management	

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Create Marketing Policy (including Social Media Policy)	<i>During the 1.14.2025 Board Meeting, Trustees asked that Staff research and recommend ways to better communicate with Residents, Businesses, Visitors and the extended Paonia Community. Staff recommended that a marketing and communications policy be created for the Board to review. Researching</i>	Staff Time	1.14.2025	4.6.2025	Organizational Excellence and Staff Development; Communication and Records Management	
New/Transfer Liquor License Packet	In process	Staff Time	10.10.24	3.19.2025	Organizational Excellence and Staff Development; Communication and Records Management	
Disaster Recovery Plan for Records - to be included in a Municipal Comprehensive Emergency Management Plan		Staff Time	10.10.24		Organizational Excellence and Staff Development; Communication and Records Management, Safe and Resilient Community	
Laserfiche implementation	<i>Clerk and Deputy Clerk had a troubleshooting session around security, permissions and retention programming. Continuing to upload documents and schedule Professional Service time with specialists to set up workflows. Still waiting to schedule training but Clerk's Office has begun uploading documents, setting up</i>	\$11,257.50 first year with \$7757.50 annual from 2026 on	10.11.24	04.03.2025	Organizational Excellence and Staff Development; Communication and Records Management; Transparent, Secure and Accurate Financial and Administrative Systems	
Munimeetings Migration to CivicsPlus Select	<i>Clerk and Deputy Clerk had minutes training in the new system and should soon be setting a hard transfer date soon! Tree Board Meeting on the 15th will be the maiden run of the new agenda system. Clerk and Deputy Clerk will maintain sole access for a month while working out bugs then will begin to set up staff & Board access. Implementation has been so successful that Clerk's office has already begun adding staff to new software. Clerk's Office will be setting up two trainings within next few weeks to train staff and Boards, Committees and Commissions.</i>	\$2310.00 Implementation, integration and migration fee.	10.24.24	4.18.2025	Organizational Excellence and Staff Development; Communication and Records Management	
Create and implement Safety Policy and Plan	Working together with Deputy Public Works Director to develop and coordinate Town safety plan.		1.29.2025	03.15.2025	Organizational Excellence and Staff Development, Safe and Resilient Community	
Boards and Committee's Policies and Processes	<i>First step underway, creating new applications, job description, expectations, interview process. Project was put on hold for a little bit due to other priorities but is once again active with Town Clerk and Deputy Clerk active on it. Hope to be setting up meetings with Mayor Pro-Tem and Trustee Stelter in early May and be scheduling a work session for the Board before May ends.</i>	Staff Time	10.21.24	4.18.2025	Organizational Excellence and Staff Development; Communication and Records Management; Transparent, Secure and Accurate Financial and Administrative Systems	
Outline and Implement New Hire Onboarding process	<i>Rough draft created, need review with other dept heads and administrator and fine tuning before being put into place. Researching on going and coordination with Department Heads under way for review and finalization.</i>	Staff Time	2.4.2025	4.18.2025	Organizational Excellence and Staff Development; Communication and Records Management	
Special Election for April 1, 2025	<i>Canvass Complete, Election Certified, need to upload to DOLA. Having issues with DOLA website, priority goal to finish next week.</i>	est \$3200.00	1.14.25	04.18.2025	Communication and Records Management; Transparent, Secure and Accurate Financial and Administrative Systems	
SHRM-CP Certification	Started classes with goal of taking certification test in 2026, starting with Leadership & Navigation Competency	\$900	1/31/2025	2/5/2025	Organizational Excellence and Staff Development; Communication and Records Management	
Registered Parliamentarian Certification	Completed Class "Motions in General"	Membership dues of around \$100.00	1/31/2025	2/13/2025	Organizational Excellence and Staff Development; Communication and Records Management	
Apply for CMC	Assessment for last points taken, awaiting certificate, then will apply for CMC	\$200	1/24/2023	04.14.2025	Organizational Excellence and Staff Development;	
Sidewalk for Business Use Permit Audit	<i>Renewal letters sent out and applications taken to new sidewalk users. First compliance steps will take place June 2.</i>		3.26.2025	4.14.2025	Transparent, Secure and Accurate Financial and Administrative Systems, Organizational Excellence and Staff Development	

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Personnel File Audits and Uploads	Personnel files need organizing according to best practices and to see if there is a need for corrections or updated information. This will be combined with upload into Laserfiche and updates of ADP (payroll and HR software)		4.3.2025		Organizational Excellence and Staff Development; Pristine Infrastructure and Critical Facilities, Safe and Resilient Communities	
Develop Code Enforcement Process/Policy	<i>Meeting with PD for the initial planning</i> . Setting up meeting with Town Attorney for clarification and next steps forward to rectify identified issues.		4.3.2025	4.18.2025	Organizational Excellence and Staff Development; Communication and Records Management	
RFP for IT Services	<i>Audit Services -Received and Needed.</i> Create RFP			4.18.2025	Transparent, Secure and Accurate Financial and Administrative Systems.	
Company Property Updates to ADP	Due from Department Heads by May 2, 2025				Transparent, Secure and Accurate Financial and Administrative Systems.	
Vape Disposable Initiative	Coordinating Paonia's involvement with Cleaner Delta County Vape Disposal Initiative. A Vape Disposal Unit will be added to the Narcan Kiosk at the Paonia Library	None	4.11.2025	4.11.2025	Safe and Resilient Community	4.11.2025
PUBLIC WORKS						
ADA Transition Plan	Discussed at Department Head Meeting, will need to begin to evaluate crossings throughout intersections in Town. Will add this to fulcrum and add notes in GIS about intersections in compliance and intersections that need to be brought into compliance with ADA standards. Working with Town Administrator to accomplish a true plan. Request on agenda for 2.11.2025 to send an RFP to hire a consultant to complete a ADA transition plan for the Town.	≈\$30,000	8.1.23	1.24.2025	Organizational Excellence and Staff Development; Pristine Infrastructure and Critical Facilities	
Add cornering mirror at Pan American and Rio Grande	Initial mirror blew down in wind storm. Need to re-order a larger mirror	Staff Time	8.8.23	1.24.2025	Safe and Resilient Community	
Working on lead service line inventory	Inventory is complete. Waiting on next steps from CDPHE	Staff Time	11/6/2023	1/23/2025	Pristine Infrastructure and Critical Facilities;	
Mays water availability.	Conveyance agreement with Bone Mesa for raw water coming off of Gelwick through the Town's pipe to the splitter box at Mays	Staff Time (any rehabilitation will incur a cost TBD)		7.17.2024	Pristine Infrastructure and Critical Facilities;	
Construction standard update	Standards have been reviewed by Public Works. Waiting on final draft from respec	NTE \$21,600	2/2/2024	1/23/2025	Pristine Infrastructure and Critical Facilities;	
Finish NorthWest corner of skatepark.	Looking at options to finish the unfinished portion of the skatepark.	Staff Time (any construction will incur a cost TBD)		1/23/2025	Pristine Infrastructure and Critical Facilities;	
Equipment and contract bids	Public works is currently seeking quotes for pavement milling (Samuel Wade Bridge contracted), asphalt rollers. PW is reaching out to Engineers to get a scope of work on bridge repairs as of 1.1.2025	≈\$500,000		1/23/2025	Pristine Infrastructure and Critical Facilities;	

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Roof repair - Town Hall	Randy with Quality Cool Roofing Solutions inspected the job on 7/29/24. Elite Commercial Roofing will inspect the job on 8/2/24. Innovative Roofing was contacted as well with no response. Elite is the only contractor that sent a quote. It will be discussed in the 8/27/24 public meeting. Repair was put on hold until spring/summer 2025	≈\$40,000	7.29.24	1/23/2025	Pristine Infrastructure and Critical Facilities;	
F-150 Recall	Received official recall letter for the 2014 F-150 recalls for Output Speed Sensor. An unintended downshift into 1st gear. 2014 F-150's are scheduled for recall on 3/18/25	Staff Time	7/1/2024	3/14/2025	Pristine Infrastructure and Critical Facilities;	
Apple Valley Plumbing	Needs to be cameraed to see the extent of damage under the concrete flooring	≈\$2,500		1/23/2025	Pristine Infrastructure and Critical Facilities;	
WATER DEPARTMENT						
CDPHE Free Assistance Program for Lead Service Line Replacement	Applied today for the program with Cory and Stefan as PoC. Will evaluate this program in FY-2024. Sunrise Engineering has been helping us through this process.	Staff Time	8.1.23	11.24.23	Pristine Infrastructure and Critical Facilities;	12.31.2024
Mays Metering	Raw Water at the Mays Springs is being metered. Data is being sent to Brian Mitchem. This is before the split to Bone Mesa.	Staff time	7.2023	1.24.2025	Pristine Infrastructure and Critical Facilities;	
Mays Cleanup / Spring site Cleanup	Clearing trees and brush at Mays along the springs so that tree roots don't get into the pipes. Wrightwater will need specific areas on the springs cleared and cleaned up. Awaiting drawings for their needs.	Staff Time			Pristine Infrastructure and Critical Facilities;	
Meter Audit	46 meter audits complete since Feb. 2024	Staff Time (replacements of meters TBD but ≈\$1,400/meter)	11.2023	1/24/2025	Pristine Infrastructure and Critical Facilities;	
WASTEWATER DEPARTMENT						
Utility Fee Study	Water and Sewer Rates need to be reviewed. 20-year cash flow analysis for water and upcoming restrictions on NPDES permit for wastewater necessitate increases in the rates for utilities. Proposed Rate increases on the Board agenda for December 12, 2023. RESPEC has been given a task order to complete a PNA for future funding in regards to the wastewater system, as part of the PNA a 20-year cash flow analysis will be completed which includes a utility fee study to cover the cost of debt financing repairs and improvements to the waste water collections and treatment systems	≈\$15,000 (\$10,000 grant funding secured)	7.14.23	1.24.2025	Transparent, secure and accurate financial and Administrative Systems	
Aerator at the lagoon failure and disassembled	PW was approved to upgrade surface aeration at 3/11/25 meeting	≈\$18,000	1.1.2025	3/17/2025	Pristine Infrastructure and Critical Facilities; Safe and Resilient Community	
POLICE DEPARTMENT						
Compiling possible municipal code additions, subtractions, and combinations to address shortfalls in current muni code	Additions and updated ordinances have been submitted for code rewrite.	Staff Time	5/1/2023	3/16/2025	Organizational Excellence and Staff Development; Communication and Records Management	In Progress
Reactivation of Bicycle Patrol Unit	Equipment is being evaluated priced. Policies are being sourced for review,	Donated/Repurposed Eqpt/ <\$500	8/1/2024	3/1/2025	Safe and Resilient Community	In Progress
Reviewing possible municipal code fee/fine updates to address shortfalls in current muni code	Reaching out to other like sized or surrounding municipalities to compile fee and fine amounts.	UNK	4/1/2023	3/1/2025	Organizational Excellence and Staff Development; Communication and Records Management	In Progress

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Axon BWC and digital evidence storage contract renewal	Contract is agendized for review 03/25/2025 by BOT	\$36,534.40 over 5 Years	2/1/2025	3/24/2025	Safe and Resilient Community - Records Management	In Progress
Patrol Car Lettering	All newer patrol cars have been lettered and updated. Only the one remaining Chevy patrol vehicle is in nneed of decals. Awaiting decal supplier on site quote.	<\$1000	7/30/2024	3/1/2025	Organizational Excellence and Staff Development -	In Progress
ESS Security Training	Department Staff are continuing to take the ESS trainings and work towards the 630 Point minimum point threshold	Staff Time	5/1/2023	3/1/2025	Safe and Resilient Community	Continuous
Implementation of Spillman FLEX	Working with DCSO on acquiring database access for ONE officers. Awaiting response from CBI.	\$25,121.24	3/1/2023	3/1/2025	Communications and Records management; Safe and Resilient Community	In Progress
Employee appraisal/review	Packets are completed and beeing reviewed by Admin staff. Annual goals and projects are being submitted and reviewed.	Staff Time	1/1/2024	3/1/2025	Organizational Excellence and Staff Development	In Progress
Red Dot Sights for service weapons	Red dot sights have been purchased, but are currently backordered.	\$4,203.54	7/1/2024	3/1/2025	Safe and Resilient Community	In Progress
Updated OHV Ordinance	Public safety committee has met and compiled a list of possible updates. Updated ordidinance has been drafted and reviewd by legal. Electric Vehicle regulations are being considered for addition to the OHV ordinance	Staff Time	9/1/2024	3/1/2025	Organizational Excellence and Staff Development; Communication and Records Management; Safe and Resilient Community	In Progress
Code Enforcement for parking/inoperable vehicles/RV's/snow removal/ <u>Dog registration</u>	Letters are being sent via mail and some are being delivered in-person via uniformed officer.	Staff Time	5/1/2024	3/1/2025	Safe and Resilient Community	Continuous
CDOT Revitalizing Main Streets Grant, "Safe Pathways for Paonia," 3-Points InX Grand, 4th & 5th						
Construction Timeline	Construction is estimated to begin in Late-Spring - Mid-Summer of FY-2025. Additional funding has been applied for from RAISE and SRTS. These additional funds will assist the Town is not completely depleting its surplus funds for the project.	≈\$2,900,000	7.17.23	1.24.2025	Pristine Infrastructure and Critical Facilities; Safe and Resilient Community	
Temporary Construction Easements	Temporary Construction Easements have been approved by CDOT and are awaiting final decisions and coordination from SGM and affected property owners.	Included in Construction Cost	1.1.2025	1.24.2025	Pristine Infrastructure and Critical Facilities; Safe and Resilient Community	
Hydrogeological Study						
Wrightwater Engineering / Hydrogeological	Wrightwater initial site visit to the springs. Spent 3 days on the mountain gathering data. Brush Clearing is set for this Spring. WWE gave a presentation to the Board about the spring boxes and how we plan to gather more raw water. Study will be conducted Spring 2025. WWE engineering to continue the project with the loss of lead hydrogeologist	\$197,974	7.20.23	3/17/2025	Pristine Infrastrucutre and Critical Facilities;	
Grant for \$25,000 Colorado River Water Conservation District Grant	Contract, COI and W-9 sent and received, have received reimbursements	Staff Time	7.20.23	1.24.2025	Pristine Infrastrucutre and Critical Facilities;	

**TOWN OF PAONIA
DEPARTMENTAL SCORE CARD**

ISSUE	STATUS	ESTIMATED COST	INITIAL PROJECT DATE	CURRENT STATUS DATE	ALIGNMENT WITH STRATEGIC PLAN	DATE COMPLETED
Grant from Roundtable	\$25,000 awarded to Paonia for completing the Hydrogeological Study	Staff Time	7.20.23	1.24.2025	Pristine Infrastructure and Critical Facilities;	
CWCB Grant	Awarded \$147,973 towards the Hydrogeological Study	Staff Time	7.20.23	1.24.2025	Pristine Infrastructure and Critical Facilities;	
HOUSING NEEDS ASSESSMENT						
DOLA IHOP Reimbursement	3rd Quarter FY-23 reimbursement request submitted and \$32,348.25 will be sent to the Town from DOLA. 4th Quarter FY-23 reimbursement will be submitted and the final reimbursement amount will be requested. Adoption of ordinance regulating short term rentals and accessory dwelling units necessary for final DOLA reimbursement	\$25,000 (reimbursement)	7.1.23	1.24.2025	Organizational Excellence and Staff Development; Communication and Records Management; Safe and Resilient Community	
COMPREHENSIVE PLAN						
Timeline	1/17 PC Meeting with Status Update; 1/22 Survey Questions from Consultant for Publication; 1/23 Status Update for BoT; 2/2 Staff Meeting with Consultant; 2/27 Status Update for BoT; 2/28 FLUM Meeting PH at PC; 3/1 Staff Meeting with Consultant; 3/13 Draft Element Presentation PH at PC Meeting for Infrastructure; 3/26 Status Update for BoT; 3/29 Staff Meeting with Consultant; 4/3 Draft Element Presentation PH at PC for Transportation, Governance & Community Participation; 4/23 Status Update for BoT; 4/26 Staff Meeting with Consultant; 5/1 Draft Element Presentation PH at PC for Growth Framework, Economic Development, Parks, Recreation & Trails; 5/28 Status Update for BoT; 6/5 Final Presentation PH for Adoption at PC; 6/18 PH Final Adoption by BoT; EXTENSIVE TIMELINE AVAILABLE ON THE TOWN WEBSITE	\$52,395.00	1.19.23	1.24.2025	Organizational Excellence and Staff Development; Communication and Records Management; Safe and Resilient Community	
DOLA Planning Grant	Reimbursement for work already completed will be submitted during week of 11.27.23, final DOLA reimbursement incomplete until the project is finished; item is tracked on budget/actuals each month on the grant reporting page	\$25,000 (reimbursement)	5.1.23	1.24.2025	Organizational Excellence and Staff Development; Communication and Records Management; Safe and Resilient Community	
PHASE I - WATER IMPROVEMENTS						
Proposed Alignment	Meeting held on 7.24.23 regarding Existing water line alignment & GIS Data Accuracy. Proposed alignment options to consider, avoid easements by placing the water line in road R/Ws. AC line feeding old water plant, Evaluate PRV needs. Main Line improvements are being realigned so that they follow existing rights of way along roadways in areas that they are possible to be relocated. Waiting on final draft with Trustee Hunters suggestions fixed	≈\$6,000,000.00	7.24.23	3/17/2025	Pristine Infrastructure and Critical Facilities;	
Easement Acquisition	May need to plan for two lines, potable and raw water, Town representative to negotiate easements (Town Administrator) once they're located. Land acquisition amounts have changed and are being finalized, if necessary at all. Nicki called County Clerk. No records of official easements. Surveyor and Engineering are working on getting the paperwork established	Included in cost associated with proposed alignment	8.1.23	1/24/2025	Pristine Infrastructure and Critical Facilities; Communication and Records Management	
File for EIAF Tier II Grant	On 7.27.23, a grant application was filed for EIAF Tier II with project number 09721. DOLA Staff accepted the application for consideration on 8.3.23. Town was awarded \$965,000 for Tank Relining.	\$965,000 (reimbursement)	7.27.23	11.24.23	Pristine Infrastructure and Critical Facilities;	
SRF Loan Application	SRF Loan Application is being considered for FY - 2024 and is budgeted for approximately \$11MM, Application is complete and awaiting a hearing by the authority to decide whether or not the Town will be awarded funding	Staff Time	3.1.23	1.24.2025	Pristine Infrastructure and Critical Facilities;	



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

STAFF REPORT

APPLICATION FOR SUBDIVISION

MAJSUB 2025-01 LOT 2 CLARKS END SUBDIVISION

(Real Estate Parcel Number: 324505276002,

Commonly known as TBD Clark Ave. Paonia, CO 81428)

March 25, 2025

Background

MAJSUB 2025-01 Application for Subdivision as outlined in § 17-6-10 of the Town of Paonia's Municipal Code of Ordinances for the Parcel Number 324505276002, the property commonly known as: TBD Clark Avenue Paonia, CO 81428.

The request is to subdivide a single 14,771.5 square foot lot, original Clarks End Subdivision Lot 2, into a 7,458.8 square foot lot and a remainder lot of 7,312.6 square foot lot. The existing zoning is R-2, Medium-Density Residential District, and the intent of the applicants are to build a single-family home on each lot. Since Clark's End was established as a minor subdivision (three lots), approval is needed to further divide the lot into two equal parcels, this creates a new Major Subdivision, West Elks Major Subdivision, with the lots being designated West Elks Subdivision Lots 2A and 2B.

The current property owners, David Warren and Dan Rubinoff, are both Paonia residents and the applicants. On March 26, 2025, a document was produced for Dan Rubinoff allowing David Warren to represent his interest in both the Town Planning Commission meeting and any subsequent Board of Trustees meetings as it relates to the application for subdividing their jointly held property.

This is a major subdivision because it does not meet the definition of a minor subdivision as provided in §17-1-70. Definitions.

Minor Subdivision means the division of land that meets at least one (1) of the following conditions:

- a. The division of a parcel of land into three (3) lots or less. A parcel of land may only be subdivided once into three (3) lots or less under the minor subdivision procedures once, but the relocation or adjustment of lot lines may be permitted multiple times on the same parcel of land, provided that such modification conforms to all other applicable provisions of these regulations. Any subsequent subdivision, except for Subparagraph b. below, must follow the procedures for a major subdivision.*
- b. The relocation or adjustment of a lot line that does not create new lots.*

Since the subdivision creates a new lot, it must be treated as a major subdivision.



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General Information

Lot 2 of Clarks End Major Subdivision is approximately 1/3 of an acre and includes two Town Water Taps and two Town Sewer Taps. Evidence of the purchase for water and sewer taps is attached as **Attachment A**. The reason for splitting this property is to create two separate lots. Lot2A will be approximately 7,458.8 square feet and 0.172 acres, Lot2B will be approximately 7,312.6 square feet and 0.168 acres.

The lot is zoned R-2, and this application does not contemplate nor give permission to change the current zoning. Although, §16-3-30. Schedule of Requirements, Residential Districts, allows for up to two dwellings by right within R-2 Medium-Density Residential Districts, it also has a minimum lot area of 8,000 sq. ft. (square feet) that is also required to have two dwellings per lot. The original lot, Clark's End Lot 2 was large enough for two dwellings on one lot. However, splitting the lot into two lots makes each lot less than 8,000 sq. ft., but larger than the required 6,000 sq. ft. for each lot to have one dwelling unit by right. Due to the size of the lot splits, only one dwelling unit is allowed for each of the newly created lots. §16-3-30 is attached as **Attachment B**.

The original subdivision for Clark's End included a completion of all of the required guidelines for infrastructure and they are discussed below as already existing. Aside from creating a new lot, the applicant meets all other requirements for a major subdivision as it relates to water, sewer, streets, easements, drainage and all other requirements found through §17-5 of the Town's Code because they already exist and have been accepted into the Town during the Clark's End Minor Subdivision process for which this original lot belongs.

Fire protection will be provided by the Paonia Volunteer Fire Department. There is a fire hydrant located on the Northwest corner of the lot. Clark Ave will be used for emergency access.

The current property is already equipped with water, sewer, and electricity. No changes or additions will be required other than connecting the mentioned utilities once a structure has been built and been through the normal building permit application process.

The property will be used for Residential use only, not commercial, as it is zoned R-2 Medium-Density Residential.

Each lot will have a traffic flow consistent with a single-family home. Traffic will use Clark's Avenue to access properties.

Ten of the surrounding neighbors have provided letters of support for this request.

Consideration of the elements within the Comprehensive Plan support the subdivision application.

LU/D-6: Promote infill construction within the Town limits while considering density, zoning and compatibility of surrounding land uses.

LU/D-7: Promote infill construction within the Town limits in order to capitalize on proximity to existing utilities.



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LU/D-19: Transition residential densities from higher within the Town limits to lower outside the Town limits.

LU/D-21: Higher density residential development (defined as including up to 4 dwelling units/acre) should be encouraged in, adjacent to and close to Town in order to minimize impacts on utilities and traffic, enhance downtown business opportunities, and retain the “pedestrian” atmosphere of the community.

H-7: Encourage the development of a variety of residential products and/or densities thereby expanding the opportunity of choice in housing product types while minimizing public investment in capital expenditures for infrastructure.

H-10: Encourage the development of residential environments which are sensitive to noise, traffic and established public facilities, and which will complement the area’s terrain, vegetation and other natural resources.

H-11: Facilitate and encourage new housing development consistent with the specific needs and goals of the community.

Required Findings Needed to Consider a Re-zoning Application:

§17-5-20 of the Town’s Code establishes procedures for subdivision preliminary plat requirements.

(a) Purpose. It is intended that the preliminary plat provide the necessary information to permit the staff, the Planning Commission and the Board of Trustees to properly review the proposal and to resolve potential planning or engineering details that may arise before the final plat is prepared. The preliminary plat, therefore, requires extensive information and engineering studies.

(b) Written information.

1. The names and addresses of the owners and applicants.

Applicant provided names and addresses of owners and applicants.

2. The names, addresses and telephone numbers of the surveyor, engineer, and planner of the subdivision.

The Preliminary plat includes names, addresses and telephone numbers of the surveyor of the subdivision. An engineer and planner are not necessary since most of the requirements for the subdivision are existing and this is further subdividing a minor subdivision to create new lots.



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3. The names and addresses of all property owners within a two-hundred-foot radius of the property. All names and addresses shall be as they appear upon the records in the County Assessor's office.

All neighboring property owners within 200 feet have been notified by certified mail about the subdivision application.

4. All data and information required on the subdivision/annexation summary form and for the optional sketch plan listed in Section 17-5-10 above.

The subdivision/annexation summary form (application) has been filled out entirely.

5. A description of any proposed covenants.

No covenants were presented with the application.

6. Proposed terms of reservations and dedications of public rights-of-way, easements and other public lands.

Appropriate terms of reservations and dedications of public rights-of-way, easements and other public lands have been noted and described on the preliminary plat.

7. Evidence that provision has been made for facility sites, easements and rights of access for electrical and natural gas utility service sufficient to ensure reliable and adequate electric or, if applicable, natural gas service for any proposed subdivision. Submission of a letter of agreement between the subdivider and the utility serving the site shall be deemed sufficient to establish that adequate provision for electric or, if applicable, natural gas service to a proposed subdivision has been made.

The preliminary plat provides details regarding facility sites, easements, and rights of access for utility services.

(c) Plans and supporting data.

1. A plat of the proposed subdivision shall be drafted in preliminary form to a scale of at least 1" = 100' on a sheet at least twenty-four (24) by thirty-six (36) inches and shall show the information listed below. In addition, an eight and one-half (8 ½) by eleven (11) inch reduction of the plat shall also be provided to the Town.

A preliminary plat with a scale of 1" = 10' s on a twenty-four (24) by thirty-six (36) inch paper was provided.



**TOWN OF PAONIA
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2. Title, north arrow, graphic and numerical scale, and date of preparation.

On the preliminary plat, there is a title, north arrow, graphic and numerical scale, and date of preparation.

3. Key diagram if the area requires more than one (1) twenty-four-by-thirty-six-inch sheet.

A key diagram is provided on the preliminary plat.

4. The name of the proposed subdivision which shall be different from any existing recorded subdivision in the County.

The name of the subdivision is unique to Delta County.

5. Street layout of the proposed subdivision, including relationship to existing public rights-of-way and the widths and names of proposed streets.

The street layout in the proposed subdivision, including relationship to the existing public right-of-way and the widths and names of proposed streets, are provided on the preliminary plat.

6. Lot and block layout of the proposed subdivision, including a block- and lot-numbering system. In the case of a PUD, the types of uses, the supplementary requirements and area setback information on each lot if a variance with otherwise applicable zone district regulations are also required.

Lot and block layout of the proposed subdivision, including a block- and lot-numbering system have been provided on the preliminary plat. The type of use is in accordance with the R2 zoning.

7. Existing and proposed easements and structures for irrigation, drainage and utilities.

Existing, proposed easements and structures for irrigation, drainage and utilities are noted on the preliminary plat.

8. Contours of the plan proposed by the subdivision at five-foot intervals; however, the Town Administrator may approve ten-foot intervals if the topography is so steep that five-foot-interval contours will be so numerous as to dominate or obscure the other features depicted on the plat.



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Contours are provided on the preliminary plat. The previous subdivision included plans for drainage, utilities, street profiles and other necessary items that have already been constructed, completed and accepted into the Town. This is only a major subdivision because it has previously been subdivided as a minor subdivision and no longer qualifies for a minor subdivision.

9. Drainage plan. When the plat of a proposed subdivision includes a stream course, a mud flow course or dry wash subject to flood crest or heavy runoff generated by precipitation or rapid spring thaw runoff, a drainage plan based on an engineering analysis of the catchment and the tributary area and detailed drainage easements and structures necessary to accommodate a design one-hundred-year storm, mud flow or flooding shall be provided by an engineer registered in the State.

The previous subdivision included plans for drainage, utilities, street profiles and other necessary items that have already been constructed, completed and accepted into the Town. This is only a major subdivision because it has previously been subdivided as a minor subdivision and no longer qualifies for a minor subdivision.

10. Utility plan. A plan corresponding to the preliminary plat showing the line and related facilities' locations, sizes and gradients for the proposed subdivision in relation to existing Town installations and those of any special district. The utility plan shall also indicate that underground distribution of electrical power and communications lines is to be utilized, and a description of the system or systems shall be shown on the plan. If the property to be improved has been previously irrigated and water rights were utilized, the plan requires the provision of adequate irrigation water rights, and must have a plan for distribution.

The preliminary plat shows the utility plan detailing utility lines and electrical power and communication lines. The previous subdivision included plans for drainage, utilities, street profiles and other necessary items that have already been constructed, completed and accepted into the Town. This is only a major subdivision because it has previously been subdivided as a minor subdivision and no longer qualifies for a minor subdivision.

11. Street profile centerline profiles of proposed streets shall be plotted at a horizontal scale consistent with the preliminary plat and a distorted vertical scale with sufficient detail to ensure the proposed streets meet the gradient limitations established by this Chapter and bear a logical relationship to the grade of existing public streets at points of intersection.

The previous subdivision included plans for drainage, utilities, street profiles and other necessary items that have already been constructed, completed and accepted into the



**TOWN OF PAONIA
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Town. This is only a major subdivision because it has previously been subdivided as a minor subdivision and no longer qualifies for a minor subdivision.

12. Existing landscaping and trees with a caliper of three (3) inches measured three (3) feet above grade shall be located on the plan.

The current lot does not have landscaping and/or tress. The preliminary map does provide slope calculations and appropriate setbacks. The previous subdivision included plans for drainage, utilities, street profiles and other necessary items that have already been constructed, completed and accepted into the Town. This is only a major subdivision because it has previously been subdivided as a minor subdivision and no longer qualifies for a minor subdivision.

Staff Recommendation

Staff recommends approval of the Major Subdivision and bases their recommendation on the information given by the applicant, the applicant's plan conforms to the major subdivision section of the Paonia Municipal Code, and it substantially conforms to the 1996 Comprehensive (Master) Plan. Further, conditions are recommended that restrict the two new parcels to one dwelling unit for each new lot due to the reduction in size created through the subdivision.

Potential Motions:

- 1.) I move to recommend the application for subdivision of the property commonly known as: TBD Clark Avenue Paonia, CO 81428 because it does not adversely affect the public health, safety and welfare of the existing residential neighborhood, that the subdivision substantially conforms to the Comprehensive (Master) Plan, and promote infill construction within the Town limits while considering density, zoning and compatibility of surrounding land uses.; with the following condition(s): that the applicant may only build one dwelling unit for each of the new lots, and also receives a favorable determination from the Board of Trustees.
- 2.) I move to recommend denial of the application for subdivision of the property commonly known as: TBD Clark Avenue Paonia, CO 81428 because it doesn't meet the criteria for subdividing a lot and hasn't demonstrated that it meets the goals and objectives of the Comprehensive Plan and that the amendment will adversely affect the public health, safety and welfare.
- 3.) I move to defer a decision for subdivision of the property commonly known as: TBD Clark Avenue Paonia, CO 81428 to the Board of Trustees.

From: [Matt Laiminger](#)
To: [Stefen Wynn](#)
Subject: Re: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B
Date: Wednesday, April 2, 2025 4:36:07 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Stefen,

The Police Department has no issue.

Thank you,

Matthew Laiminger
Chief of Police
Town of Paonia
214 Grand Ave.
Paonia CO, 81428
(970) 527-4822

From: Stefen Wynn
Sent: Wednesday, April 2, 2025 4:32 PM
To: Matt Laiminger; Cory Heiniger
Cc: N Gisoldi
Subject: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B

Hi Chief & Cory,

Can you review the attached staff report for a Major Subdivision at Clarks End? The applicant had to go through the Major Subdivision process because it is further subdividing a previous subdivision into two new parcels. The subdivision already exists, all infrastructure has already been completed and accepted into the Town, this is just subdividing Lot 2 into Lots 2A and 2B. if you have no issue with it, or any comments/requests for the applicant, please reply to this email with them.

In Public Service,



Stefen Wynn, M.P.A.
ICMA-CM
Paonia Town Administrator
& Treasurer

P : (970) 527-4101
F : (970) 527-4102
E : StefenW@TownofPaonia.com

214 Grand Ave.
Paonia, CO 81428

<https://townofpaonia.colorado.gov/>



From: [Cory Heiniger](#)
To: [Stefen Wynn](#); [Matt Laiminger](#)
Cc: [N Gisoldi](#)
Subject: Re: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B
Date: Thursday, April 3, 2025 11:07:32 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Stefen,

Public Works does not object to the approval of this major subdivision. The meters pits and meters have not been installed. The only concern would be placement of the new pits that can be worked through after actual site plans are provided.

Town of Paonia
Public Works Director
Cory Heiniger
Phone: 970-527-4101
Cell: 970-417-6820
Fax: 970-527-4102
214 Grand Avenue
Po. Box 460
Paonia, Colorado 81428

“Strength doesn’t come from what you can do. It comes from overcoming what you thought you couldn’t.” -Unknown

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § [24-72-100.1](#), et seq.

The Town of Paonia is an equal opportunity employer.

From: Stefen Wynn <StefenW@townofpaonia.com>
Sent: Thursday, April 3, 2025 11:02:39 AM
To: Cory Heiniger <Coryheiniger_PW@townofpaonia.com>; Matt Laiminger <mlaimingerppd@townofpaonia.com>
Cc: N Gisoldi <ngisoldi_pw@townofpaonia.com>
Subject: RE: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B

Hi Cory,

I need to publish the agenda packet today with this information. After reviewing the preliminary plat, do you have any other questions?

In Public Service,



Stefen Wynn, M.P.A.
ICMA-CM
**Paonia Town Administrator
& Treasurer**

P : (970) 527-4101
F : (970) 527-4102
E : StefenW@TownofPaonia.com

214 Grand Ave.
Paonia, CO 81428

<https://townofpaonia.colorado.gov/>



From: Cory Heiniger <Coryheiniger_PW@townofpaonia.com>
Sent: Thursday, April 3, 2025 8:48 AM
To: Stefen Wynn <StefenW@townofpaonia.com>; Matt Laiminger
<mlaimingerppd@townofpaonia.com>
Cc: N Gisoldi <ngisoldi_pw@townofpaonia.com>
Subject: Re: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B

We need a map that shows the plan. I have some initial concerns but there could be more depending on site plans or how exactly it gets divided.

Town of Paonia
Public Works Director
Cory Heiniger
Phone: 970-527-4101
Cell: 970-417-6820
Fax: 970-527-4102
214 Grand Avenue
Po. Box 460
Paonia, Colorado 81428

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From: Cory Heiniger <Coryheiniger_PW@townofpaonia.com>
Sent: Wednesday, April 2, 2025 4:52:16 PM
To: Stefen Wynn <StefenW@townofpaonia.com>; Matt Laiminger <mlaimingerppd@townofpaonia.com>
Cc: N Gisoldi <ngisoldi_pw@townofpaonia.com>
Subject: Re: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B

Stefen,

Absolutely, when do you need this by?

Town of Paonia
Public Works Director
Cory Heiniger
Phone: 970-527-4101
Cell: 970-417-6820
Fax: 970-527-4102
214 Grand Avenue
Po. Box 460
Paonia, Colorado 81428

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The Town of Paonia is an equal opportunity employer.

From: Stefen Wynn <StefenW@townofpaonia.com>
Sent: Wednesday, April 2, 2025 4:32:12 PM

To: Matt Laiminger <mlaimingerppd@townofpaonia.com>; Cory Heiniger <Coryheiniger_PW@townofpaonia.com>
Cc: N Gisoldi <ngisoldi_pw@townofpaonia.com>
Subject: Clark's End Subdivision - Further Subdivision of Lot 2 into Lots 2A and 2B

Hi Chief & Cory,

Can you review the attached staff report for a Major Subdivision at Clarks End? The applicant had to go through the Major Subdivision process because it is further subdividing a previous subdivision into two new parcels. The subdivision already exists, all infrastructure has already been completed and accepted into the Town, this is just subdividing Lot 2 into Lots 2A and 2B. if you have no issue with it, or any comments/requests for the applicant, please reply to this email with them.

In Public Service,



Stefen Wynn, M.P.A.
ICMA-CM
Paonia Town Administrator
& Treasurer

P: (970) 527-4101
F: (970) 527-4102
E: StefenW@TownofPaonia.com

214 Grand Ave.
Paonia, CO 81428

<https://townofpaonia.colorado.gov/>



Receipt:

Receipt number: 1.000156681

Customer name: MATTINGLY, LYNN

Distribution total: 5,000.00

Receipt

Search Receipt Comments

Customer information

Customer number:

Name: MATTINGLY, LYNN

Receipt information

Date: 05/28/2019 10:12 AM

User ID: amojaro-DONT USE

Workspace: Front Counter

Category: Other Utility - Sewer/Trash

Payment updated: Yes

GL updated: Yes

Printed: No

Register printed: Yes

Creation method: Enter payments

Distributions:

Distribution	Customer Number	Description	Amount
Sewer Taps		Sewer Taps	5,000.00

Payments:

Payment Type	GL Account	Check Number	Amount
Check	090106	10862	5,000.00

clarks end subdivision
6 water taps
6 sewer taps
paid in full

31375102
313751 (1048)
3137500

Receipt:

Receipt number: 1.000156680

Customer name: MATTINGLY, LYNN

Distribution total: 6,000.00

Receipt

14

44337 of 98381

Payment total: 6,000.00
Difference: .00

Search Receipt Comments

Customer information

Customer number:

Name: MATTINGLY, LYNN

Receipt information

Date:

05/28/2019 10:11 AM

User ID:

amojarro-DONT USE

Workspace:

Front Counter

Category:

Other Utility - Water

Payment updated:

Yes

GL updated:

Yes

Printed:

No

Register printed:

Yes

Creation method:

Enter payments

Distributions:

Distribution	Customer Number	Description	Amount
Water Taps		Water Taps	6,000.00

Payments:

Payment Type	GL Account	Check Number	Amount
Check	090106	10861	6,000.00

Search Receipt Comments

Customer information

Customer number:
 Name:

MATTINGLY, LYNN

Receipt information

Date: 09/05/2019 9:08 AM
 User ID: amojarro-DONT USE
 Workspace: Front Counter
 Category: Other Utility - Sewer/Trash...
 Payment updated: Yes
 GL updated: Yes
 Printed: No
 Register printed: Yes
 Creation method: Enter payments

Distributions:

Distribution	Customer Number	Description	Amount
Sewer Taps		5 SEWER TAPS	22,000.00
Water Taps		5 WATER TAPS	27,000.00

49,000.00

Payments:

Payment Type	GL Account	Check Number	Amount
Check	090106	10941	49,000.00

49,000.00

Receipt:

Receipt number: 1.000156682

Customer name: MATTINGLY, LYNN

Distribution total: 6,000.00

Receipt

14

44339 of 98381

Payment total: 6,000.00
Difference: .00

Search Receipt Comments

Customer information

Customer number:

Name: MATTINGLY, LYNN

Receipt information

Date: 05/28/2019 10:14 AM

User ID: amojarro-DONT USE

Workspace: Front Counter

Category: Other Utility - Water...

Payment updated: Yes

GL updated: Yes

Printed: No

Register printed: Yes

Creation method: Enter payments

Distributions:

Distribution	Customer Number	Description	Amount
Water Taps		6 Water Taps @ 500 EACH	3,000.00
Sewer Taps		6 Sewer Taps @ 500 EACH	3,000.00

Payments:

Payment Type	GL Account	Check Number	Amount
Check	090106	10865	6,000.00

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	50 ft.	35 ft.	35 ft.	75 ft.	50 ft.

Created: 2025-02-04 11:53:55 [EST]

arterial street major and minor					
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

**WARREN DAVID
RICHARD
RUBINOFF DANIEL KEITH**

Account: R025215
Tax Area: BR- - BR-
Acres: 0.339

Parcel: 324505276002
Situs Address:
TBD CLARK RD
PAONIA, 81428

PO BOX 1143
PAONIA, CO 81428-1143

Value Summary

Value By:	Market	Override
Land (1)	\$132,000	N/A
Total	\$132,000	\$132,000

Legal Description

TBD CLARK RD PAONIA 81428 S: 5 T: 14S R: 91W Subdivision:
CLARK'S END MINOR SUB Lot: 2 TOTAL AC 0.339+- LOT 2
CLARK'S END MINOR SUBDIVISION WITHIN B.R. ADD TOWN OF
PAONIA S5 T14S R91W 6PM R-708364 R-724703PLAT R-724707COV
R-724705 R731994 ESMNT R736010 UTILITY PLAT R737012



Public Remarks

Entry Date	Model	Remark
02/10/2021		DEACTIVATED ACCOUNT R008625. CREATED NEW ACCOUNTS R025214 R025215 R025216 R025217. -TR
02/11/2021		2/2021 REVIEWED ACCOUNT FOR SPLIT-JT
03/15/2021		UPDATE VALUE TAB FOR SPLIT
03/07/2022		TD FORMS MAILED -JM FORMS RETURNED AND SCANNED IN. -TR
04/11/2022		4/7/2022 SITE VISIT TO VERIFY VACANT LAND SALE-STREET NOW PAVED-JT

Sale Data

Doc. #	Sale Date	Deed Type	Validity	Verified	Sale Price	Ratio	Adj. Price	Ratio	Time Adj. Price	Ratio
737012	02/15/2022	WT	QV	Y	\$129,000	102.33	\$129,000	102.33	\$140,243	94.12

Land Occurrence 1

LVal	100411 - PAO TOWN LOT > .13 AC	Abstract Code	0100 - 0100 - vacant residential lots
Lot Front	0	Lot Depth	0
Adj 1	100	Adj 2	100

Property Record Card

DELTA COUNTY Delta County Assessor

Land Occurrence 1

Adj 3	100	Adj 4	100
Neighborhood	41001 - PAONIA	Road	8 - U PAVED
TOPO	1 - AVG TOPO	Utilities	7 - W/S/E/G
Appr Dist	3 - PAONIA - CHRIS	Subdivision	40062 - CLARKS END MINOR SUB
Use Code	0	Review Date	202102 - 21-Feb

SubArea	ADJUSTED	HEATED	PRIME	ACTUAL
LT	1			1
Total	1.00			1.00
	Value	Rate	Rate	Rate
	\$132,000	132,000.00		132,000.00

Abstract Summary

Code	Classification	Actual Value	Taxable Value	Actual Override	Taxable Override
0100	0100 - vacant residential lots	\$132,000	\$36,828	NA	NA
Total		\$132,000	\$36,828	NA	NA

MINOR SUBDIVISION APPLICATION

Name DAVID WARREN & DAN RUBINOFF Application Date 8/12/24
Property Address LOT 2 CLARKS END SUBDIVISION Board of Trustees
Telephone Number 970-270-2855 Meeting Date 4/7/2025

MINOR SUBDIVISION

The division of land that meets the following condition:

1. The division of a parcel of land into three lots or less. A parcel of land may only be subdivided into three lots or less under the minor subdivision procedures once. Any subsequent subdivision, except for condition 2 below, must follow the procedures for a major subdivision.

Applications for Minor Subdivisions shall be filed at least 45 days in advance of the meeting at which they are to be reviewed by the Town Administrator or designee. Incomplete applications shall result in denial of application acceptance and returned for completion, consequentially delaying hearings.

The application shall include the following:

- ☐ Application fee of \$500.00
- ☐ A legal description of the property
- ☐ Proof of ownership
- ☐ Location Improvement Certificate certified by a Colorado licensed surveyor
- ☐ Plat of the proposed subdivision parcels sufficient to determine the size and area of each proposed parcel and describing each such parcel, as a portion of a lot, tract, or parcel, or lots, or tracts, or parcels on the Town Plat. The plat shall also identify the location of all public rights-of-way, location and size of the vehicular access to each parcel and the location of all utilities and all utility easements
- ☐ Narrative Statement describing fire protection, emergency access, flood protection and proposed vehicular access
- ☐ Copy of any restrictive covenants that are proposed or have been recorded affecting the lots, tracts or parcels that are the subject of re-subdivision
- ☐ Any other information or documents requested by the Town Administrator that are necessary to render a decision under the criteria hereinafter set forth

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

I. Project Summary

Please answer only the questions that apply to your minor subdivision request. Any additional information, which would be beneficial in the consideration, may be noted in the "Comments" section or on an additional attachment.

- a. Reason for Minor Subdivision_____
- b. Current Zoning of Property_____
- c. How will fire and flood protection be provided?_____
- d. How will emergency access be provided?_____
- e. Provide a description of the proposed access to each proposed parcel_____
- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric._____
- g. Will property have Commercial/Private or Public Use?_____
- h. Anticipated traffic flow and volume?_____

Comments:_____

II. Public Notice Requirements

Property has been posted notifying meeting before the Board of Trustees. Said sign to be at least 2 foot by 2 foot (2'x2') and posted for at least 15 days prior to said meeting.

III. Acknowledgement to Pay Fees

This application must be completed and a **non-refundable** fee of **\$500.00** is assessed to cover the administrative costs. **Payment must accompany this application. By signing below, I acknowledge that I will be billed for any overages of costs incurred for this Minor Subdivision.**

SIGNED_____

DATE_____

Accepted by: _____ Date: _____

Please answer only the questions that apply to your minor subdivision request. Any additional information, which would be beneficial in the consideration, may be noted in the "Comments" section or on an additional attachment.

- a. Reason for Minor Subdivision _____

- b. Current Zoning of Property _____
- c. How will fire and flood protection be provided? _____

- d. How will emergency access be provided? _____

- e. Provide a description of the proposed access to each proposed parcel _____

- f. What additions/changes in utilities will be necessary? Include water, sewer, gas, and electric. _____

- g. Will property have Commercial/Private or Public Use? _____
- h. Anticipated traffic flow and volume? _____

Comments: _____

II. Public Notice Requirements

Property has been posted notifying meeting before the Board of Trustees. Said sign to be at least 2 foot by 2 foot (2'x2') and posted for at least 15 days prior to said meeting.

III. Acknowledgement to Pay Fees

This application must be completed and a **non-refundable** fee of **\$500.00** is assessed to cover the administrative costs. **Payment must accompany this application. By signing below, I acknowledge that I will be billed for any overages of costs incurred for this Minor Subdivision.**

SIGNED _____

DATE 8/12/24

Accepted by: _____ Date: _____

Project Summary

Lot 2 of Clarks End Minor Subdivision is owned by David Warren and Dan Rubinoff who are both long-time Paonia residents. The lot is approximately 1/3 of an acre and includes 2 Town Water & 2 Town Sewer Taps. It is zoned R-2 which allows for two single-family homes to be built. We would like to divide the property into two separate lots so we have the ability to each build a home. Each lot would be greater than 7000 sq feet (see attached map) which would exceed the towns requirement of a single-family lot needing to be a minimum of 6000 sq feet.

Since a minor subdivision was created when Clarks End was established (3 lots), we need Town Council approval to further divide our lot into two equal sized parcels which would create a new Major Subdivision. This would be called West Elks Major Subdivision (see attached Plat Map).

It's important to note that subdividing our lot wouldn't increase traffic flows or impact our neighbors on Clark & Colorado Avenues since two single-family homes are allowed with the current R-2 zoning. We are simply requesting to split our parcel into two separate lots.

We have included 10 letters of support from our neighbors. Please see the attached map which shows the locations of these neighbors in relation to our lot (highlighted in yellow). We've also numbered each letter with the corresponding number of each property owners lot location on the map.

Application Questions:

- a. Reason for Major Subdivision: To create two lots
- b. Current zoning of property: R-2
- c. How will fire and flood protection be provided?

Fire protection will be provided by the Paonia VFD. There is a hydrant located on the NW corner of our lot. For flood protection, we'll follow Town guidelines.

- d. How will emergency access be provided?

Via Clark Ave

- e. Provide a description of the proposed access to each proposed parcel:

See attached Plat Maps

- f. What additions/changes in utilities will be necessary. Include water, sewer, gas and electric:

Water, sewer and electric are located on the lot. Natural gas isn't available.

- g. Will the property have Commercial/Private or Public use?

Private use only.

- h. Anticipated traffic flow and volume?

Each lot will have traffic flows consistent with a single-family home. Our request to divide our lot into two parcels will not create any additional traffic since the lot's R-2 zoning allows for two single family homes to be built.

Thanks so much for your consideration,

David Warren

Dan Rubinoff

Dan Rubinoff
12703 Elk Valley Rd
Paonia, CO 81428

Re: Lot 2 Clarks End Minor Subdivision Lot Split

March 26, 2025

Town of Paonia:

I, Dan Rubinoff, give David Warren my permission to represent my interest in the upcoming Town Planning and Town Council meetings in April, 2025.

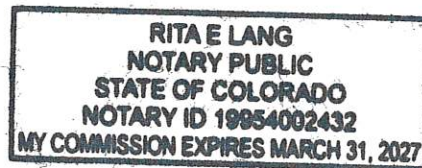

Dan Rubinoff

STATE OF COLORADO)

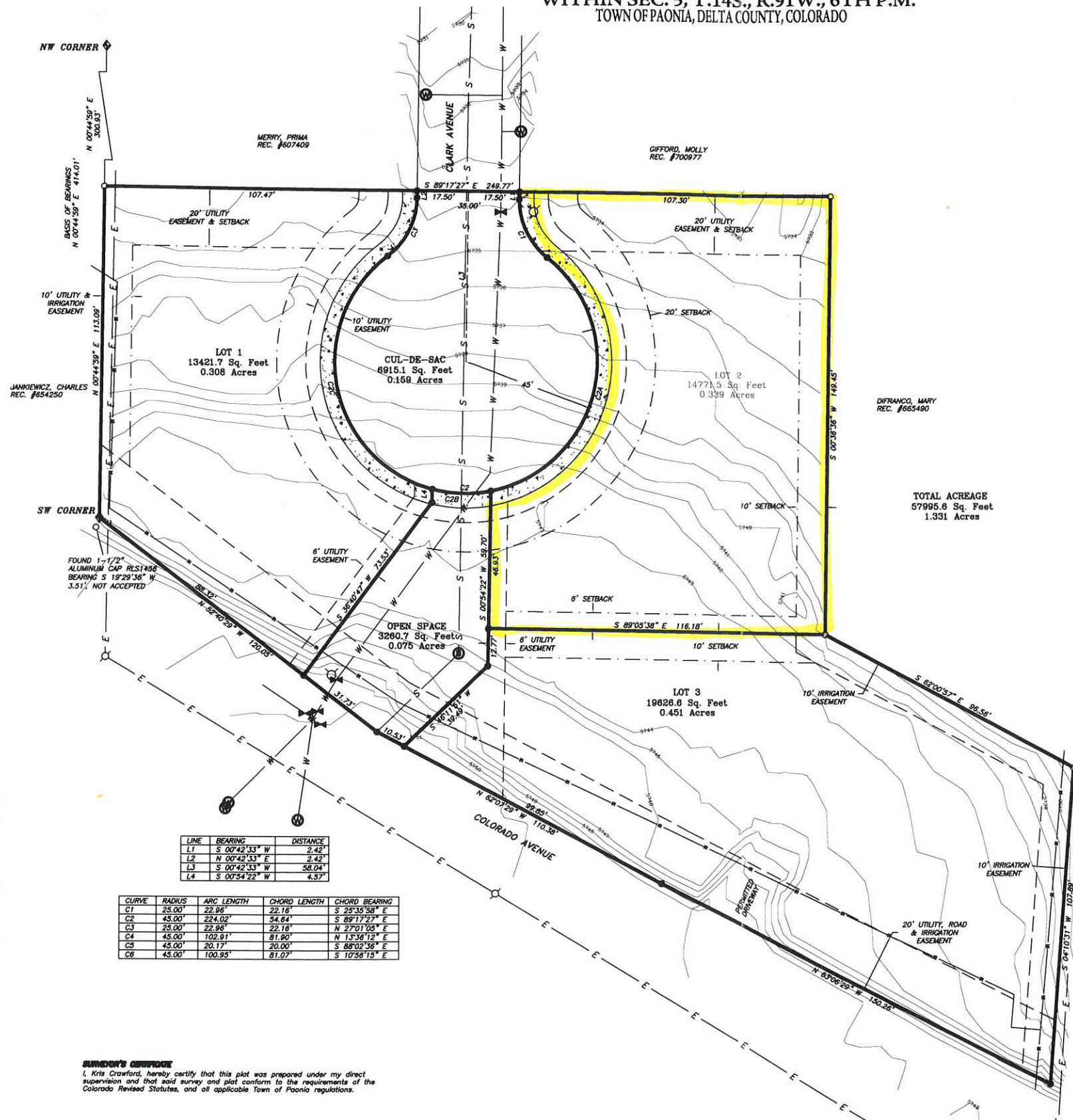
CITY OF Paonia AND COUNTY OF Delta) S.S.

Subscribed and sworn to before me on this 26 day of March, 20 25

NOTARY PUBLIC: Rita E Lang My Commission expires: March 31, 2027



AMENDED PLAT OF CLARK'S END MINOR SUBDIVISION WITHIN THE B.R. ADDITION THE TOWN OF PAONIA WITHIN SEC. 5, T.14S., R.91W., 6TH P.M. TOWN OF PAONIA, DELTA COUNTY, COLORADO



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that the undersigned Lynn D. Mattingly, being the owner(s) of certain lands in the Town of Paonia, Colorado, to wit:

A parcel of land located within the B.R. Addition to the Town of Paonia, Colorado, having a description based upon a bearing of N.00°44'59\"/>

Town of Paonia, County of Delta, State of Colorado

Has by these presents laid out, plotted and subdivided the same into lots, as shown on this plat, under the name of CLARK'S END MINOR SUBDIVISION, and shall dedicate grant and convey to the Town of Paonia, State of Colorado for the use of the public Streets hereon shown as each sub-phase occurs. Also the utility easements shall be dedicated as perpetual easements for the installation, operation, maintenance and repair of utilities and appurtenances thereto including, but not limited to electric lines, cable TV lines, natural gas pipelines, sanitary sewer lines, domestic water lines and telephone lines, as each sub-phase occurs. Dedicated easements include the right of ingress and egress on, along, over, under, through and across by the beneficiaries, their successors, or assigns for the purposes herein stated together with the right to trim or remove interfering trees and brush. Furthermore, the owners of lots or tracts hereby plotted shall not burden nor overburden said easements by erecting or placing any improvements thereon which may prevent reasonable ingress and egress to and from the easement for Town, and CLARK'S END MINOR SUBDIVISION and public utility purposes.

Executed this ____ day of ____ A.D., 20__.

Lynn D. Mattingly

STATE OF COLORADO)
COUNTY OF DELTA) ss.

The foregoing certificate of Ownership and Dedication was acknowledged before me this ____ day of ____ A.D., 20__ by Lynn D. Mattingly

My commission expires:
Witness my hand and official seal.

Notary Public

PAONIA SURVEYOR CERTIFICATE

Approved for content and form only, not the accuracy of survey, calculations, or drafting. This plat conforms to Section 38-51-106, Colorado Revised Statute.

Surveyor Date

TOWN MAJOR CERTIFICATE

Approved by the Town of Paonia Mayor this ____ day of ____ A.D., 20__

Attest Town Mayor

Town Clerk

NOTE:

THERE WILL BE NO ON STREET PARKING. EACH RESIDENCE IS REQUESTED TO PROVIDE A MINIMUM OF THREE OFF STREET PARKING PLACES.

TYPICAL LEGEND

- Set Mag Nail in Asphalt
- Set 5/8\"/>

LINE	BEARING	DISTANCE
L1	S 00°42'33" W	2.42'
L2	N 00°42'33" E	2.42'
L3	S 00°42'33" W	58.04'
L4	S 00°54'22" W	4.57'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00'	22.96'	22.18'	S 25°38'58\"/>

SURVEYOR'S CERTIFICATE

I, Kris Crawford, hereby certify that this plat was prepared under my direct supervision and that said survey and plat conform to the requirements of the Colorado Revised Statutes, and all applicable Town of Paonia regulations.

Kris Crawford PLS 38253 Date



WILMORE & COMPANY
PROFESSIONAL LAND SURVEYING, INC.

406 Grand Avenue 970.527.4200 PHONE
P.O. Box 1852 970.527.4200 FAX
Paonia, Colorado 81428 www.wilmorelandsurveying.com

Defining Boundaries

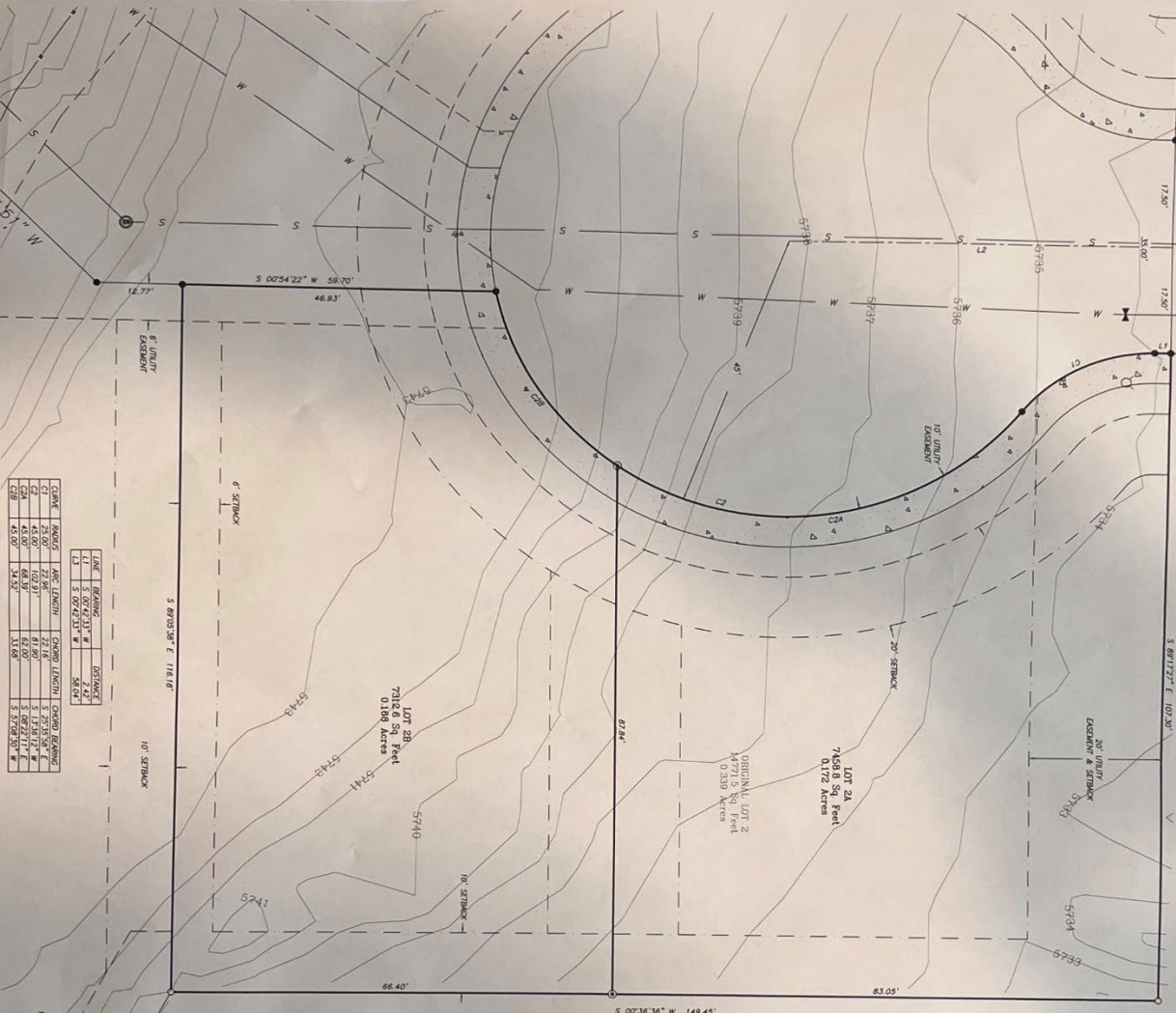
EMAIL krs@wilmorelandsurveying.com

FIELD CREW:
KC
DRAFTER:
KC
CHECKED BY:
RAW

AMENDED PLAT OF CLARK'S END MINOR SUBDIVISION
WITHIN THE B.R. ADDITION THE TOWN OF PAONIA
WITHIN SEC. 5, T.14S., R.91W., 6TH P.M.
TOWN OF PAONIA, DELTA COUNTY, COLORADO

J19031 PLAT AMENDED 24 DECEMBER 2021

PRELIMINARY PLAT OF WEST ELKS MAJOR SUBDIVISION LOT 2, CLARK'S END MINOR SUBDIVISION WITHIN SEC. 5, T.14S., R.91W., 6TH P.M. TOWN OF PIA, DELTA COUNTY, COLORADO



CURVE	MAJUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00'	22.96'	22.16'	S 13.56 56° E
C2	45.00'	102.91'	81.90'	S 13.56 12° W
C2A	45.00'	68.30'	62.00'	S 08 22 11° E
C7B	45.00'	34.52'	33.68'	S 5 708 30° W

WARRANTY DEED

THIS DEED, is dated February 15, 20 22, and is made between
Lynn D. Mattingly

(whether one, or more than one), the "Grantor," of the * County of Delta and
State of Colorado, and David Richard Warren and Daniel Keith Rubinoff

(whether one, or more than one), the "Grantee," whose legal address is

of the County of Delta

PO Box 1143
Paonia, Co 81428
and State of Colorado

WITNESS, that the Grantor, for and in consideration of the sum of One hundred twenty nine thousand and no/10
0ths----- DOLLARS,
(\$ 129,000.00), the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains,
sells, conveys and confirms unto the Grantee and the Grantee's heirs and assigns forever, all the real property, together
with any improvements thereon, located in the County of Delta and
State of Colorado, described as follows:

Lot 2, Clark's End Minor Subdivision.

County of Delta, State of Colorado.

Together with, without warranty, two (2) Town of Paonia water taps, two (2) Town of Paonia sewer taps and irrigation
water through the Clark's End HOA.

also known by street address as: Lot 2 Clark Avenue, Paonia, Co 81428
and assessor's schedule or parcel number: R 025215

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise
appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim
and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the
hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the
Grantee and the Grantee's heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with
the Grantee, and the Grantee's heirs and assigns: that at the time of the ensembling and delivery of these presents, the
Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of
inheritance, in law and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and
convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants,
bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and
subject to: ☐ none; or ☒ the following matters:

except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in
CRS38-30-113, revised

And the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, *but not any adjoining vacated street or alley*, if any, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.



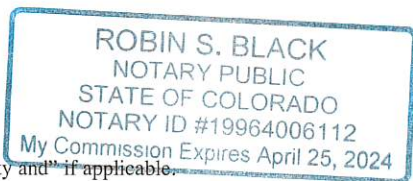
Lynn D. Mattingly

STATE OF COLORADO

County of Delta

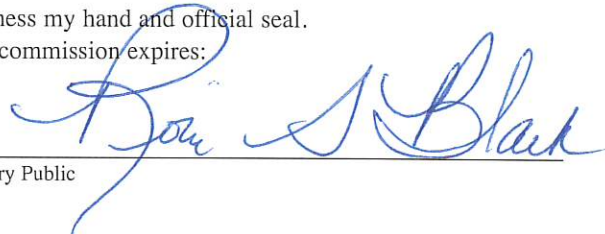
} ss.

The foregoing instrument was acknowledged before me this 15th day of February, 2022,
by Lynn D. Mattingly



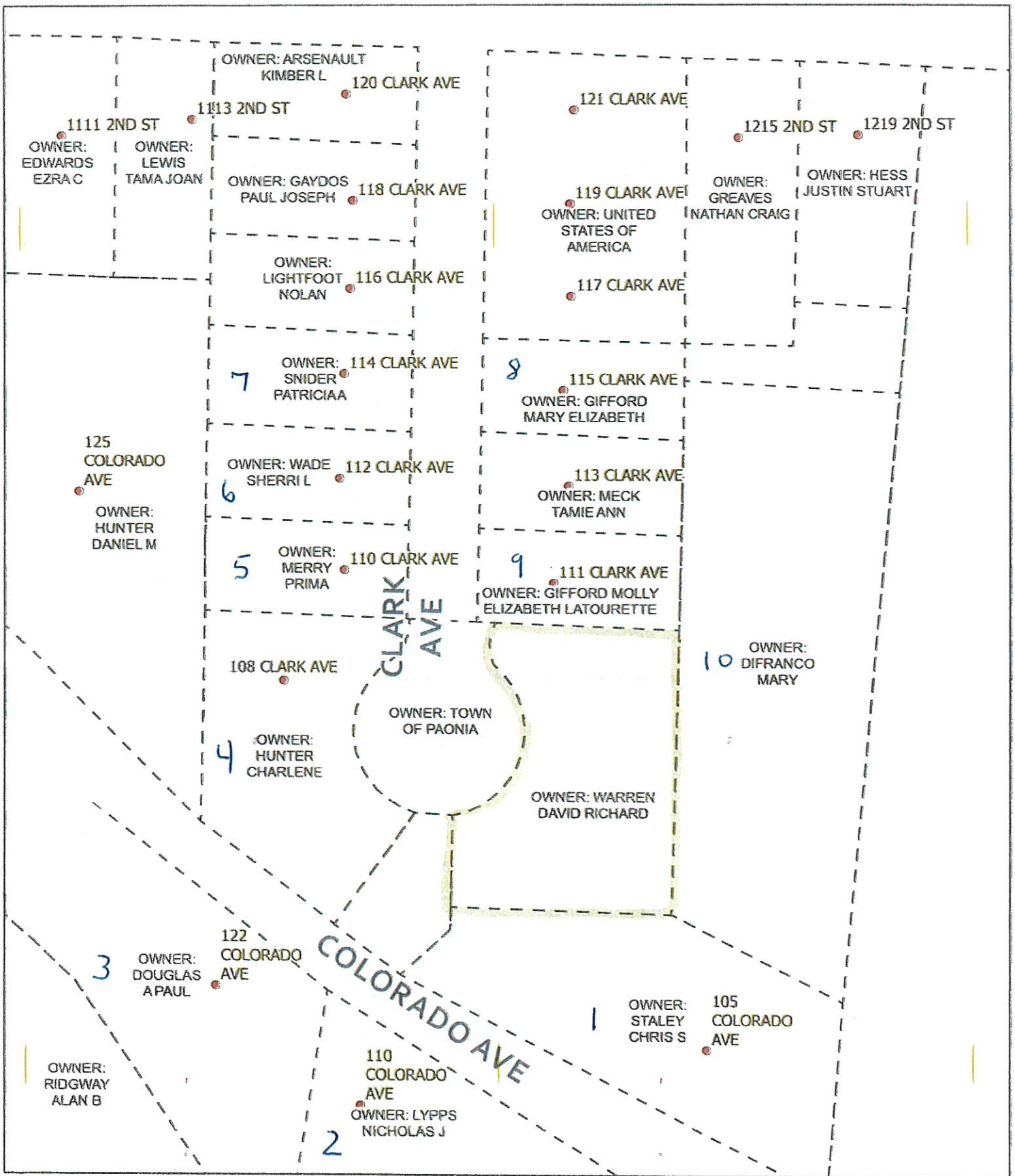
*Insert "City and" if applicable.

Witness my hand and official seal.
My commission expires:



Notary Public

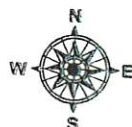
Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)



Delta County, Colorado

GIS Disclaimer:

This GIS map data is not a legal document or a survey instrument; Delta County assumes no responsibility for any use of the map data or any loss from using the map data. The data is provided on an "as is" basis with no guarantee to be spatially accurate, complete or current. Due to the dynamic nature of data, some inconsistencies will exist.



0 37.5 75 150 US Feet

- Address Point
- Parcel Boundary
- Road



g. Guarnotta 11/25/2024

Dear Town of Paonia Trustees:

3/20/25

My name is Tamie Meck and I own the home at 113 Clark Ave. David Warren and Dan Rubinoff own Lot 2 in the Clarks End Minor Subdivision which is located a few hundred feet to the South of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

A handwritten signature in black ink that reads "Tamie Meck". The signature is written in a cursive, flowing style.

Tamie Meck

Dear Town of Paonia Trustees:

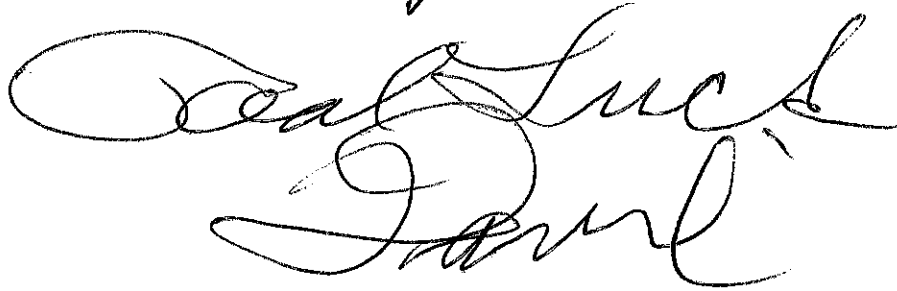
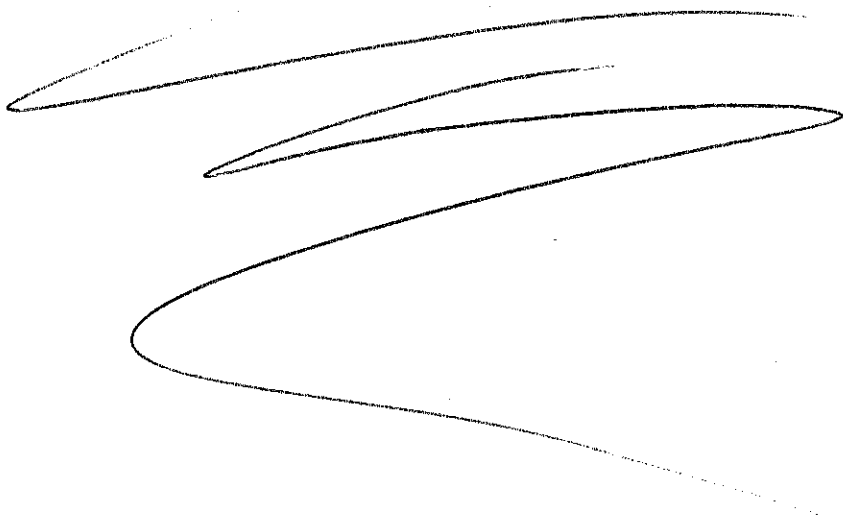
2/27/25

My name is Paul Gaydos and I live and own the home at 118 Clark Ave. David Warren and Dan Rubinoff own Lot 2 in the Clarks End Minor Subdivision which is located a few hundred feet to the SE of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

Paul Gaydos

To the Town of Paonia Trustees:

8/13/24

My name is Chris Staley and my wife and I own Lot 3 in the Clarks End Minor Subdivision. David Warren and Dan Rubinoff own Lot 2 in the subdivision which is located directly to the north of my property. We support Dan's and David's application to split their lot into two separate lots.

Thank you,

A handwritten signature in blue ink, appearing to read "Chris Staley", with a stylized flourish at the end.

Chris Staley

1927 N 55th W

Idaho Falls, ID 83402

Ph. 208 351-0469

Dear Town of Paonia Trustees:

1/8/25

My name is Nick Lypps and I live and own the home at 110 Colorado Ave. David Warren and Dan Rubinooff own Lot 2 in the Clarks End Minor Subdivision which is to the North of my property across Colorado Ave.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

A handwritten signature in black ink, appearing to be 'Nick Lypps', written over a horizontal line.

Nick Lypps

Nick Lypps

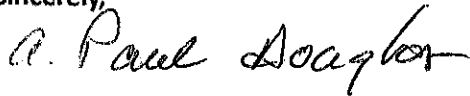
Dear Town of Paonia Trustees:

1/8/25

My name is Paul Douglas and I live and own the home at 122 Colorado Ave. David Warren and Dan Rubinooff own Lot 2 in the Clarks End Minor Subdivision which is located across Colorado Ave to the NE of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

A handwritten signature in cursive script that reads "P. Paul Douglas".

Paul Douglas

4



4495 Hale Parkway | Suite 206
Denver, Colorado 80220
O: 720.941.2800
C: 720.319.8470
F: 888.893.7015
E: chunter@hunterlawllc.com
W: www.HunterLawllc.com

August 15, 2024

Town of Paonia Trustees
PO Box 460
214 Grand Avenue
Paonia, CO 81428

Re: Clark's End Minor Subdivision Lot 2; David Warren and Dan Rubinoff

Dear Town Trustees,

My name is Charlene Hunter. I own Lot 1 in the Clark's End Minor Subdivision, which has recently been given the address of 108 Clark Ave. My lot is directly West, across the cul-de-sac, from Lot 2 owned by David Warren and Dan Rubinoff.

As you probably know, all those lots have two water and sewer taps, and are zoned R-2. I have just submitted an application for a building permit on my lot, which is in process of review.

I understand that Dan and David have submitted an application to divide their lot so that the two buildings to eventually be built on their lot can be owned by two different individuals. I support their application for this division as it makes simple common sense.

Sincerely,

Charlene Hunter, Esq.

Dear Town of Paonia Trustees:

8/27/24

My name is Prima Merry and I own a home at 110 Clark Ave. David Warren and Dan Rubinoff own Lot 2 in the Clarks End Minor Subdivision which is located across the cul de sac to the SE of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

Prima Merry



6

Dear Town of Paonia Trustees:

1/8/25

My name is Sherri Wade and I live and own the home at 112 Clark Ave. David Warren and Dan Rubinoff own Lot 2 in the Clarks End Minor Subdivision which is located a few hundred feet to the SE of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

Sherri Wade



Dear Town of Paonia Trustees:

1/8/25

My name is Patricia Snider and I live and own the home at 114 Clark Ave. David Warren and Dan Rubinooff own Lot 2 in the Clarks End Minor Subdivision which is located a few hundred feet to the SE of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,



Patricia Snider



DAVID Snider

8

Dear Town of Paonia Trustees:

1/8/25

My name is Mary Gifford and I own the home at 115 Clark Ave. David Warren and Dan Rubinoﬀ own Lot 2 in the Clarks End Minor Subdivision which is located a few hundred feet to the South of my property.

I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I support their application to divide their lot.

Sincerely,

Mary Beth Gifford
Mary Gifford

Town of Paonia Trustees:

Our names are Molly LaTourette Gifford and Pearl LaTourette Gifford. Together, we are the joint owners of a home located at 111 Clark Ave in Paonia, Colorado. David Warren and Dan Rubinoff own Lot 2 in the Clarks End Minor Subdivision, which is located directly to the south of our property.

We understand that David and Dan have submitted an application to the Town of Paonia to divide their lot into two separate lots, so they have the ability to each build their own home. This letter intends to show we do not oppose the application to divide their lot.

Sincerely,

A handwritten signature in black ink, appearing to read 'Molly LaTourette Gifford', written over the printed name.

Molly LaTourette Gifford

Pearl LaTourette Gifford

A handwritten signature in black ink, appearing to read 'Pearl LaTourette Gifford', written over the printed name.

Dear Town of Paonia Trustees:

8/19/24

My name is Mary Difrancio and I own vacant land off 2nd St in Paonia. David Warren and Dan Rubinoff own Lot 2 in the Clarks End Minor Subdivision which is located directly to the West of my property. I understand that David and Dan have submitted an application to the Town to divide their lot into two separate lots so they have the ability to each build their own home. I will not oppose their application to divide their lot as it really has no new impact upon my property. I feel the impact will occur to the citizens that live on Clark Ave. These property owners were part of the original process of this development and feel they need to be notified and given an opportunity to respond to this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary Difrancio", with a stylized flourish at the end.

Mary Difrancio



TOWN OF PAONIA
WEDNESDAY, JUNE 26, 2019
PLANNING COMMISSION MEETING AGENDA
6:00 PM

Call to Order

Roll Call

1. Roll Call

Approval of Agenda

2. Approval of Agenda

Unfinished Business

3. Minutes – May 30, 2019

New Business

4. Smith – 215 Delta Avenue – Roof Height Variance
5. Greenbelt Addition – Annexation
6. South Clark Avenue Subdivision

Adjournment

7. Adjournment

Minutes
Planning Commission Regular Meeting
Town of Paonia, Colorado
June 26, 2019

RECORD OF PROCEEDINGS

The Regular Meeting of the Planning Commission held Wednesday, June 26, 2019, was called to order at 6:00 PM by Chairperson Barbara Heck, followed by the Pledge of Allegiance.

Roll Call:

Commission members present were as follows:

Chairperson Barbara Heck
Commissioner Lucy Hunter
Commissioner Monica Foguth
Mayor Charles Stewart
Trustee William Bear

Town Staff present were as follows:

Administrator Ken Knight
Deputy Clerk Amanda Mojarro

A quorum was present, and Chairperson Barb Heck proceeded with the meeting.

Approval of Agenda

Motion made by Trustee Bear, Supported by Commissioner Hunter to approve the agenda.
Motion carried unanimously

Unfinished Business

Minutes – May 30, 2019

Motion made by Mayor Stewart, Seconded by Trustee Bear to approve minutes as presented.
Motion carried unanimously.

Public Hearing: 215 Delta Ave. Variance – Shane Smith

The purpose of the Public Hearing is to hear the applicants 20ft garage Variance request and to hear public comments.

Chairperson Barbara Heck opened the meeting to discuss, Mr. Smith's variance request for a garage roof height of 20ft.

Administrator Knight read staff notes to the planning commission.

Discussion ensued by Mr. Smith stating his reasons for a request for having a 20ft height roof, are the addition of solar panels and more storage area.

Mr. Smith's contractor communicated to the planning committee the mechanics behind having a 20 ft height roof.

Discussion points:

- Loss of off-street parking
- House would lose the character
- Roof height explanation
- A taller garage door needs a higher ceiling
- A wider roof

Discussion ensued by Trustee Bear regarding the contentious of the past request of variances for having a higher roof.

Discussion points:

- Possible denial from the board of trustees
- contentious matter among the board of trustees and the community

Mayor Stewart read the ordinance of Sec. 16-11-60. - Requirements for accessory buildings and uses, (e) Accessory buildings shall not exceed fifteen (15) feet in height.

Administrator Knight stated that the ordinance has been in place since 1983 and was amended in 2000 and 2015, has not changed and has been the standard since 1983.

Motion by Trustee Bear Supported by Mayor Stewart to recommend to the Board of Trustees denial of Mr. Smith's 20 ft height garage roof variance. Motion carried unanimously.

Public Hearing: 419 Stahl Rd – Greenbelt Addition Annexation

The purpose of the Public Hearing is to hear the applicant's Annexation request and to hear public comments.

Administrator Knight read staff comments regarding the Greenbelt Addition Annexation. Stating that the property is within the Delta County / Town of Paonia Highway 133 planning area.

Charris Ford, owner of 419 Stahl Rd communicated to the planning committee currently, he does not have a water or sewer tap and is requesting to be annexed into to the Town of Paonia to be able to have water and sewer tap and to be a part of the community. Mr. Ford disclosed the preference of the zoning to be zoned to have the ability of future commercial use.

Discussion points:

- Vegetable stand
- Small future retail business
- Zoning category
- Farming Avocation

Discussion ensued by Trustee Bear regarding the developing resources for Mr. Ford's property.

Administrator Knight read Sec. 16-2-110. - DR, Developing Resource District along with Sec. 16-2-20. - E-1, Estate Residential District.

Discussion ensued by planning committee members to take into consideration the zoning for the surrounding properties, to refrain from spot zoning. Planning Committee members in favor of the annexation with appropriate zoning for Mr. Ford's property according to the use.

Discussion point:

- Spot Zoning

Administrator Knight along with Commissioner Hunter recommended (2) two motion be made (1) one for the annexation (2) second for the zoning.

Motion by Commissioner Hunter Supported by Trustee Bear to recommend to the Board of Trustees approval Mr. Charris Ford's annexation. Motion carries unanimously.

Commissioner Hunter called a (5) five-minute recess at 7:05 pm. The meeting resumed at 7:10 pm

Discussion by Commissioner Foguth regarding Mr. Ford's concern with the type of the property will be zoned as.

Motion by Commissioner Foguth to recommend to the Board of Trustees approval to discuss with owner and research the zone for his property with the planning committee. Motion failed for lack of a Second.

Motion by Commissioner Hunter to recommend to the Board of Trustees approval to zoning Mr. Charris Ford's property - 419 Stahl rd. as E-1, Estate Residential District. Motion carried unanimously.

Chairperson called for a (1) one-minute recess at 7:17. The meeting resumed at 7:18 pm.

Public Hearing: Lynn Mattingly Major Subdivision - South Clark

The purpose of the Public Hearing is to hear the applicant's Annexation request and to hear public comments.

Commissioner Hunter recused her self due to personal conflict.

Administrator Knight read staff comments regarding the South Clark subdivision. The Development Review Committee and Staff reviewed Ms. Lynn Mattingly's major subdivision on South Clark application. Recommends the approval of South Clark major subdivision with condition requested and be incorporated into the approval that the Paonia Volunteer Fire Department has set, a letter is included in the packet. The rights and uses of the irrigation water supply are incorporated into the covenants and conditions of the homeowners association.

Ms. Mattingly briefly explained to the planning committee, the property originally is zoned as R-2 it accommodates (8) eight residences currently. Requesting to build (7) seven townhomes with a cul-de-sac at the end of the street and to be re-zoned as R-1 PUD, to provide affordable housing for the community. Parcels will be sold in pairs each one will have its own deed.

Discussion ensued regarding the traffic, parking issues and access from Colorado Avenue with South Clark subdivision development.

Discussion points:

- Parking for family visiting
- Possible access through Colorado Avenue
- A concern with the back of the Properties facing Colorado Avenue is sloped.
- Colorado is part town and county
- Authorization of Colorado Avenue
- Parking along Colorado avenue

Discussion ensued regarding the request for (4) four variances. The preliminary plat submission - variance request are included in the packet.

Discussion ensued by Mayor Stewart addressed deems the (4) variances are permissible under zone R-1 PUD.

Administrator Knight communicated the (4) four variances are permissible under the R-1 PUD zone. Variances were furnished as (1) one in lieu of applying for (4) separate variance request.

- Fill Colorado Ave to be usable as access for traffic
- Square feet for developing in an R-2 zone
- Traffic density
- Parking
- Construction
- A (50%) fifty percent increase in street traffic

Discussion ensued issues to be analyzed by the board, traffic, parking and water pressure.

Discussion ensued by Trustee Bear what requirements will the applicant endure.

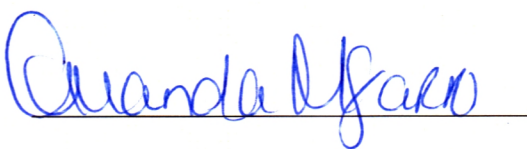
Administrator Knight communicated the requirement is to build to the town standards and there are no bond requirements on taps.

Motion by Mayor Stewart to recommend to the Board of Trustees approval of Lynn Mattingly Major Subdivision - South Clark with the condition by staff with some proposal of mitigation on traffic and parking issues Second by Commissioners Foguth. Motion carried unanimously.

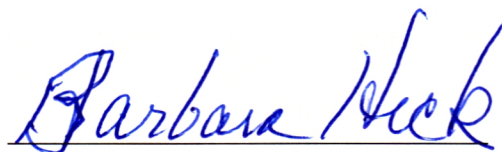
Adjournment

Motion by Chairperson Heck supported by Trustee Bear to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned by Ms. Heck at 8:33 pm



Amanda Mojarro, Deputy Clerk



Barbara Heck, Chairperson



AFFIDAVIT OF PUBLICATION

State of Pennsylvania, County of Lancaster, ss:

India Johnston, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Delta County Independent, a newspaper printed and published in the City of Delta, County of Delta, State of Colorado, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Mar. 20, 2025

NOTICE ID: UC6FD6mjp0bS9z1M66Ab

PUBLISHER ID: DCI000834

NOTICE NAME: Ph Warren Clarks End

Publication Fee: 28.80

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

India Johnston

(Signed) _____

VERIFICATION

State of Pennsylvania
County of Lancaster

Commonwealth of Pennsylvania - Notary Seal
Nicole Burkholder, Notary Public
Lancaster County
My commission expires March 30, 2027
Commission Number 1342120

Subscribed in my presence and sworn to before me on this: 03/24/2025

Nicole Burkholder

Notary Public

Notarized remotely online using communication technology via Proof.

**TOWN OF PAONIA,
COLORADO
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Planning Commission of the Town of Paonia will hold a Public Hearing commencing Monday, April 7, 2025 at 6:00 p.m., at the Paonia Town Hall, 214 Grand Avenue, Paonia, Colorado 81428. The purpose of the Public Hearing is to consider a request for approval of a major subdivision application from David Warren & Dan Rubinoff for Lot 2 of Clarks End Subdivision.

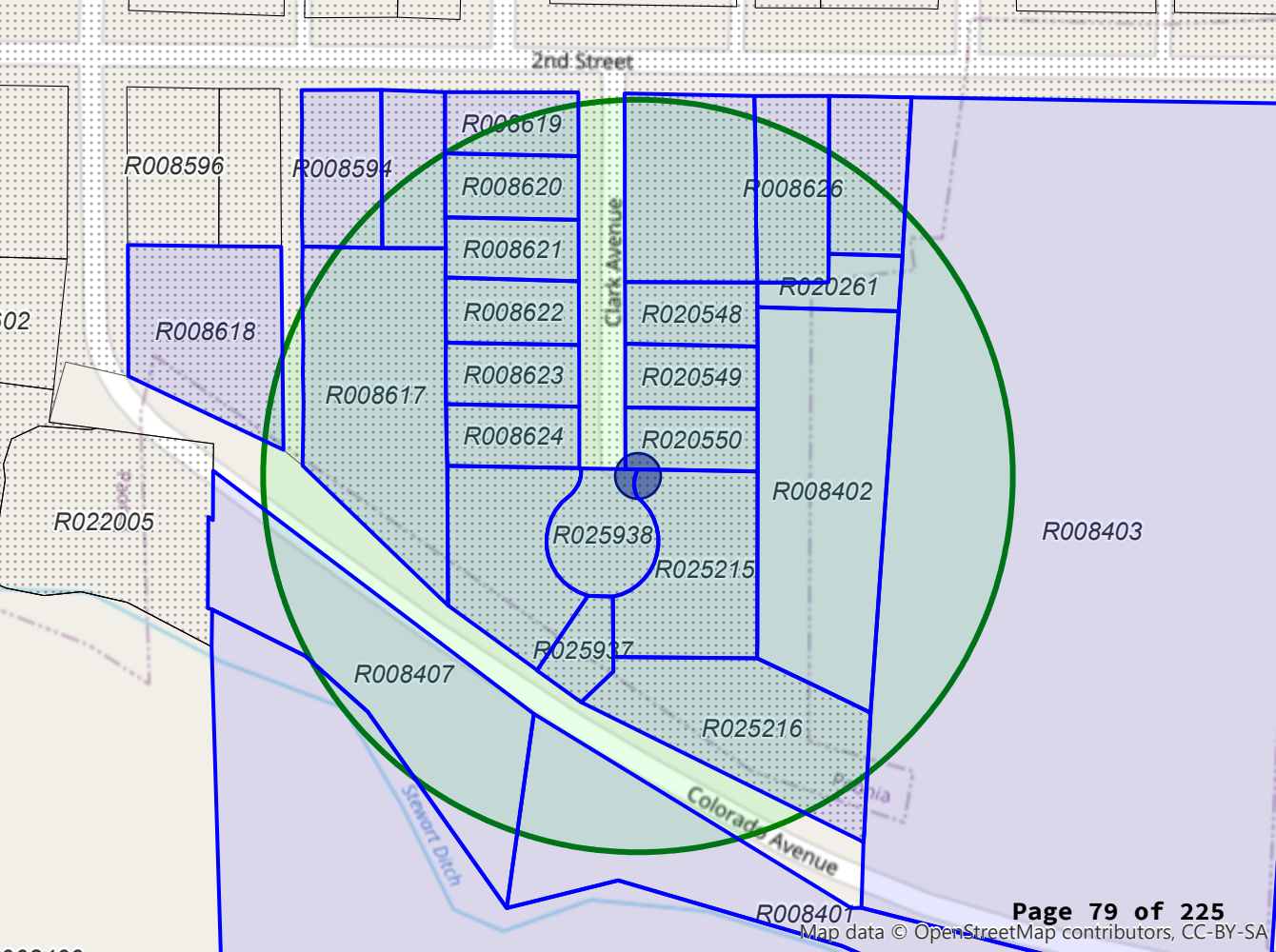
Further Notice is hereby given that the Board of Trustees of the Town of Paonia will hold a Public Hearing commencing Tuesday, April 22, 2025 at 6:30 pm, at the Paonia Town Hall, 214 Grand Avenue, Paonia, Colorado 81428. The purpose of the Public Hearing is to consider a request for approval of a major subdivision application from David Warren & Daniel Rubinoff for Lot 2 of the Clarks End Subdivision.

Any person may appear at the Public Hearings and be heard regarding the matters under consideration. Copies of the proposed subdivision plat 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; (970) 527-4101.

Legal Description: Beginning at the SW corner of the B.R. Addition and running thence along the W. line of said B.R. Addition N.00° 44' 59" E. 113.09 feet; thence leaving said west line S. 89° 17' 27" E. 249.77 feet to the east side of the B.R. Addition; thence along said east side the following three (3) courses; (1) S. 00° 36' 36" W. 149.45 feet; (2) thence S. 62° 00' 57" E. 96.56 feet; (3) thence S. 04° 10' 31" W. 107.89 feet to the south side of the B.R. Addition, also being the northerly right of way line of Colorado Avenue; thence along said south of the B.R. Addition the following three (3) courses; (1) N 63° 06' 29" W. 150.26 feet; (2) thence N. 62° 07' 29" W. 110.38 feet; (3) thence N. 52° 40' 29" W. 120.05 feet to the Point of Beginning, containing 1.331 acres, more or less.

Dated the 14 day of March, 2025.

TOWN OF PAONIA,
COLORADO
Samira Vetter, Town Clerk
Date: March 20, 2025
DCI000834



2nd Street

Clark Avenue

Colorado Avenue

Stewart Ditch

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Street and Apt. No., or PO Box No. PO Box 861
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Sent To Paul Douglas
Street and Apt. No., or PO Box No. 122 Colorado Ave.
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Sent To Justin Hess
Street and Apt. No., or PO Box No. 1219 Second St
City, State, ZIP+4® Paonia, CO 81428-8425

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Sent To Nathan Greaves
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City, State, ZIP+4® Temple Terrace, FL 33617-5521

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Street and Apt. No., or PO Box No. PO Box 685
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Street and Apt. No., or PO Box No. 116 Clark Ave.
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 Street and Apt. No., or PO Box No. PO Box 1683
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 Street and Apt. No., or PO Box No. 118 Clark Ave.
 City, State, ZIP+4® Paonia, CO 81428-8471

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

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Denver, CO 80220

Certified Mail Fee	\$4.85	0541
Extra Services & Fees (check box, add fee as appropriate)		07
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Postage	\$0.73	
Total Postage and Fees	\$9.68	

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Sent To Charlene Hunter
 Street and Apt. No., or PO Box No. 955 Eudora St. #1508
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Bozeman, MT 59715

Certified Mail Fee	\$4.85	0541
Extra Services & Fees (check box, add fee as appropriate)		07
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☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.73	
Total Postage and Fees	\$9.68	

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Sent To Daniel Hunter
 Street and Apt. No., or PO Box No. 305 W. Montana Ave.
 City, State, ZIP+4® Bozeman, MT 59715-3643

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Paonia, CO 81428

Certified Mail Fee	\$4.85	0541
Extra Services & Fees (check box, add fee as appropriate)		07
☐ Return Receipt (hardcopy)	\$0.00	
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☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.73	
Total Postage and Fees	\$9.68	

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Sent To Rick Gillenwater
 Street and Apt. No., or PO Box No. PO Box 691
 City, State, ZIP+4® Paonia, CO 81428-0691

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Paonia, CO 81428

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Extra Services & Fees (check box, add fee as appropriate)		07
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☐ Certified Mail Restricted Delivery	\$0.00	
☐ Adult Signature Required	\$0.00	
☐ Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.73	
Total Postage and Fees	\$9.68	

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 03/17/2025

Sent To Prima Merry
 Street and Apt. No., or PO Box No. PO Box 1328
 City, State, ZIP+4® Paonia, CO 81428-1328

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Idaho Falls, ID 83402

Certified Mail Fee \$4.85 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 \$0.73

Total Postage and Fees \$9.68

Sent To Chris Staley
 Street and Apt. No., or PO Box No. 1927 North 55th West
 City, State, ZIP+4® Idaho Falls, ID 83402-5354

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Paonia, CO 81428

Certified Mail Fee \$4.85 0541 07

Extra Services & Fees (check box, add fee as appropriate)

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Postage \$0.73

Total Postage and Fees \$9.68

Sent To David Warren
 Street and Apt. No., or PO Box No. PO Box 1143
 City, State, ZIP+4® Paonia, CO 81428-1143

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Paonia, CO 81428

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Postage \$0.73

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Sent To Patricia Snider
 Street and Apt. No., or PO Box No. 114 Clark Ave.
 City, State, ZIP+4® Paonia, CO 81428-1608

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Extra Services & Fees (check box, add fee as appropriate)

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☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.73

Total Postage and Fees \$9.68

Sent To Alan Ridgeway
 Street and Apt. No., or PO Box No. PO Box 1448
 City, State, ZIP+4® Paonia, CO 81428-1448

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

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☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.73

Total Postage and Fees \$9.68

Sent To Tamie Meek
 Street and Apt. No., or PO Box No. PO Box 41
 City, State, ZIP+4® Paonia, CO 81428-0041

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Minutes
Planning Commission Meeting
Town of Paonia, Colorado
April 07, 2025

Meeting Video Link: <https://www.youtube.com/watch?v=Q1P3DMruO6k>

RECORD OF PROCEEDINGS

Roll Call

PRESENT

Chair Suzanne Watson
Vice Chair Lyn Howe
Commissioner Paige Smith
Commissioner Lucy Hunter
Commissioner Mary Bachran
Commissioner Rick Stelter
Commissioner Stefen Wynn

Approval of Agenda

Commissioner Hunter makes a motion to approve the agenda, seconded by Commissioner Stelter.

The motion carries unanimously.

Approval of Minutes

Commissioner Wynn makes a motion to table the minutes to the next Planning Commission meeting, seconded by Commissioner Watson.

The motion carries unanimously.

Actions & Presentations

1. Public Hearing-

Consideration of the request for approval of a major subdivision from David Warren and Dan Rubinoff for Lot 2 of Clark's End Subdivision.

Chair Watson opens the Public Hearing at 6:01 pm.

Chair Watson reads the procedure of the public hearing.

Town Clerk Vetter confirms that proper notification has been made.

Commissioner Wynn reads the staff report prepared by Utility and Permits Coordinator Morgan Taylor.

Clerk Vetter hands out a county plat map that is marked with the neighbor's properties who provided letters of support.

Applicant David Warren presents, and the Commission is provided with 2 more additional letters of support.

Public Comment:
None

Chair Watson lists all the evidence included and adds on marked Plat map for neighbors and two additional letters of support.

Commissioner Smith asks about future rezoning and when the Town will update its zoning map.

Chair Watson asks about water and sewer tap property locations and stormwater drain off.

Chair Watson closes the Public Hearing at 6:27 PM.

Board Deliberations:

Commissioner Hunter speaks in favor with the information provided by the applicant.

Commissioner Bachran speaks about the history of the subdivision while it was owned by the previous owner.

Vice-Chair Howe speaks in favor with the documents and evidence provided.

Commissioner Smith speaks in favor and agrees with the restrictions in put in place by the Code.

Commissioner Stelter speaks in support of the application with the evidence provided.

Commissioner Wynn speaks in favor and introduces the minutes from the last time the property was subdivided, June 26, 2019, into the public record.

Commissioner Hunter comments on the 12 letters of support.

Commissioner Bachran makes a motion to recommend the application for subdivision of the property commonly known as: TBD Clark Avenue Paonia, CO 81428 because it does not adversely affect the public health, safety and welfare of the existing residential neighborhood, that the subdivision substantially conforms to the Comprehensive (Master) Plan, and promote infill construction within the Town limits while considering density, zoning and compatibility of surrounding land uses.; with the following condition(s): that the applicant may only build one dwelling unit for each of the new lots, and also receives a favorable determination from the Board of Trustees and that the June 26, 2019 Planning Commission Meeting Minutes also be a part of the record, seconded by Commissioner Hunter.

The motion carries unanimously.

2. Consideration of the Public Engagement Timeline for the Accepted Draft of the Comprehensive Plan - *Discussion on methods for circulating the draft of the plan, setting a public work session presentation of the accepted draft of the comprehensive plan, setting a due date for acceptance of final public comments, setting a works session to consider incorporation of public comments, setting a date for a public hearing to adopt the Comprehensive Plan.*

Commission discusses timeline:

\$664.38 left in contract with PRR, deadline for final approval, discussion of best way to get word out and make accessible, outreach is important, making sure supporting documents are accessible as well, the appendices.

April 11, 2025: Accepted Master Plan Draft published and distributed for public comment. The suggested ways to disseminate for public comment: posters, senior Center, library, free libraries, The Hearth, KVNf, DCI, QR codes on flyers and post cards.

April 14, 2025 through May 22, 2025 - accepting public comment.

May 5, 2025 Regular Planning Commission Meeting: presentation of the document to the public

June 2, 2025 Planning Commission Meeting: reviews and discusses comments provided

July 16, 2025 Planning Commission Meeting: 6:00 PM Public Hearing for adoption.

Commissioner Hunter makes a motion for Comprehensive Plan Timeline: April 11, 2025: Accepted Master Plan Draft published and distributed for public comment, April 14, 2025 through May 22, 2025 for accepting public comment, May 5, 2025 Regular Planning Commission Meeting: presentation of the document to the public, June 2, 2025 Planning Commission Meeting: reviews and discusses comments provided, July 16, 2025 Planning Commission Meeting: 6:00 PM Public Hearing for adoption; seconded by Commissioner Bachran.

Voting Aye: Commissioner Wynn, Commissioner Stelter, Commissioner Smith, Vice-Chair Howe, Commissioner Hunter, Commissioner Bachran.

Voting Nay: Chair Watson

Adjournment

The meeting Adjourns at 7:36 PM.

Samira M Vetter, Town Clerk

Suzanne Watson , Chair



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

AGENDA ITEM:	Item #1: Special Event Permit 25-01- Arbol Farmer's Market
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 22, 2025
BACKGROUND:	It's that time of year for the Arbol Farmer's Market to move outdoors! I have already had one face to face with the new Coordinator, Marion Madanguit, and preliminary meetings with Public Works Director Heiniger and Deputy Director Gisoldi. Staff has two requests, if the permit is approved: 1: Since it is a long-running event, staff would like to have 3 required meetings with the organizer: the Pre-event Meeting, a Midway meeting in late June (to touch base and coordinate with the Town Park's busiest month in July) and the Debrief after the event is done in September. 2. Again because it is a long event, staff would like to request a Final Vendors list every week on Wednesdays so that it can be tracked better than it is when the vendor list is given at the end of the event.
BUDGET:	\$2, 350 dollars with Park Rental and Banner Permits plus potential rental fees of cones and barricades, if needed. Fees have not yet been collected since Arbol is asking the Board for Sponsorship
RECOMMENDATION:	The preliminary application has been completed and barring the fees they have done everything they need to do to ask the Board to approve their Special Events Permit.
ATTACHMENT:	Redacted Special Event Permit Application Certificate of Good Standing Arbol Farmers' Market Rules and Regulations TLC Arbol Market Sponsorships

Town of Paonia
Park/Event Registration Application

This form is intended for events over 100 people using public property. The Town of Paonia encourages the use of its parks for the pleasure of its citizens, and reminds applicants to consider impacts on neighbors living adjacent to these public areas so we may all continue to enjoy our parks!

Please contact the Town office should there be any questions in filling out this form. The Town office is open from 8:00a to 4:30p Monday through Friday.

Thank you~

*Please contact the Town office should there be any questions in filling out this form.
The Town office is open from 8:00a to 4:30p Monday through Friday.
Thank you~*

Applicant Name: Marion Madanguit

Organization: The Learning Council / Arbol Farmers Market

Mailing Address: PO Box 1744, Paonia, CO 81428

Telephone Number: [REDACTED]

Event Manager (if different than Applicant):

Event Manager Telephone:

Event Manager E-Mail: arbolfarmersmarket@thelearningcouncil.org

Applicant Name: Marion Madanguit

Organization: The Learning Council / Arbol Farmers Market

Mailing Address: PO Box 1744, Paonia, CO 81428

Telephone Number: [REDACTED]

Event Manager (if different than Applicant):

Event Manager Telephone:

Event Manager E-Mail: arbolfarmersmarket@thelearningcouncil.org

Applicant Name: Marion Madanguit

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Telephone Number: [REDACTED]

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Applicant Name: Marion Madanguit

Organization: The Learning Council / Arbol Farmers Market

Mailing Address: PO Box 1744, Paonia, CO 81428

Telephone Number: [REDACTED]

Event Manager (if different than Applicant):

Event Manager Telephone:

Event Manager E-Mail: arbolfarmersmarket@thelearningcouncil.org

Please describe the event: _____
 The Arbol Farmers Market is a year-round market that offers local organic produce, flowers, fruit, herbs, honey, meat, breads, artisan goods, and more. It's a vibrant community event with live music, wood-fired pizza, a donations-based, locally-sourced community meal prepared by The Learning Council, and educational opportunities throughout the season.
 Event Date(s): Tuesdays, 5/13 - 9/2 Event Hours: 5 PM - 7:30 PM
 Event Date(s): Tuesdays, 9/2 - 10/14 Event Hours: 5 PM - 7 PM
 Event Date(s): _____ Event Hours: _____
 Event Date(s): _____ Event Hours: _____

Please describe the event: _____
 The Arbol Farmers Market is a year-round market that offers local organic produce, flowers, fruit, herbs, honey, meat, breads, artisan goods, and more. It's a vibrant community event with live music, wood-fired pizza, a donations-based, locally-sourced community meal prepared by The Learning Council, and educational opportunities throughout the season.
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Event Date(s): _____ Event Hours: _____

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Event Date(s): Tuesdays, 5/13 - 9/2 Event Hours: 5 PM - 7:30 PM

Event Date(s): Tuesdays, 9/2 - 10/14 Event Hours: 5 PM - 7 PM

Event Date(s): _____ Event Hours: _____

Event Date(s): _____ Event Hours: _____

Which park do you want to use?

- ☒ Town Park – 700 Fourth Street ☒ Center Road
☐ Green space including shelters and gazebo
☐ Football Field area
☐ Apple Valley Park – 45 Pan American Avenue
☐ Poulos Park – 221 Grand Avenue (*no commercial activity allowed*)

Will there be alcohol?

- ☒ No
☐ Yes, but we are not selling it.
☐ An On-Premise Liquor Application is required.
☐ Yes, and we would like to sell it.
☐ We are a non-profit and submitted From DR-8439 Application for a Special Event Permit and any associated forms required.
☐ On an attached piece of paper is the Alcohol Mitigation Plan.

Will there be vendors?

- ☐ No
☒ Yes
☒ A list of vendors is being provided to the Town for tax compliance.
☒ We have contacted the Department of Revenue to work out how taxes will be submitted for the event; either electronically or manually.
☒ Vendors will be notified that tax compliance will be monitored.
☒ Chalk or tape are permitted to define vendor boundaries on the grass.

Are you having a parade? Do you need a street closed?

- ☒ No
☐ Yes. Attached is the street closure request form noting the day, hours and route information.

Do you have any special requests? (ie - gate openings at certain times?)

- ☐ No
☒ Yes
We are requesting to have the bathroom open during our event and access to sport lighting in the fall season. We are also requesting sponsorship from the Town to help cover Town fees and operating expenses.

Pricing:

☒ **Half Day (6 Hours or less)** \$ 100.00/day

Includes: 3 dumpsters and up to 5 vendors

Date Submitted _____ Amount \$2,300

☐ **Full Day (6+ Hours until 10:00p)** \$ 175.00/day

Includes: 3 dumpsters and up to 10 vendors

Date Submitted _____ Amount _____

☐ **Multi-Day Rate (3+ consecutive days)** \$ 150.00/day

Includes: 3 dumpsters and up to 10 vendors

Date Submitted _____ Amount _____

☒ **Additional Vendors (More than 10)** \$ 5.00/ea

Date Submitted _____ Amount _____

☐ **Trash:** The Town will provide 3 dumpsters. If the event requires more, it is the responsibility of the applicant to contract with a local agency for additional services. Compostable ware is strongly encouraged from all vendors and event managers. Styrofoam not permitted.

Date Submitted _____ Amount _____

☐ **Any additional fees submitted (street closure, liquor licensing, etc):**

Type: _____ \$ _____
_____ \$ _____
_____ \$ _____
_____ \$ _____

Date Submitted _____ Amount _____

☐ **Recycling:** Should the event provide recycling, \$ _____
a \$50 credit shall be applied.

TOTAL FEES SUBMITTED \$ _____

All fees must be submitted no less than thirty (30) days before the first date of the event.

Other items submitted for consideration: *(On an attached piece(s) of paper)*

- ☒ Communication Contacts
- ☒ Liability Insurance
(\$1,000,000 minimum AND the Town of Paonia needs to be listed as an additional insured)
- ☒ Medical Plan (ie - How do you plan on addressing a person who is injured at the event?)
- ☒ Parking Plan (ie-Staff versus Visitor parking)
- ☒ Safety Plan (ie – How would you deal with a natural emergency or a tree limb falling?)
- ☒ Security Plan (ie – Vendor security, controlling alcohol, etc)

Promotion:

The Town is willing to promote your event by posting submitted material on the Town website, the Town of Paonia Facebook page, via e-mail to people who are on the Town's subscribed list, and/or a poster placed in the Town Hall entryway.

Any material to be promoted must be submitted no less than thirty (30) days before the first day of the event. Material shall only be promoted once for each avenue noted above.

The undersigned agrees to restore the park to pre-event condition, safety standards will be observed at all times, no glass will be brought into the park and all fees submitted are non-refundable, even if the event is canceled.

Signed and submitted this 1 day of April, 2025.

Printed Name: Marion Madanguit

Signature: M. Noz

- [] No less than one week before the event, a meeting **must** be scheduled with the Public Works Director, Parks Maintenance, Town Clerk and the Police Chief, or designees to finalize all plans and coordinate last minute items.

Date of Pre-Event Meeting: _____

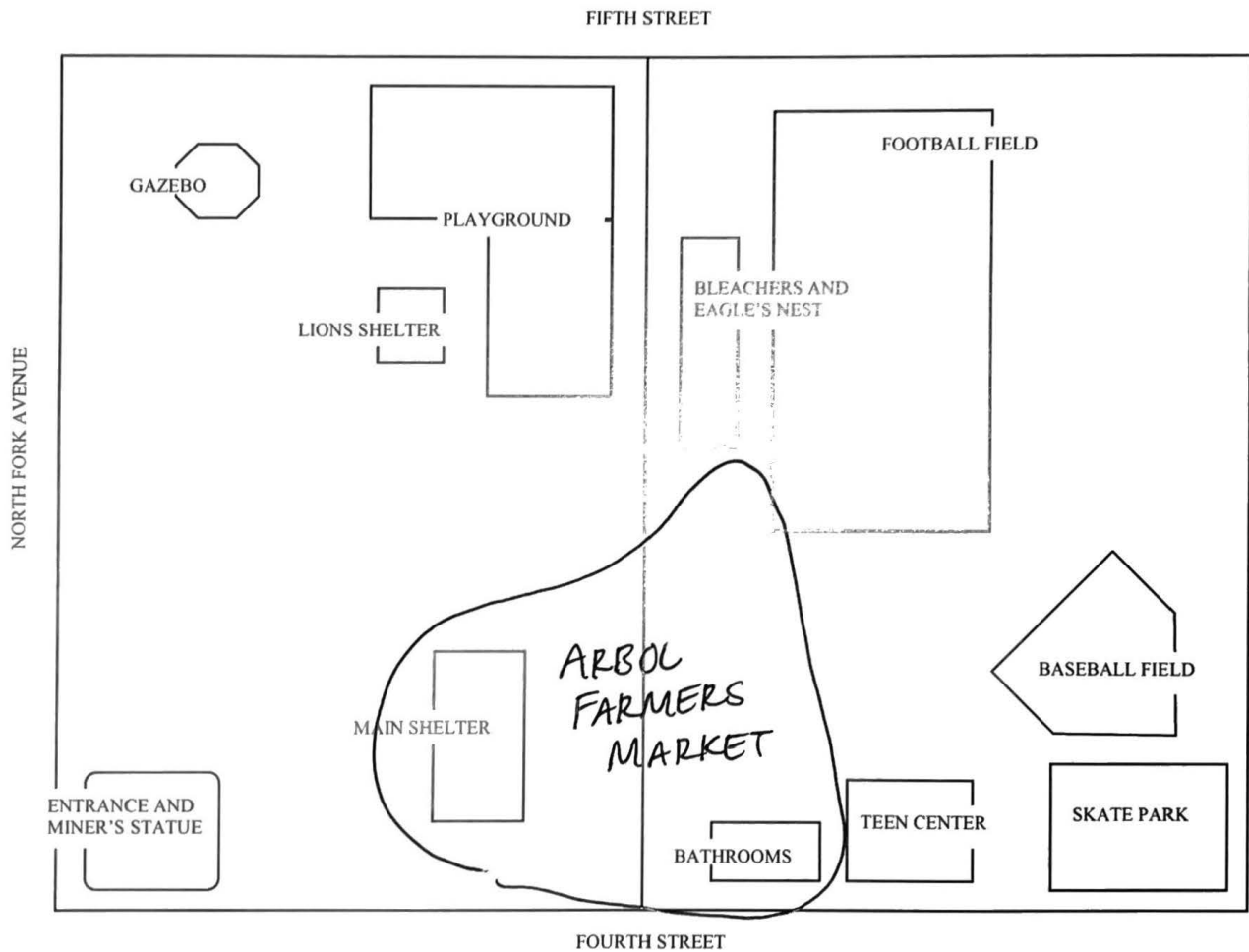
[X] Application is deemed complete and is accepted. Employee Initials SMV _____

[X] Application requires Board of Trustee Approval.

Hearing Date: April 22, 2025

Comments: No fees collected until after Board determines whether or not to sponsor
the event

TOWN PARK MAP





The Learning Council

education, creativity, & life skills

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

Contacts

Name	Position	Email	Phone Number
Alicia Michelsen	Executive Director	alicia@thelearningcouncil.org	[REDACTED]
Marion Madanguit	Market Manager	arbofarmersmarket@thelearningcouncil.org	[REDACTED]
Mark Waltermire	Committee Member	thistlewhistlefarm@gmail.com	[REDACTED]
Tony Prendergast	Committee Member	tony.predergast@gmail.com	[REDACTED]
Laura Phillips	Committee Member	liquidskier1@gmail.com	[REDACTED]

Medical Plan

The Arbol Farmers Market will be held every Tuesday from May 13 to October 14. We anticipate 200-250 participants weekly.

The Health and Safety Point of Contact for these events is Alicia Michelsen. She can be reached by phone or text at [REDACTED] or by email at alicia@thelearningcouncil.org. During the Arbol Farmers Market, there will be professional medical care providers such as nurses and EMTs present. Alicia is certified in CPR and Emergency First Aid. In the event of a medical emergency, these medical professionals will be the first point of contact. We will have a comprehensive first aid kit at the event. We will also utilize local resources such as the North Fork Ambulance and Paonia Police if necessary.

If a person is injured at this event and it is safe to move them, we will move the person to a centrally located place away from the activity, where medical professionals can assist the person until an ambulance arrives.

If necessary, we will utilize West Elk Clinic for minor medical problems and triage.

We are planning for the safety of our participants and strongly feel that an ounce of prevention is worth a pound of cure, so we will be doing our best to provide a safe environment at the Town Park. We will be sure that pathways are cleared for people and emergency vehicles. We plan to space vendors 12 feet apart from each other to ensure clear pathways. We will host a meeting for our safety team prior to the market and the safety team will remain in contact and accessible throughout the event.

Parking Plan

Customers can park all around the park and the streets nearby. We encourage staff and vendors to park further away from the park so that elders and guests may have access to closer parking.

Safety Plan

We will be using temporary structures (i.e. event tents with walls) for vendor and informational booths to protect people, food, and equipment from the elements. We will be utilizing electricity during our event. We will keep all electrical outlets secured from the weather and keep electrical wires taped or pinned down.

In the event of adverse weather or a natural emergency, we will shut down the event and send people home. In the case of a tree limb falling, we will ensure that all participants are safe and moved from the area, and we will work with our safety team and local authorities to remove the limb.

We will keep exits clear so that there is always a direct exit route available. We will utilize the multiple entrances and exits to keep the flow of pedestrians from blocking up. We will be providing access for people with special needs.

Security Plan

Vendors will be responsible for the security of their booths. Booths will be set up between 3:00 and 5:00 PM and taken down by 8:30 PM.

There will be a team for setup and breakdown of each market. Members of this team will be employed to assist with security, safety, parking, regulations, maintenance of the hand washing and sanitizing stations, and overseeing the event.

Town of Paonia Temporary Banner Permit

Organization Name: THE LEARNING COUNCIL / ARBOL FARMERS MARKET
Address: PO BOX 1244 PAONIA, CO 81428
Contact Person: MARION MADANGUIT Telephone #: [REDACTED]

Event: ARBOL FARMERS MARKET Date(s): TUE 5/13 -10/14

This permit is good for local events only.
Organization must be registered non-profit.
\$50.00

Banner Specifications:

- ☒ Not to exceed 3 Foot Height x 16 Foot Length
- ☒ Must have air holes
- ☒ Installation performed by applicant

(Note: The Applicant agrees to indemnify and hold harmless the Town, and its officers and its employees, from and against any and all liability, claims, demands, and expenses, including court costs and attorney fees, on account of any injury, loss, or damage, which arise out of or are in any manner connected with the services to be provided under this Agreement, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, or other fault of the Applicant, any subcontractor of the Applicant, or any officer, employee, or agent of the Applicant or any subcontractor of the Applicant. Applicant further waives and releases the Town, and its officers and its employees, from any and all liability, claims, demands, and expenses, including court costs and attorney fees, on account of any injury, loss, or damage, which Applicant may suffer and which arise out of or are in any manner connected with the services to be provided under this Agreement.)

Banners may be installed up to two (2) weeks prior to event and
must be removed no later than five (5) days after the event.

I, the undersigned, hereby agree to all terms and conditions set forth herein.
Failure to comply may result in the inability to apply for future permits.

Applicant Signature: _____

Date: 4/1/2025

Town of Paonia Use Only		
[] Approved	[] Denied	Date: _____
Signed: _____		

Applications will not be accepted more than 60 days in advance of the event date and will not be processed and/or dates blocked out until a COMPLETE application and all fees have been received by the Town of Paonia.

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 04/16/2025 that have been posted, and by documents delivered to this office electronically through 04/18/2025 @ 08:13:40 .

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 04/18/2025 @ 08:13:40 in accordance with applicable law. This certificate is assigned Confirmation Number 17215731 .



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.coloradosos.gov/biz/CertificateSearchCriteria.do> 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.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



ARBOL

FARMERS MARKET

ARBOL FARMERS MARKET RULES AND REGULATIONS

The Arbol Farmers Market serves the North Fork Valley and beyond – connecting local food with local people, strengthening the viability of local agriculture, and increasing community health from the soil up.

In order to achieve our mission, the Arbol Farmers Market Committee, The Learning Council, and the Market Manager will enforce the following rules and regulations through the market season.

TUESDAY MARKET TIME AND PLACE

The 2025 Arbol Farmers Market is a weekly Tuesday evening market that runs from May 13th to October 14th in Paonia Town Park. This market is open from 5pm to 7:30pm for the majority of the season, and then changes to 5pm to 7pm on September 2nd due to shorter daylight hours.

The market may temporarily relocate or cancel at the Town of Paonia's request. If this happens, vendors will be given proper notice as soon as possible.

Vendors can begin setup at 3 pm and must be fully ready to sell by 4:50 pm. Late arrivals may not be allowed to set up, and vehicles must be out of the market area by 4:50 pm. Market breakdown starts at market close. Vehicles are not allowed back into the market area until after the market closes.

APPLICATION PROCESS

The deadline to apply for a full time position at the market is April 18th, 2025. You will be notified whether or not you have been accepted by April 25th, 2025 or sooner.

1. Review the eligibility requirements below to determine that you are eligible to sell at the Arbol Farmers Market.
2. Complete the [online application](#) by April 18th, 2025
3. Your application will be reviewed by the Arbol Farmers Market Committee and Market Manager.
4. You may be asked for additional information or undergo an audit for receipts, licenses, certifications, etc.
5. You will be notified if you have been accepted or not no later than April 15th, 2025.
6. If accepted, you will receive an invoice for your booth and any additional fees, which are due by May 30th, 2025. If you'd like to arrange payment installments or offer in-kind labor/ingredients to The Learning Council, please contact arbolfarmersmarket@thelearningcouncil.org by May 8th, 2025.

BOOTH SPACES

Vendors are provided a 12' x 12' booth space. Additional space requests should be noted on the application. Booth spaces may be transferred or alternated with another vendor with advance notice and mutual agreement. Both vendors must be approved by the Arbol Farmers Market Committee and the Market Manager must be notified 48 hours in advance of any transfers or changes. To create this arrangement, please contact arbolfarmersmarket@thelearningcouncil.org.

Vendors may be able to use electrical outlets near the bleachers and other areas of the park during market hours. Please contact arbolfarmersmarket@thelearningcouncil.org if you need to use electricity.

FEE STRUCTURE

The vendor fee is \$230 per season or the equivalent in in-kind donations. Part-time and drop-in vendors pay \$20 per day. Fees help cover venue costs at Paonia Town Park.

Vendors may offer in-kind donations, such as labor or ingredient donations, to cover booth fees. Payment plans are also available for farmers upon request. To arrange an in-kind donation or payment plan, please contact arbolfarmersmarket@thelearningcouncil.org.

Vendors must provide their own insurance and Colorado Sales Tax License. More details can be found under "INSURANCE" and "TAXES".

ELIGIBILITY REQUIREMENTS

The market's goal is to support North Fork Valley farmers and producers and promote sustainable and regenerative practices. In keeping with these goals, vendors must produce their products within 100 miles of Paonia. Priority will be given to North Fork Valley producers.

Food producers and vendors must meet Organic Certified, Naturally Grown Certified, or similar standards. Non-food vendors must use certified organic, natural, wild-crafted, locally-sourced, or recycled materials. More details can be found under "MARKET STANDARDS FOR ALL PRODUCTS".

MARKET STANDARDS FOR ALL PRODUCTS

As a vendor, you must sell products that are in alignment with the Arbol Farmers Market Standards. Please carefully read the standards

listed below. If you have questions, please contact us.

Agricultural Producers

- Meat must be frozen and processed at a USDA facility or State-certified facility. No fresh meat is allowed.
- Dairy must be processed at a licensed facility.
- Growers must produce food at Organic Certified, Naturally Grown Certified, or similar standards.
- Arbol Farmers Market honors the "Small Flock Exemption" for processing poultry as approved by the State of Colorado. All Small Flock Poultry vendors will be approved on a case-by-case basis and must agree to allow the Arbol Farmers Market Committee to visit on processing day and see the facility before being accepted as a vendor to the market

Value-Added Foods and Cottage Food Vendors

- Value-added foods must be prepared in a commercial kitchen or in compliance with Cottage Food Safety regulations.
- Ingredients should be locally sourced and organically grown if possible. If not possible to source locally, ingredients must be Organic Certified or Naturally Grown Certified.

Honey and Honey Products

- All honey being sold at Arbol Farmers Market must be approved by the Market Committee prior to selling.
- All beekeepers must provide information to the Committee on where they source their bees when purchasing new or replacement bees.
- Any vendor selling honey will be asked to provide information on how their apiary is treated for mites.

Nonfood / Body Products

- Body care items should be made from scratch and use certified organic, natural or wild-crafted ingredients, preferably locally-sourced.

Craft Vendors

- Priority is given to items made from earth-sourced, locally-sourced, or recycled materials

NONPROFIT AND COMMUNITY SERVICE ORGANIZATIONS

Spaces at each market are available on a first-come, first-served basis after the application process closes. Nonprofits may attend up to four markets in a season, unless otherwise determined by the Arbol Farmers Market Committee. To sign up, please contact abolfarmersmarket@thelearningcouncil.org. There is no fee for information booths, but nonprofits selling goods are encouraged to donate the vendor fee.

VENDORS MAY SELL MERCHANDISE

Vendors may sell branded merchandise (e.g. t-shirts, caps, bags) with their logo and/or company name. While not required, we encourage vendors to source these products from Colorado and organically grown products.

PROHIBITED ITEMS

Prohibited items include:

- Garage sale and flea market goods
- Multi-level marketing products (e.g. Avon, Doterra, Arbonne)
- Value-added foods or crafts not produced by the seller

RESALE

As the goal of the market is to support farmers and food producers of our region, resale of any products not directly produced by the vendor is prohibited, unless otherwise determined by the Arbol Farmers Market Committee. If you are interested in reselling an item, please contact abolfarmersmarket@thelearningcouncil.org.

MARKET PARTICIPATION

Vendors must submit an application and agree to abide by all the terms set forth in the market's rules and regulations, as well as any verbal or written directions given by the Arbol Farmers Market Committee and the Market Manager. Violations may result in loss of participation without refund.

Vendors are expected to attend all markets and notify the Market Manager 48 hours in advance if unable to attend. Missing more than three markets may result in removal.

Aggressive selling or soliciting is prohibited. Any vendor who displays harmful behavior or is the subject of a customer or vendor complaint will have their membership reviewed by the Arbol Farmers Market Committee. The Arbol Farmers Market Committee reserves the right to review and revoke membership and vendor participation whenever deemed necessary.

POTENTIAL HAZARDS AND YOUR SELLING AREA

Vendors are responsible for maintaining a safe, clean selling area and removing all trash before leaving. All canopies and umbrellas must

have weights on each leg. Failure to do so may result in a fine.

Pets, including vendors' animals, are allowed but must be leashed at all times.

ZERO-WASTE

The Arbol Farmers Market is a zero-waste market. One-time use utensils, dishes, carry-out containers must be biodegradable or compostable. Plastic bags for produce should be biodegradable or recyclable. Reusable shopping bags are available at the Arbol Farmers Market Information Booth.

Please ensure your area is clean and trash-free before leaving. Trash and recycling bins will be available.

INSURANCE

All vendors must provide proof of commercial general liability policy and submit a waiver of liability, indemnifying the Arbol Farmers Market, committee, staff, and volunteers against any and all claims arising from their participation in the market. Vendors must further name the Arbol Farmers Market as an additional insured on their policies. Insurance options for food vendors are available (but not limited to) through [FLIP](#). Insurance options for non-food vendors are available (but not limited to) through [ACT](#).

TAXES

The sales tax to sell products in Paonia is 9.5% for general merchandise and 6.6% for food for home consumption. In general, ready-to-eat foods, crafts, body products all will owe 9.5% sales tax. In general, agricultural producers will owe 6.6% sales tax. To learn more about Colorado Sales/Use Tax Rates, see form [DR-1002](#).

Each vendor is responsible for having a Colorado Sales Tax License and filing their owed taxes to the state. To apply for a sales tax license, visit [My Biz Colorado](#).

SCALES

Scales must be certified by the State of Colorado and must have the current approved seal of the State of Colorado Measurements and Standards Section.

SAMPLING

Vendors may offer food samples, but must use gloves to prep and serve food samples, provide single servings, and have hand sanitizer available nearby. Vendors must not serve samples if sick or exposed to illness.

FINES

The following fines may be issued to vendors in violation of the Arbol Farmers Market Rules and Regulations:

- \$20 for failure to notify the Market Manager of absence 48 hours in advance (second offense).
- \$20 for no-show without notice.
- \$20 for arriving after 4:50 pm.
- \$20 for failing to weigh down your tent.

Repeated violations may result in removal from the market. Vendors are responsible for understanding and following these rules.

VENDOR SELECTIVITY

The Arbol Farmers Market reserves the right to deny any vendor or product based on market demands, laws, health codes, the market's rules and regulations, and the Committee's discretion. Rules may change for special events or at the Committee's discretion.

NON-SEVERABILITY

If any provision of these Rules and Regulations is found to be invalid, illegal, or unenforceable, it will not affect the remaining provisions, which will continue as if the invalid provision was never included, unless its removal makes the agreement unreasonable.

NON-DISCRIMINATION

The Arbol Farmers Market prohibits discrimination on the basis of race, color, religion, caste, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, pregnancy and pregnancy related condition(s), veteran status, sexual orientation, gender identity and expression, genetic information, natural and protective hairstyle and any other class of individuals protected from discrimination under state or federal law in any aspect of the access to, admission, or treatment of customers, vendors, or participants of the Arbol Farmers Market. Furthermore, harassment of participants and employees, i.e., racial harassment, sexual harassment, sexual misconduct, and retaliation for filing complaints of discrimination is prohibited. Individuals or groups deemed by the Committee to be in violation of these standards will be excluded from market activities.

Donate Online

Or mail a donation to:

P.O. Box 1744

Paonia, CO 81428

Donate



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THE LEARNING COUNCIL

Proudly serving the North Fork Valley and beyond since 2020 – connecting local food with local people, supporting local farmers, and increasing community health from the soil up.

The **2025 Arbol Farmers Market** in Paonia Town Park runs from May 13th to October 14th. The market is open from 5pm to 7:30pm for the majority of the season, and then changes to 5pm to 7pm on September 2nd. Enjoy live music and wood-fired pizza. Bring the whole family!

Contact info:

Marion Madanguit, The Learning Council

arbolfarmersmarket@thelearningcouncil.org

Vendor

We are accepting vendor applications for the **2025 Arbol Farmers Market** until April 18th, 2025. To apply, please carefully review our [Market Rules and Regulations](#) and complete the [Vendor Application](#).

If you have any questions, feel free to email us at arbolfarmersmarket@thelearningcouncil.org.

[Fill Out Vendor Application](#)

Become a Sponsor

Market sponsorships are essential to keeping the market going. In exchange, all our sponsors enjoy 24/7 exposure on our website and weekly advertisement at our market, which brings together hundreds of people from across Delta County.

The following sponsorships are available:

\$50-\$249 – Your logo on our website and weekly newsletter

\$250-\$499 – Your logo on the Market banner, website, and weekly newsletter

\$500-\$999 – Your logo on flyers, Market banner, website, and weekly newsletter

\$1000+ – Your logo on a dedicated banner, flyers, Market banner, website, and weekly newsletter



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

AGENDA ITEM:	Consideration of Selecting a Water Attorney Based on Proposals, Interviews, and Scores
SUBMITTED BY:	Stefen Wynn, Town Administrator & Treasurer
DATE:	4.14.2025
BACKGROUND:	There were four water attorneys that replied to the RFQ with their proposals. NSW, JVAM, B&G, and MHHW. Interviews were held with the Trustees and the firms with the Mayor and Trustees and they were each individually scored. Those scores are attached as Attachment A and NSW was the highest scored Water Attorney with an average score of 95%; MHHW was the second highest with an average score of 83%. NSW has also submitted a letter explaining that they're also reducing their rate by 10% as well.
BUDGET:	60-50-20: \$375,000 Budgeted; \$332,324.67 Available (Available amount includes amounts reduced for Bond Counsel)
RECOMMENDATION:	RECOMMENDED MOTION: I Move to approve engaging the services of NSW as the Town's Water Attorney and Direct the Town Administrator to sign a Continuing Services Agreement.
ATTACHMENT:	ATTACHMENT A: Final Scores for Water Attorney ATTACHMENT B: Email from NSW reducing fees by 10% ATTACHMENT C: Water Attorney Reference Checks Summary Report

	NSW	Balcomb & Green	JVAM	MHWH
Mayor Smith	97	76	93	88
Mayor Pro-Tem Swartz	92	46	74	86.5
Trustee Stelter	95	93	91	93
Trustee Czech	94	79	79	84
Trustee Hunter	99	89	82	88
Trustee Heck	91	63	68	52
Trustee Valentine	NO SCORE	NO SCORE	NO SCORE	NO SCORE
TA/T Wynn	97	87	80	92
Raw Score	665	533	567	583.5
Total Points Available	700	700	700	700
Average Score	95%	76%	81%	83%

From: [Sheela Stack](#)
To: [Paonia](#); [Bill Wombacher](#); [Stefen Wynn](#)
Cc: [Paonia](#); [Samira V](#)
Subject: Re: Water Attorney RFP Submission
Date: Thursday, April 3, 2025 4:17:31 PM
Attachments: [image004.png](#)
[image003.png](#)
[image002.png](#)
[image001.png](#)

Some people who received this message don't often get email from sstack@nswlaw.com. [Learn why this is important](#)

Hi Ruben,

It was a pleasure meeting you today. Bill and I forgot to mention one important thing to the Board, if you could please pass it along.

We understand our rates may be higher than the other applicants. Our rates are competitive as to other front range law firms. However, we appreciate that the market for legal services is different on the West Slope. Therefore, if the Board's hiring decision hinges on rates, we will gladly reduce our rates by 10%.

As we said in our interview, our clients mean a lot to us. You are not just a billing matter. We want to work with you.

Thanks.
Sheela

Sheela S. Stack
Nazareus Stack & Wombacher
720.506.9605

From: Paonia <paonia@townofpaonia.com>
Sent: Wednesday, April 2, 2025 3:09:37 PM
To: Bill Wombacher <wwombacher@nswlaw.com>; Stefen Wynn <StefenW@townofpaonia.com>
Cc: Sheela Stack <sstack@nswlaw.com>; Paonia <paonia@townofpaonia.com>; Samira V <SamiraV@townofpaonia.com>
Subject: RE: Water Attorney RFP Submission

Thank you for adjusting your schedule for the new time of 1:30PM on 4/3.

If you are unable to attend in-person, please join us at your scheduled time via zoom: <https://us02web.zoom.us/j/82799337090>

Nazareus Stack & Wombacher (Sheela Stack, William Wombacher)	1:30 - 2:15 - In-Person	https://us02web.zoom.us/j/82799337090
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If you have any questions, please let us know.

Best,
Ruben

Upcoming Out of Office: Tue 4/8



Ruben Santiago,
Deputy Clerk / CIW Associate
Office : (970) 527-4101 x2003
Cell: (970) 742-4657
E : RubenS@townofpaonia.com

214 Grand Ave.
Paonia, CO 81428

<https://townofpaonia.colorado.gov/>

Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

From: Bill Wombacher <wwombacher@nswlaw.com>
Sent: Thursday, March 20, 2025 7:53 AM
To: Stefen Wynn <StefenW@townofpaonia.com>
Cc: Sheela Stack <sstack@nswlaw.com>; Paonia <paonia@townofpaonia.com>
Subject: RE: Water Attorney RFP Submission

You don't often get email from wwombacher@nswlaw.com. [Learn why this is important](#)

Stefen,

Thank you for confirming. Best of luck with your search.

Bill

William D. Wombacher
Nazareus Stack & Wombacher LLC
5105 DTC Parkway Suite 200
Greenwood Village, CO 80111
Office: 720-647-5661

Direct: 720-506-9602
wwombacher@nswlaw.com
www.nswlaw.com

From: Stefen Wynn <StefenW@townofpaonia.com>
Sent: Wednesday, March 19, 2025 4:59 PM
To: Bill Wombacher <wwombacher@nswlaw.com>
Cc: Sheela Stack <ssstack@nswlaw.com>; Paonia <paonia@townofpaonia.com>
Subject: RE: Water Attorney RFP Submission

Hi Bill,

This email serves as confirmation that your proposal was received by the deadline.

In Public Service,



Stefen Wynn, M.P.A.
ICMA-CM
**Paonia Town Administrator
& Treasurer**

P : (970) 527-4101
F : (970) 527-4102
E : StefenW@TownofPaonia.com

214 Grand Ave.
Paonia, CO 81428

<https://townofpaonia.colorado.gov/>



From: Bill Wombacher <wwombacher@nswlaw.com>
Sent: Friday, March 7, 2025 11:48 AM
To: Stefen Wynn <StefenW@townofpaonia.com>
Cc: Sheela Stack <ssstack@nswlaw.com>; Paonia <paonia@townofpaonia.com>
Subject: Water Attorney RFP Submission

Some people who received this message don't often get email from wwombacher@nswlaw.com. [Learn why this is important](#)

Mr. Wynn,

Attached is a proposal from Nazarenus Stack & Wombacher LLC in response to the Town's Request for Proposals for a Water Attorney. We have also attached resumes for the attorneys at our firm that would perform the work for the Town. Thank you for the opportunity to share our expertise with the Town and we are happy to answer any questions. We look forward to hearing from you.

Have a great weekend!

Bill

William D. Wombacher
Nazarenus Stack & Wombacher LLC
5105 DTC Parkway Suite 200
Greenwood Village, CO 80111
Office: 720-647-5661
Direct: 720-506-9602
wwombacher@nswlaw.com
www.nswlaw.com



Town of Paonia Summary of Water Attorney Reference Checks

Table of Contents

1. [Balcomb & Green P.C. Comparison Summary.](#)
Two (2) of Three (3) responses received. Only One was fully complete.
2. [JVAM PLLC Reference Comparison Summary.](#)
Four (4) complete responses received.
3. [Moses, Wittemyer, Harrison & Woodruff, P.C. Reference Comparison Summary.](#)
Three (3) complete responses received.
4. [Nazarenius, Stack & Wombacher Reference Comparison Summary.](#)
Four (4) complete responses received.



Town of Paonia Summary of Water Attorney Reference Checks

Summary of References for Balcomb & Green, P.C.

Expertise and Experience

- Considered strong in water rights law, particularly handling complex water issues.
- Successfully dealt with a water tap moratorium in the 1970s.
- Described as a "good all-around option as water attorney".
- Chris Geiger specifically mentioned as an "extremely capable" water attorney with years of experience.
- Sarah (an attorney at the firm) noted for helping with legislation activities.

Client Service

- Generally responsive, though emails might need follow-up.
- Phone communication appears to be more direct and effective.
- Meet monthly with clients for board meetings.
- Strong attention to detail - sometimes "too much detail" according to one reference.
- Willing to work directly with various departments (HR, District Manager, Operators).

Potential Considerations for Small Towns

- Cost per hour could be a concern for smaller municipalities.
- Staffing model uses lower-level associates, which might be an issue for some matters requiring senior expertise.
- However, this model provides continuity when staff retires (associates can maintain momentum).

Selection Process

- Ute Water Conservancy District chose Balcomb & Green after interviewing four firms.
- UWCD had previously used another firm, then tried in-house counsel for 5 years before determining they needed a firm due to growth.



Town of Paonia
Summary of
Water Attorney Reference Checks

Both references appear to have positive experiences with the firm, particularly regarding their water law expertise.



Town of Paonia Summary of Water Attorney Reference Checks

Summary of Reference Feedback for JVAM PLLC

Expertise in Water Law

- Highly skilled in handling various water issues including complex water right applications.
- Successfully guided clients through water easement acquisitions.
- Experienced with industrial and irrigation systems for industrial and municipal purposes.
- Provides excellent water rights advice, particularly valuable for clients without extensive experience.

Client Service Quality

- Very responsive in communication - typically same-day response to calls and emails.
- Detail-oriented in case management, document review, and filing.
- Regularly communicates and provides status updates on cases.
- Office reception was noted as being good.

Value for Small Communities

- Efficient with work and time - clients note pleasant surprise at cost-effectiveness.
- Understanding of municipal politics, planning, and resource management.
- Strong connections with local government officials, community members, and engineers.
- Provides "personalized and common-sense professional advice".

Track Record

- Long-term relationships with clients (one noting a 15-year relationship).
- Successfully manages compliance with state and federal requirements.
- Respected by the State Water Engineer's Office and other water firms.



Town of Paonia
Summary of
Water Attorney Reference Checks

- All references strongly recommend JVAM for water law services.

Notable Personnel

- Ryan Jarvis specifically mentioned by multiple references as highly skilled and knowledgeable.
- Took over cases from a retiring attorney with 30 years of experience and "has not disappointed".



Town of Paonia Summary of Water Attorney Reference Checks

Summary of Reference Feedback for Moses, Wittemyer, Harrison & Woodruff, P.C.

Expertise and Capabilities

- All three references specifically praised Richard Mehren's expertise in water rights issues.
- Consistently described as "extremely capable" and "exceedingly knowledgeable" in water law.
- 16+ years of service to Conejos Water Conservancy District.
- 11+ years working with South Adams County Water and Sanitation District.
- 6.5+ years (and longer) working with the City of Creede.

Attention to Detail

- Consistently praised for thoroughness and detail orientation.
- Conejos: "Very detailed...sometimes a little more than desired, but it works out in the end".
- South Adams: Provides detailed reporting analysis and technical memorandums.
- Creede: "Outstanding" attention to detail, sees both big picture and particulars.

Responsiveness and Meeting Deadlines

- Perfect record across all references for meeting deadlines.
- Conejos: "Never had a problem with lack of responsiveness or failing to meet a deadline" in 16 years.
- South Adams: "No issues with responsiveness or promptness".
- Creede: "Great at keeping projects on track," provides timely input and reminders.

Working Style and Approach

- Diplomatic rather than an aggressive approach that "seems to result in better outcomes".
- Described as "personable" and "a pleasure to work with".



Town of Paonia
Summary of
Water Attorney Reference Checks

- "Thoughtful" and protective of clients' best interests.
- Follows up on questions and keeps clients informed.

Small Town Experience

- The City of Creede specifically noted Richard's familiarity with small town issues.
- All references suggested confidence in the firm's ability to handle water rights issues for small communities.



Town of Paonia Summary of Water Attorney Reference Checks

Summary of Reference Feedback for Nazareus, Stack & Wombacher (NSW)

Expertise and Capabilities

- Extensive experience with water rights, water rights protection, consecutive water systems, and tap issues.
- Handles change cases and opposition cases related to water rights.
- One reference entrusts them with an \$800+ million water right portfolio.
- Involved in a 16-year, \$170 million water rights project.
- Well-informed on legislative matters related to tap fees.

Quality of Work and Attention to Detail

- Described as "extremely professional and attentive to detail".
- Thorough research and excellent legal services.
- "Always on top of everything" regarding complex decrees and compliance requirements.
- Creates detailed lists and ensures good follow-up for compliance.

Responsiveness and Meeting Deadlines

- Consistently meets internal and external deadlines.
- Provides documents for review with ample time before court deadlines.
- "Always ahead of game" with water court cases and proceedings.
- Forward-looking in planning and coordination.
- Excellent record with filings and follow-ups.
- Prompt in answering phone calls and emails.

Client Relationship

- Takes genuine interest in their work and clients.
- Makes clients feel like a priority regardless of size.



Town of Paonia Summary of Water Attorney Reference Checks

- Easy communication style and personable.
- "Good people" who make clients feel comfortable.
- Strong at coordination (described as "good cat herders").
- Provides guidance on options with pros and cons.

Recommendation for Small Towns

- Multiple references strongly recommend NSW for small entities.
- One reference notes they make smaller clients "feel like a priority".
- Suggestion to establish routine scheduled update meetings (monthly was recommended).
- Important to know who specifically will be working on your matters.



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

AGENDA ITEM:	Item #3 – Consideration of appointment to the Zoning Board of Adjustments
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 18, 2025
BACKGROUND:	The position on the Zoning Board of Adjustments has been open for months and we are very happy to have it applied for! This is an appointment of the whole board for a term of three (3) years. Mr. Schroeder was asked to be present so he could introduce himself and allow you to ask questions.
BUDGET:	n/a
RECOMMENDATION:	
ATTACHMENT:	Board Application and Letter of Interest for Greg Schroeder Paonia Municipal Code Chapter 2 Article 8 Zoning Board of Adjustments Ordinance 2024-04 Meeting Operations

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: 04/08/2025

NAME OF COMMITTEE/BOARD: Zoning Board of Adjustments & Appeals

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:

Greg Schroeder

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:

NAME (PLEASE PRINT)

Zoning Board of Adjustments & Appeals

ADDRESS:

24 Alder Ct

CONTACT PHONE:

970

E-MAIL:

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

SIGNATURE

[Print Form](#)

[Email Form](#)

April 8, 2025

Town of Paonia (via email Paonia@townofpaonia.com)
Stefen Wynn, Town Administrator (via email StefenW@townofpaonia.com)
PO Box 460 / 214 Grand Avenue
Paonia, CO 81428

RE: Letter of Interest – Zoning Board of Adjustments & Appeals Vacancy

Dear Board of Trustees:

I am writing to express my interest in serving on the Zoning Board of Adjustments & Appeals for the Town of Paonia. As a resident committed to the thoughtful development of our community, I am eager to contribute my skills and experience to this important body.

In my professional background, I am a licensed professional engineer performing traffic and transportation engineering consulting. I have worked with a combination of public and private sector clients on projects ranging from affordable housing, commercial development, to transportation master plans, corridor studies, and pedestrian and cycling safety assessments. Additionally, I have also worked in public sector engineering at a local county doing public projects and supporting land use and development/entitlement review. Additionally, I started my career doing water and wastewater design.

As a result, I have been involved in many municipal jurisdictions and have had the opportunity to understand the inner workings of many types of regulatory boards throughout my professional life.

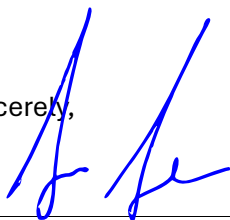
Having recently moved to Paonia nearly two years ago from Eagle, CO, I have been involved with the Town of Eagle's Downtown Development Authority (DDA), where I am presently the chair, as our company owns commercial office space in downtown Eagle. As an appointed member of the DDA, I serve on this board to help the DDA with its mission of facilitation of economic development and redevelopment of properties and infrastructure within the downtown area.

I understand that the Zoning Board of Adjustments & Appeals plays a crucial role in reviewing and deciding on variances, special exceptions, and appeals related to the enforcement of zoning ordinances. I would be happy to help interpret the Town's regulations for this board.

I have reviewed the application process outlined on the Town of Paonia's website and have attached the completed application form. Please let me know if any additional materials or information are required.

Thank you for considering my application. I look forward to the opportunity to contribute to the Town of Paonia's development through service on the Zoning Board of Adjustments & Appeals.

Sincerely,



Greg Schroeder

ARTICLE 8. - ZONING BOARD OF ADJUSTMENT

Sec. 2-8-10. - Creation.

A Zoning Board of Adjustment, referred to in this Article as the "Board," is hereby created.

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

Sec. 2-8-20. - Organization.

The Board shall have five (5) members; one (1) membership shall be filled by a current member of the Planning Commission. Appointment to membership shall be by the Board of Trustees for a term of three (3) years. Vacancies on the Board shall be filled for the remaining term in the same manner as the initial appointment. The Board shall elect from its membership a chair, secretary and such other officers as it may deem necessary during its first meeting of each calendar year, and shall adopt such rules as may be necessary for the conduct of its business.

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

Sec. 2-8-30. - Meetings.

Meetings of the Board shall be held at the call of the Chair. All meetings shall be open to the public. Members of the Board shall be notified at least twenty-four (24) hours prior to the time of the meetings. The Board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

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

Sec. 2-8-40. - Powers and duties.

Upon appeal, the Board shall have the following powers:

- (1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision or refusal by an administrative official or agency based on or made in the enforcement of Chapter 16 of this Code.
- (2) To hear and decide appeals wherein there is question on the interpretation of the Zone District Map or similar questions as they may arise in the administration of Chapter 16 of this Code.
- (3)

To hear and decide appeals for special exceptions to the provisions of this Code, such exceptions to be known as variances.

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

ORDINANCE NO. 2024-04

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLES 2,
6, 7 & 8 OF THE PAONIA MUNICIPAL CODE SETTING
REQUIREMENTS FOR THE OPERATION AND CONDUCT
OF MEETINGS FOR ALL TOWN BOARDS,
COMMITTEES, AND COMMISSIONS**

WHEREAS, the Town of Paonia (the "Town") is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

WHEREAS, pursuant to Article 2, Section 2-2-10(b) of the Town of Paonia Municipal Code and, the Town Board of Trustees is the legislative body for the Town and has the power and authority to adopt such laws, ordinances, and resolutions as it shall deem proper in the exercise thereof; and

WHEREAS, the Board of Trustees determines that it is in the best interest of the community and the public health, safety and welfare of the citizens of the Town to amend the Town Code regarding the operation and conduct of meetings for all Town Boards and Commissions; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:

Section 1. Article 2 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 2-2-60.- Regular Meetings.

The Regular Board of Trustees meetings will be held on the second and fourth Tuesday of each month, starting at 6:30 pm and ending at 9:30 pm, unless the meeting is extended by a specific amount of time by a majority vote of the Board of Trustees, except when necessary business requires that the work session be duly posted and conducted as an official Board of Trustee meeting; and except on legal holidays, when no meeting shall be held.

Sec. 2-2-70. - Special mMeetings

- (a) Any four (4) members of the Board of Trustees may call a special meeting by written phone or email notice to each member of the Board of Trustees, ~~personally served or left at the member's usual place of residence~~ posted by the Town Clerk or their designee, at least forty-eight (48) hours in advance of the meeting.

- (b) The Board of Trustees at any duly convened meeting may, by majority vote, call a special meeting for a future date. Notice of such meeting shall be given to any member of the Board of Trustees not in attendance.
- (c) Should the Board of Trustees convene for a special meeting pursuant to a request of an interested party for the purpose of accommodating time constraints of said interested party, the Board of Trustees may, in its discretion, assess fees for the special meeting against the interested party. The Board of Trustees may from time to time by resolution adopt a schedule of fees which may be assessed for special meetings. Said fees shall reasonably compensate the Town staff and the Town Attorney for time spent in preparation for attendance at special meetings

Sec 2-2-80.—Conduct of Meetings & Board Members, ~~voting~~Voting.

- (a) Meetings of the Board of Trustees shall be open to the public and conducted by the Mayor, according to the most recent version of *Robert's Rules of Order, Revised*.
- (b) At the hour appointed for the meeting, the members shall be called to order by the Mayor or, in his or her absence, by the Mayor Pro Tem. The Town Clerk shall proceed to call the roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Board of Trustees shall then proceed with the business before it.
- (c) 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.
- (d) Any motion or resolution shall be reduced to writing if required by the Mayor or a member of the Board of Trustees.
- (e) A motion to adjourn shall always be in order and shall be decided without debate.
- (f) The Mayor shall work in conjunction with the Town Clerk to set the agenda, for the meeting, at least one week before the scheduled meeting, for which the agenda and packet will be posted no less than 48 hours before the meeting.
- ~~(f)~~(g) The Town Clerk shall serve post all notices of special meetings.
- ~~(g)~~(h) The Town Clerk shall have charge of the Board room and shall attend the meetings of the Board of Trustees.
- (i) The order for business of a Regular Board Meeting shall be as follows:
 - (1) Call to Order
 - (2) Pledge of Allegiance

- (3) Roll Call
- (4) Approval of Agenda
- (5) Announcements
- (6) Public Comment - 3 minutes for any topic not included under Actions & Presentations
- (7) Consent Agenda -Minutes, Disbursements, License Renewals and other regular and non-controversial business.
- (8) Staff Reports
- (9) Actions & Presentations – Presentations, Action Items, Public Hearings and Executive Sessions
- (10) Mayor and Trustee Reports
- (11) Adjournment

(j) All members of the Board of Trustees, either elected or appointed, will be assigned a Town email address, and the use of this email address for Town business will be required for security and record-keeping purposes. Members of the Board of Trustees shall comply with the same safety and security policies as Town staff in the use of their town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business as it is reported.

(k) The Mayor and each Trustee has only such authority as is conferred by applicable state statutes. No member of the Board of Trustees, including the Mayor, shall act in a manner that exceeds such authority, including but not limited to:

(1) No member shall speak on behalf of the Board on any matter on which the Board has not taken a position or represent a Board position inaccurately.

(2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Board is required.

(3) At Board meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic, and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at Board meetings to the Board as a whole, rather than engaging in back-and-forth arguments with another member.

(4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Town Administrator or other staff member.

(5) No member shall give orders of direction to any staff member who reports directly or indirectly to the Town Administrator.

(6) No member shall individually direct the work of the Town Administrator or other direct report of the Board. Any such direction shall only be given by the Board as a whole, and such direct reports shall be held accountable only for directions given by the Board as a whole.

(7) Individual Members may make reasonable inquiries to the Town Administrator concerning matters pertaining to their decision-making responsibilities but shall be careful to avoid giving orders or directions

(8) Except where applicable laws or Town ordinances or resolutions specifically provide otherwise, no member shall allow or encourage any employee to disregard the chain of command within the Town or involve himself or herself in employment matters below the level of the Board's direct reports.

(9) No member shall direct or request the hiring or firing of any employee to or from any position that reports directly or indirectly to the Town Administrator.

(10) Each member shall respect the rights of others to be heard and given due consideration of their views.

(11) Each member shall recognize that the Mayor has the right, in consultation with the Town Administrator, to establish the agenda for all meetings.

(12) No member shall berate, intimidate, or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.

(13) No member shall make disparaging remarks about any Town employee in a public setting. While criticism about job performance may be a valid topic of discussion, members shall choose a setting appropriate for such a discussion.

(14) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination, and bullying.

(15) Each member shall direct all inquiries or requests for staff support to the Town Administrator and shall respect the time limits on staff support.

(16) Each member shall comply at all times with applicable state statutes, the Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(17) Any member of the Board who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of a majority of the Board members in office. No member shall vote on any matter pertaining to their own discipline. The Board reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

(I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;

(II) Public Warning;

(III) Removal from any appointed Board position or policy liaison role;

(IV) A resolution of public censure;

(V) A request that the member resign from his or her elected office; or

(VI) Removal from office in accordance with C.R.S. Section 31-4-307.

Sec. 2-2-90.- Boards, Committees & and-commissions Commissions.

- (a) The Board of Trustees shall create and appoint members to such boards, committees & commissions as may now or hereafter exist, including but not limited to the following:

- (1) Planning Commission;
- (2) Tree Board; and
- (3) Zoning Board of Adjustment.

(b) The Board of Trustees may, by majority vote, call, set and schedule joint meetings and/or work sessions with any of its Boards, Committees & Commissions.

Section 2. Article 6 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 2-6-30. – Membership; Terms.

The Planning Commission shall consist of ~~five (5)~~ seven (7) members, all of whom must be residents of the Town, including ~~two (2) elected~~ four (4) ex-officio members consisting of the Mayor and, one (1) member of the Board of Trustees appointed by the Mayor, one (1) administrative member appointed by the Mayor, and one (1) member of the governing body chosen by the governing body as provided for in C.R.S. 31-23-203(1)(b). The remaining three (3) members shall be appointed by the Mayor. The terms of such three (3) members shall be fixed and designated by the Mayor to end at two (2) years from the last municipal election at the time of appointment, with the terms of office staggered. The terms for the Mayor and the member of the Board of Trustees shall continue until their successors are duly elected and qualified, at which time elected members of the Board shall be designated to serve on the Planning Commission for terms coincident with their terms of office as Mayor or as a member of the Board of Trustees. The term of the administrative member shall be fixed and designated by the Mayor to end at two (2) years past appointment. As terms expire, new or reappointed members shall be appointed for two-year terms of office at such time as the terms of those previously appointed expire.

Sec. 2-6-40. – Appointment of Officers.

The Commission shall elect its Chair and Vice-Chair from among its membership and create and fill such other of its offices as it may determine. The term of each such office, including that of the Chair, shall be for two (2) years. ~~The Commission may hold at least one regular meeting each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be public.~~

Sec. 2-6-50. – Duties.

The Planning Commission shall have all the powers and perform each and all of the duties specified by Article 23, Chapter 31, C.R.S., together with any other duties or authority which may hereafter be conferred upon them by the laws of the State. The performance of such duties and the exercise of such authority are to be subject to each and all the limitations expressed in such legislative enactment or enactments. It shall keep a record of its resolutions, transactions, findings and determinations, which record shall be public.

Sec. 2-6-60.- Conduct of Meetings & Commission Members; Voting.

- (a) All meetings of the Planning Commission shall be open to the public and conducted by the Chair, according to the most recent version of Robert's Rules of Order, Revised.
- (b) The Commission shall hold at least one regular meeting a month, on the first Monday of the month at 6:00 pm at the Town Hall. If the regular meeting falls on a holiday, then it shall be held the same day of the week on the following week.
- (c) The Chair shall work in conjunction with the Town Clerk to set the agenda, within the Planning Commissions scope of authority, for the meeting, at least one week before the scheduled meeting, for which the agenda and packet will be posted no less than 48 hours before the meeting.
- (d) The Town Clerk may add items to the Planning Commission agenda as directed by the Town Administrator.
- (e) At the hour appointed for the meeting, the members shall be called to order by the Chair or, in their absence, by the Vice-Chair. The Town Clerk, or their designee, shall proceed to call the Roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Planning Commission shall then proceed to the business before it.
- (f) Any motion shall be reduced to writing if required by the Chair or another member of the Planning Commission.
- (g) The Town Clerk, or their designee, shall have charge of the Board Room, attend all meetings and take minutes for the Planning Commission.
- (h) The order for business of a Planning Commission Meeting shall be as follows:
 - (1) Call to order
 - (2) Roll Call
 - (3) Approval of Agenda

- (4) Approval of Minutes
- (5) Actions & Presentations – Presentations, Action Items & Public Hearings
- (6) Adjournment

- (i) All members of the Planning Commission will be assigned a Town email address and the use of this email address for Town business will be required for security and record-keeping purposes. Members of the Planning Commission shall comply with the same safety and security policies as Town staff in the use of their town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business and scheduling.
- (j) All members of the Planning Commission have only such authority as is conferred by applicable state statutes and the Board of Trustees. No member of the Commission, including the Chair, shall act in a manner that exceeds such authority, including but not limited to:
 - (1) No member shall purport to speak on behalf of the Board of Trustees or the Planning Commission on any matter on which the Board or Planning Commission has not taken a position, or represent a Board of Trustees or Planning Commission position inaccurately.
 - (2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Planning Commission is required.
 - (3) At Planning Commission meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at meetings to the Planning Commission as a whole, rather than engaging in back-and-forth arguments with another member.
 - (4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Board of Trustees, the Town Administrator or other staff member.
 - (5) No member shall give orders or direction to any staff member who reports directly or indirectly to the Town Administrator.
 - (6) No member shall direct the work of the Town Administrator or other direct report or consultant of the Town.
 - (7) No member shall allow or encourage any employee to disregard the chain of command within the Town or involve themselves in employment matters.
 - (8) No member shall attempt to direct or request the hiring or firing of any employee to or from any position of Town employment.
 - (9) Each member shall respect the rights of others to be heard and given due

consideration of their views.

- (10) No member shall berate, intimidate, or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.
- (11) No member shall make disparaging remarks about any Town employee in a public setting.
- (12) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination and bullying.
- (13) The Commission shall direct all inquiries or requests for staff support to the Board of Trustees and shall respect the time limits on staff support.
- (14) Each member shall comply at all times with applicable state statutes, The Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(15) Any Member of the Planning Commission who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of the majority of the Board of Trustees. The Board of Trustees reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

- (I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;
- (II) Public Warning;
- (III) A resolution of public censure;
- (IV) A request that the member resign from their appointed office;
- (V) Removal from office in accordance with C.R.S. Section 31-23-

203(3)

Section 3. Article 7 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~)

Sec. 2-7-20.-Membership; Terms

The Tree Board shall consist of a minimum of two (2) and a maximum of six (6) volunteer community members, who need not reside within the limits of the Town and one (1) member of the Board of Trustees. Members shall serve without compensation. There will be a Chair and ~~secretary~~ Vice-Chair of the Tree Board, as chosen by majority vote of its members. All Tree Board members shall be appointed by the Board of Trustees. The terms of office for the Tree Board shall be two (2) years, renewable by the Board of Trustees; and the member of the Board of Trustees consistent with his/her term of office.

Sec. 2-7-40. – Conduct of Meetings & Board Members, voting.

(a) All meetings of the Tree Board shall be open to the public and conducted by the Chair, according to the most recent version of Robert's Rules of Order, Revised.

(b) The Tree Board shall hold at least one regular meeting at Town Hall, on the third Tuesday of the month at 5:15 pm.

(c) The Chair shall work in conjunction with the Town Clerk, or their designee, to set the agenda for the meeting, within the Tree Boards' scope of authority, at least one week before the scheduled meeting and the agenda and packet will be posted no less than 48 hours before the meeting.

(d) At the hour appointed for the meeting, the members shall be called to order by the Chair or, in their absence, by the Vice-Chair. The Town Clerk, or their designee, shall proceed to call the Roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Tree Board shall then proceed to the business before it.

(e) The Town Clerk, or their designee, shall have charge of the Board Room, attend all meetings and take minutes for the Tree Board.

(f) The order for business of a Tree Board Meeting shall be as follows:

(1) Call to Order

(2) Roll Call

(3) Approval of Agenda

(4) Approval of Minutes

(5) Actions & Presentations -Presentations, Action Items, Updates, Reports

(6) Adjournment

(g) All members of the Tree Board will be assigned a Town email address, and the use of this email address will be required for security and record-keeping purposes. Members of the Tree Board shall comply with the same safety and security policies as Town staff in the use of their Town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business and scheduling.

(h) Each member of the Tree Board has only such authority as is conferred by the Paonia Municipal Code. No member of the Tree Board, including the Chair, shall act in a manner that exceeds such authority, including but not limited to:

(1) No member may purport to speak on behalf of the Tree Board on any matter on which the Tree Board has not taken a position or represent a Tree Board position inaccurately.

(2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Board is required.

(3) At Tree Board meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic, and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at Tree Board meetings to the Board as a whole, rather than engaging in back-and-

forth arguments with another member.

(4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Town Administrator or other staff member.

(5) No member shall give orders or direction to any staff member.

(6) Except where applicable laws, Town ordinances or resolutions specifically provide otherwise, no member shall allow or encourage any employee to disregard the chain of command within the Town or involve themselves in employment matters.

(7) No member shall attempt to direct or request the hiring or firing of any employee to or from a position of Town employment.

(8) Each member shall respect the right of others to be heard and given due consideration of their views.

(9) No member shall berate, intimidate or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.

(10) No member shall make disparaging remarks about any Town employee in a public setting.

(11) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination and bullying.

(12) Each member shall direct all inquiries or requests for staff support to the Town Administrator and shall respect the time limits on staff support.

(13) Each member shall comply at all times with applicable state statutes, the Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(14) Any member of the Tree Board who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of a majority of the Board of Trustees. The Board of Trustees reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

(I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;

(II) Public warning;

(III) Resolution of Public Censure

(IV) A request that the member resign from their appointed office;

(V) Removal from the Tree Board.

Section 4. Article 8 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~)

Sec. 2-8-20.- Organization.

The Zoning Board of Adjustments shall have five (5) members; one (1) membership shall be filled by a current member of the Planning Commission. Appointment to membership shall be by the Board of Trustees for a term of three (3) years. Vacancies on the Board shall be filled for the remaining term in the same manner as the initial appointment. The

Board shall elect from its membership a Chair and Vice-Chair, secretary and other officers as it may deem necessary during its first meeting of each calendar year and shall adopt such rules as may be necessary for the conduct of its business.

Sec. 2-8-30.- Meetings-Conduct of Meetings & Board Members; Voting.

~~Meetings of the Board shall be held at the call of the Chair. All meetings shall be open to the public. Members of the Board shall be notified at least twenty-four (24) hours prior to the time of the meetings. The Board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record.~~

(a) Meetings of the Zoning Board of Adjustment shall be open to the public and conducted by the Chair, according to the most recent version of Robert's Rules of Order, Revised.

(b) The Board will hold meetings, as needed, according to notification requirements outlined in Sec. 16-16-10 of this Municipal Code.

(c) The Town Administrator and the Town Clerk, or their designee, will set the agenda for the meeting, which will be posted no less than 48 hours before the meeting and shall notify the Zoning Board of Adjustment members of a scheduled meeting.

(d) At the hour appointed for the meeting, the members shall be called to order by the Chair or, in their absence, by the Vice Chair. The Town Clerk, or their designee, shall proceed to call the Roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Zoning Board of Adjustment shall then proceed to the business before it.

(e) The Town Clerk, or their designee, shall have charge of the Board Room, attend all meetings of the Zoning Board of Adjustments.

(f) The Town Clerk, or their designee, shall keep minutes of its proceedings showing the vote of each member upon each question or failing to vote, indicating such fact, and shall keep the records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

(g) The order for business of a Zoning Board of Adjustments meeting shall be as follows:

(1) Call to Order

(2) Roll Call

(3) Appointment of Officers – First meeting of the calendar year

(3) Approval of Agenda

(4) Approval of Minutes

(5) Public Hearings

(6) Adjournment

(h) All members of the Zoning Board of Adjustments will be assigned a Town email address, and the use of this email address will be required for security and record-keeping purposes. Members of the Zoning Board of Adjustments shall comply with the same safety and security policies as Town staff in the use of their Town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business and scheduling.

(j) Each member of the Zoning Board of Adjustments has only such authority as is conferred by applicable state statutes and the Paonia Municipal Code. No member of the Zoning Board of Adjustments, including the Chair, shall act in a manner that exceeds such authority, including but not limited to:

(1) No member may purport to speak on behalf of the Zoning Board of Adjustments on any matter on which the Board has not taken a position or represent a Board position inaccurately.

(2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Zoning Board of Adjustments is required.

(3) At Zoning Board of Adjustments meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic, and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at Board meetings to the Board as a whole, rather than engaging in back-and-forth arguments with another member.

(4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Town Administrator or other staff member.

(5) No member shall give orders or directions to any staff member.

(6) Except where applicable laws, Town ordinances or resolutions specifically provide otherwise, no member shall allow or encourage any employee to disregard the chain of command within the Town or involve themselves in employment matters.

(7) No member shall attempt to direct or request the hiring or firing of any employee to or from a position of Town employment.

(8) Each member shall respect the right of others to be heard and given and given due consideration of their views.

(9) No member shall berate, intimidate or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.

(10) No member shall make disparaging remarks about any Town employee in a public setting.

(11) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination and bullying.

(12) Each member shall direct all inquiries or requests for staff support to the Town Administrator and shall respect the time limits on staff support.

(13) Each member shall comply at all times with applicable state statutes, the Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(14) Any member of the Board who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of a majority of the Board members in office. No member shall vote on any matter pertaining to their own discipline. The Board reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

(I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;

(II) Public Warning;

(III) A resolution of public censure;

(IV) A request that the member resign from his or her appointed office; or

(V) Removal from office.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 7. This Ordinance shall take effect thirty (30) days after adoption and publication.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 10th day of December 2024.

**TOWN OF PAONIA, COLORADO,
a Colorado municipal corporation**

By: Paige Smith
Paige Smith, Mayor

ATTEST:

Samira M. Vetter

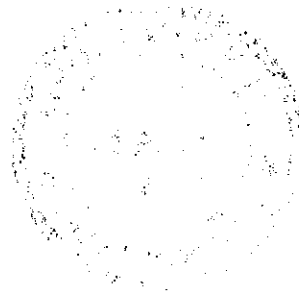
Samira M. Vetter, Town Clerk



Approved as to form and contents:



Clay Buchner, Town Attorney





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

AGENDA ITEM:	Item #4 – Consideration of Appointment to the Tree Board
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 18, 2025
BACKGROUND:	We are also very excited about possibly filling this long open seat! As you can see Ms. Short originally applied for the Zoning Board of Adjustments. After reading her letter of interest, I contacted her to see if she would maybe be interested in serving on the Tree Board and she was. The Tree Board appointment is made by the Board as a whole for a 2 year term. Ms. Short was asked to be present to introduce herself to the Board and be available for answering questions.
BUDGET:	N/A
RECOMMENDATION:	
ATTACHMENT:	Application and Letter of Interest – Short Paonia Municipal Code Chapter 1 Article 7 Ordinance 2024-04 Meeting Operations

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: 03/26/2025

NAME OF COMMITTEE/BOARD: Zoning Board of Adjustments

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:

n/a

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:

NAME (PLEASE PRINT)

Lisa Short

ADDRESS:

225 Niagara Ave, Paonia

CONTACT PHONE:

[REDACTED]

E-MAIL:

[REDACTED]

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



SIGNATURE

[Print Form](#)

[Email Form](#)

March 26, 2025

Lisa Short

225 Niagara Ave

PO Box 1540

Paonia, CO 81428

To Whom It May Concern,

I hope this message finds you well. I'm reaching out to express my interest in the open position on the Zoning Board of Adjustments. Having moved to Paonia in 2024, I've been eager to find ways to give back to this wonderful community and I believe serving on this board would be a perfect way for me to contribute.

Although I'm relatively new to Paonia, I think that's actually one of the strengths I'd bring to the board. As someone still exploring and getting to know the area, I can offer a fresh, open-minded perspective while also being sensitive to the history and unique needs of our community. I'm genuinely excited about being part of the process that helps shape Paonia's growth and character in a balanced way.

A little about me: I originally hail from Arizona but have lived in various places, both domestically and internationally. I hold a Bachelor of Arts from SUNY Purchase and a master's certificate in Forensic Investigative Genetic Genealogy (FIGG) from the University of New Haven. Currently, I balance my time between working as the office manager for RE/MAX Mountain West here in Paonia and as a genealogist for a range of organizations. I'm also passionate about volunteering in our community—I serve as the administrator for my UNH FIGG Alumni group and have been involved with local projects like the North Fork Valley Creative Coalition and Kids Pasta Project.

When I'm not working, you'll find me gardening, diving into trivia or enjoying time with my partner and our dogs. I strongly believe in the importance of contributing to the place we call home, and I would be honored to bring my skills, enthusiasm and perspective to the Zoning Board of Adjustments.

Thank you so much for considering my application. I look forward to the possibility of working together to continue making Paonia an even better place to live!

Regards,

Lisa

ARTICLE 7. - TREE BOARD

Sec. 2-7-10. - Purpose.

It is the purpose of the Town to promote and protect the public health, safety, and general welfare by providing for the regulation of planting, maintenance, and removal of trees on Town-owned property and within town rights-of-way. There is hereby created a Tree Board which shall be advisory in character and will represent the Paonia community in providing guidance and input to the Town Administrator, Town Board of Trustees, and Town staff on trees as defined under Article 7, Section 2-7-30.

(Ord. No. 2014-04, § 1, 1-13-2015; Ord. No. 2014-09, § 5, 1-13-2015; Ord. No. 2020-05, § 2, 5-26-2020; Ord. No. 2021-04, § 2, 6-8-2021)

Sec. 2-7-20. - Membership; terms.

The Tree Board shall consist of a minimum of two (2) and a maximum of six (6) volunteer community members, who need not reside within the limits of the Town and one (1) member of the Board of Trustees. Members shall serve without compensation. There will be a chair and secretary of the Tree Board, as chosen by majority vote of its members. All Tree Board members shall be appointed by the Board of Trustees. The terms of office for the Tree Board shall be two (2) years renewable by the Board of Trustees; and the member of the Board of Trustees consistent with his/her term of office.

(Ord. No. 98-05, § 3, 1998; Ord. No. 2005-02, 2005; Ord. No. 2014-04, § 1, 1-13-2015; Ord. No. 2014-09, § 5, 1-13-2015; Ord. No. 2020-05, § 2, 5-26-2020; Ord. No. 2021-04, § 2, 6-8-2021)

Sec. 2-7-30. - Duties.

- (a) It shall be the responsibility of the Tree Board to advise the Town Board and Town Administrator about the selection, planting, and care of trees in the town of Paonia referring when applicable to the most recent guidelines document or master plan.
- (b) The Tree Board shall support and promote healthy horticultural practices for our climate through public education by celebrating Arbor Day every year, by maintaining a website, and through other community events.
- (c) The Tree Board shall prepare, in a timely fashion, the Tree City USA application and information required to maintain the Town of Paonia's status as a Tree City USA community, as approved by the National Arbor Day Foundation.
- (d) The Tree Board, when requested by the Town Administrator, shall consider, investigate, make findings, report, and recommend upon any special matter of question coming within the scope of its work and expertise.

(Ord. No. 98-05, § 4, 1998; Ord. No. 2014-04, § 1, 1-13-2015; Ord. No. 2014-09, § 5, 1-13-2015; Ord. No. 2020-05, § 2, 5-26-2020; Ord. No. 2021-04, § 2, 6-8-2021)

ORDINANCE NO. 2024-04

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLES 2,
6, 7 & 8 OF THE PAONIA MUNICIPAL CODE SETTING
REQUIREMENTS FOR THE OPERATION AND CONDUCT
OF MEETINGS FOR ALL TOWN BOARDS,
COMMITTEES, AND COMMISSIONS**

WHEREAS, the Town of Paonia (the "Town") is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

WHEREAS, pursuant to Article 2, Section 2-2-10(b) of the Town of Paonia Municipal Code and, the Town Board of Trustees is the legislative body for the Town and has the power and authority to adopt such laws, ordinances, and resolutions as it shall deem proper in the exercise thereof; and

WHEREAS, the Board of Trustees determines that it is in the best interest of the community and the public health, safety and welfare of the citizens of the Town to amend the Town Code regarding the operation and conduct of meetings for all Town Boards and Commissions; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:

Section 1. Article 2 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 2-2-60.- Regular Meetings.

The Regular Board of Trustees meetings will be held on the second and fourth Tuesday of each month, starting at 6:30 pm and ending at 9:30 pm, unless the meeting is extended by a specific amount of time by a majority vote of the Board of Trustees, except when necessary business requires that the work session be duly posted and conducted as an official Board of Trustee meeting; and except on legal holidays, when no meeting shall be held.

Sec. 2-2-70. - Special mMeetings

- (a) Any four (4) members of the Board of Trustees may call a special meeting by written phone or email notice to each member of the Board of Trustees, ~~personally served or left at the member's usual place of residence~~ posted by the Town Clerk or their designee, at least forty-eight (48) hours in advance of the meeting.

- (b) The Board of Trustees at any duly convened meeting may, by majority vote, call a special meeting for a future date. Notice of such meeting shall be given to any member of the Board of Trustees not in attendance.
- (c) Should the Board of Trustees convene for a special meeting pursuant to a request of an interested party for the purpose of accommodating time constraints of said interested party, the Board of Trustees may, in its discretion, assess fees for the special meeting against the interested party. The Board of Trustees may from time to time by resolution adopt a schedule of fees which may be assessed for special meetings. Said fees shall reasonably compensate the Town staff and the Town Attorney for time spent in preparation for attendance at special meetings

Sec 2-2-80.—Conduct of Meetings & Board Members, ~~voting~~Voting.

- (a) Meetings of the Board of Trustees shall be open to the public and conducted by the Mayor, according to the most recent version of *Robert's Rules of Order, Revised*.
- (b) At the hour appointed for the meeting, the members shall be called to order by the Mayor or, in his or her absence, by the Mayor Pro Tem. The Town Clerk shall proceed to call the roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Board of Trustees shall then proceed with the business before it.
- (c) 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.
- (d) Any motion or resolution shall be reduced to writing if required by the Mayor or a member of the Board of Trustees.
- (e) A motion to adjourn shall always be in order and shall be decided without debate.
- (f) The Mayor shall work in conjunction with the Town Clerk to set the agenda, for the meeting, at least one week before the scheduled meeting, for which the agenda and packet will be posted no less than 48 hours before the meeting.
- ~~(f)~~(g) The Town Clerk shall serve post all notices of special meetings.
- ~~(g)~~(h) The Town Clerk shall have charge of the Board room and shall attend the meetings of the Board of Trustees.
- (i) The order for business of a Regular Board Meeting shall be as follows:
 - (1) Call to Order
 - (2) Pledge of Allegiance

- (3) Roll Call
- (4) Approval of Agenda
- (5) Announcements
- (6) Public Comment - 3 minutes for any topic not included under Actions & Presentations
- (7) Consent Agenda -Minutes, Disbursements, License Renewals and other regular and non-controversial business.
- (8) Staff Reports
- (9) Actions & Presentations – Presentations, Action Items, Public Hearings and Executive Sessions
- (10) Mayor and Trustee Reports
- (11) Adjournment

(j) All members of the Board of Trustees, either elected or appointed, will be assigned a Town email address, and the use of this email address for Town business will be required for security and record-keeping purposes. Members of the Board of Trustees shall comply with the same safety and security policies as Town staff in the use of their town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business as it is reported.

(k) The Mayor and each Trustee has only such authority as is conferred by applicable state statutes. No member of the Board of Trustees, including the Mayor, shall act in a manner that exceeds such authority, including but not limited to:

(1) No member shall speak on behalf of the Board on any matter on which the Board has not taken a position or represent a Board position inaccurately.

(2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Board is required.

(3) At Board meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic, and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at Board meetings to the Board as a whole, rather than engaging in back-and-forth arguments with another member.

(4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Town Administrator or other staff member.

(5) No member shall give orders of direction to any staff member who reports directly or indirectly to the Town Administrator.

(6) No member shall individually direct the work of the Town Administrator or other direct report of the Board. Any such direction shall only be given by the Board as a whole, and such direct reports shall be held accountable only for directions given by the Board as a whole.

(7) Individual Members may make reasonable inquiries to the Town Administrator concerning matters pertaining to their decision-making responsibilities but shall be careful to avoid giving orders or directions

(8) Except where applicable laws or Town ordinances or resolutions specifically provide otherwise, no member shall allow or encourage any employee to disregard the chain of command within the Town or involve himself or herself in employment matters below the level of the Board's direct reports.

(9) No member shall direct or request the hiring or firing of any employee to or from any position that reports directly or indirectly to the Town Administrator.

(10) Each member shall respect the rights of others to be heard and given due consideration of their views.

(11) Each member shall recognize that the Mayor has the right, in consultation with the Town Administrator, to establish the agenda for all meetings.

(12) No member shall berate, intimidate, or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.

(13) No member shall make disparaging remarks about any Town employee in a public setting. While criticism about job performance may be a valid topic of discussion, members shall choose a setting appropriate for such a discussion.

(14) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination, and bullying.

(15) Each member shall direct all inquiries or requests for staff support to the Town Administrator and shall respect the time limits on staff support.

(16) Each member shall comply at all times with applicable state statutes, the Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(17) Any member of the Board who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of a majority of the Board members in office. No member shall vote on any matter pertaining to their own discipline. The Board reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

(I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;

(II) Public Warning;

(III) Removal from any appointed Board position or policy liaison role;

(IV) A resolution of public censure;

(V) A request that the member resign from his or her elected office; or

(VI) Removal from office in accordance with C.R.S. Section 31-4-307.

Sec. 2-2-90.- Boards, Committees & and-commissions Commissions.

- (a) The Board of Trustees shall create and appoint members to such boards, committees & commissions as may now or hereafter exist, including but not limited to the following:

- (1) Planning Commission;
- (2) Tree Board; and
- (3) Zoning Board of Adjustment.

(b) The Board of Trustees may, by majority vote, call, set and schedule joint meetings and/or work sessions with any of its Boards, Committees & Commissions.

Section 2. Article 6 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 2-6-30. – Membership; Terms.

The Planning Commission shall consist of ~~five (5)~~ seven (7) members, all of whom must be residents of the Town, including ~~two (2) elected~~ four (4) ex-officio members consisting of the Mayor and, one (1) member of the Board of Trustees appointed by the Mayor, one (1) administrative member appointed by the Mayor, and one (1) member of the governing body chosen by the governing body as provided for in C.R.S. 31-23-203(1)(b). The remaining three (3) members shall be appointed by the Mayor. The terms of such three (3) members shall be fixed and designated by the Mayor to end at two (2) years from the last municipal election at the time of appointment, with the terms of office staggered. The terms for the Mayor and the member of the Board of Trustees shall continue until their successors are duly elected and qualified, at which time elected members of the Board shall be designated to serve on the Planning Commission for terms coincident with their terms of office as Mayor or as a member of the Board of Trustees. The term of the administrative member shall be fixed and designated by the Mayor to end at two (2) years past appointment. As terms expire, new or reappointed members shall be appointed for two-year terms of office at such time as the terms of those previously appointed expire.

Sec. 2-6-40. – Appointment of Officers.

The Commission shall elect its Chair and Vice-Chair from among its membership and create and fill such other of its offices as it may determine. The term of each such office, including that of the Chair, shall be for two (2) years. ~~The Commission may hold at least one regular meeting each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be public.~~

Sec. 2-6-50. – Duties.

The Planning Commission shall have all the powers and perform each and all of the duties specified by Article 23, Chapter 31, C.R.S., together with any other duties or authority which may hereafter be conferred upon them by the laws of the State. The performance of such duties and the exercise of such authority are to be subject to each and all the limitations expressed in such legislative enactment or enactments. It shall keep a record of its resolutions, transactions, findings and determinations, which record shall be public.

Sec. 2-6-60.- Conduct of Meetings & Commission Members; Voting.

- (a) All meetings of the Planning Commission shall be open to the public and conducted by the Chair, according to the most recent version of Robert's Rules of Order, Revised.
- (b) The Commission shall hold at least one regular meeting a month, on the first Monday of the month at 6:00 pm at the Town Hall. If the regular meeting falls on a holiday, then it shall be held the same day of the week on the following week.
- (c) The Chair shall work in conjunction with the Town Clerk to set the agenda, within the Planning Commissions scope of authority, for the meeting, at least one week before the scheduled meeting, for which the agenda and packet will be posted no less than 48 hours before the meeting.
- (d) The Town Clerk may add items to the Planning Commission agenda as directed by the Town Administrator.
- (e) At the hour appointed for the meeting, the members shall be called to order by the Chair or, in their absence, by the Vice-Chair. The Town Clerk, or their designee, shall proceed to call the Roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Planning Commission shall then proceed to the business before it.
- (f) Any motion shall be reduced to writing if required by the Chair or another member of the Planning Commission.
- (g) The Town Clerk, or their designee, shall have charge of the Board Room, attend all meetings and take minutes for the Planning Commission.
- (h) The order for business of a Planning Commission Meeting shall be as follows:
 - (1) Call to order
 - (2) Roll Call
 - (3) Approval of Agenda

- (4) Approval of Minutes
- (5) Actions & Presentations – Presentations, Action Items & Public Hearings
- (6) Adjournment

- (i) All members of the Planning Commission will be assigned a Town email address and the use of this email address for Town business will be required for security and record-keeping purposes. Members of the Planning Commission shall comply with the same safety and security policies as Town staff in the use of their town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business and scheduling.
- (j) All members of the Planning Commission have only such authority as is conferred by applicable state statutes and the Board of Trustees. No member of the Commission, including the Chair, shall act in a manner that exceeds such authority, including but not limited to:
 - (1) No member shall purport to speak on behalf of the Board of Trustees or the Planning Commission on any matter on which the Board or Planning Commission has not taken a position, or represent a Board of Trustees or Planning Commission position inaccurately.
 - (2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Planning Commission is required.
 - (3) At Planning Commission meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at meetings to the Planning Commission as a whole, rather than engaging in back-and-forth arguments with another member.
 - (4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Board of Trustees, the Town Administrator or other staff member.
 - (5) No member shall give orders or direction to any staff member who reports directly or indirectly to the Town Administrator.
 - (6) No member shall direct the work of the Town Administrator or other direct report or consultant of the Town.
 - (7) No member shall allow or encourage any employee to disregard the chain of command within the Town or involve themselves in employment matters.
 - (8) No member shall attempt to direct or request the hiring or firing of any employee to or from any position of Town employment.
 - (9) Each member shall respect the rights of others to be heard and given due

consideration of their views.

- (10) No member shall berate, intimidate, or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.
- (11) No member shall make disparaging remarks about any Town employee in a public setting.
- (12) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination and bullying.
- (13) The Commission shall direct all inquiries or requests for staff support to the Board of Trustees and shall respect the time limits on staff support.
- (14) Each member shall comply at all times with applicable state statutes, The Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(15) Any Member of the Planning Commission who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of the majority of the Board of Trustees. The Board of Trustees reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

- (I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;
- (II) Public Warning;
- (III) A resolution of public censure;
- (IV) A request that the member resign from their appointed office;
- (V) Removal from office in accordance with C.R.S. Section 31-23-

203(3)

Section 3. Article 7 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~)

Sec. 2-7-20.-Membership; Terms

The Tree Board shall consist of a minimum of two (2) and a maximum of six (6) volunteer community members, who need not reside within the limits of the Town and one (1) member of the Board of Trustees. Members shall serve without compensation. There will be a Chair and ~~secretary~~ Vice-Chair of the Tree Board, as chosen by majority vote of its members. All Tree Board members shall be appointed by the Board of Trustees. The terms of office for the Tree Board shall be two (2) years, renewable by the Board of Trustees; and the member of the Board of Trustees consistent with his/her term of office.

Sec. 2-7-40. – Conduct of Meetings & Board Members, voting.

(a) All meetings of the Tree Board shall be open to the public and conducted by the Chair, according to the most recent version of Robert's Rules of Order, Revised.

(b) The Tree Board shall hold at least one regular meeting at Town Hall, on the third Tuesday of the month at 5:15 pm.

(c) The Chair shall work in conjunction with the Town Clerk, or their designee, to set the agenda for the meeting, within the Tree Boards' scope of authority, at least one week before the scheduled meeting and the agenda and packet will be posted no less than 48 hours before the meeting.

(d) At the hour appointed for the meeting, the members shall be called to order by the Chair or, in their absence, by the Vice-Chair. The Town Clerk, or their designee, shall proceed to call the Roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Tree Board shall then proceed to the business before it.

(e) The Town Clerk, or their designee, shall have charge of the Board Room, attend all meetings and take minutes for the Tree Board.

(f) The order for business of a Tree Board Meeting shall be as follows:

(1) Call to Order

(2) Roll Call

(3) Approval of Agenda

(4) Approval of Minutes

(5) Actions & Presentations -Presentations, Action Items, Updates, Reports

(6) Adjournment

(g) All members of the Tree Board will be assigned a Town email address, and the use of this email address will be required for security and record-keeping purposes. Members of the Tree Board shall comply with the same safety and security policies as Town staff in the use of their Town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business and scheduling.

(h) Each member of the Tree Board has only such authority as is conferred by the Paonia Municipal Code. No member of the Tree Board, including the Chair, shall act in a manner that exceeds such authority, including but not limited to:

(1) No member may purport to speak on behalf of the Tree Board on any matter on which the Tree Board has not taken a position or represent a Tree Board position inaccurately.

(2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Board is required.

(3) At Tree Board meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic, and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at Tree Board meetings to the Board as a whole, rather than engaging in back-and-

forth arguments with another member.

(4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Town Administrator or other staff member.

(5) No member shall give orders or direction to any staff member.

(6) Except where applicable laws, Town ordinances or resolutions specifically provide otherwise, no member shall allow or encourage any employee to disregard the chain of command within the Town or involve themselves in employment matters.

(7) No member shall attempt to direct or request the hiring or firing of any employee to or from a position of Town employment.

(8) Each member shall respect the right of others to be heard and given due consideration of their views.

(9) No member shall berate, intimidate or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.

(10) No member shall make disparaging remarks about any Town employee in a public setting.

(11) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination and bullying.

(12) Each member shall direct all inquiries or requests for staff support to the Town Administrator and shall respect the time limits on staff support.

(13) Each member shall comply at all times with applicable state statutes, the Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(14) Any member of the Tree Board who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of a majority of the Board of Trustees. The Board of Trustees reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

(I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;

(II) Public warning;

(III) Resolution of Public Censure

(IV) A request that the member resign from their appointed office;

(V) Removal from the Tree Board.

Section 4. Article 8 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~)

Sec. 2-8-20.- Organization.

The Zoning Board of Adjustments shall have five (5) members; one (1) membership shall be filled by a current member of the Planning Commission. Appointment to membership shall be by the Board of Trustees for a term of three (3) years. Vacancies on the Board shall be filled for the remaining term in the same manner as the initial appointment. The

Board shall elect from its membership a Chair and Vice-Chair, secretary and other officers as it may deem necessary during its first meeting of each calendar year and shall adopt such rules as may be necessary for the conduct of its business.

Sec. 2-8-30.- Meetings-Conduct of Meetings & Board Members; Voting.

~~Meetings of the Board shall be held at the call of the Chair. All meetings shall be open to the public. Members of the Board shall be notified at least twenty-four (24) hours prior to the time of the meetings. The Board shall keep minutes of its proceedings showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record.~~

(a) Meetings of the Zoning Board of Adjustment shall be open to the public and conducted by the Chair, according to the most recent version of Robert's Rules of Order, Revised.

(b) The Board will hold meetings, as needed, according to notification requirements outlined in Sec. 16-16-10 of this Municipal Code.

(c) The Town Administrator and the Town Clerk, or their designee, will set the agenda for the meeting, which will be posted no less than 48 hours before the meeting and shall notify the Zoning Board of Adjustment members of a scheduled meeting.

(d) At the hour appointed for the meeting, the members shall be called to order by the Chair or, in their absence, by the Vice Chair. The Town Clerk, or their designee, shall proceed to call the Roll, note the absentees and announce whether a quorum is present. If a quorum is present, the Zoning Board of Adjustment shall then proceed to the business before it.

(e) The Town Clerk, or their designee, shall have charge of the Board Room, attend all meetings of the Zoning Board of Adjustments.

(f) The Town Clerk, or their designee, shall keep minutes of its proceedings showing the vote of each member upon each question or failing to vote, indicating such fact, and shall keep the records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

(g) The order for business of a Zoning Board of Adjustments meeting shall be as follows:

- (1) Call to Order
- (2) Roll Call
- (3) Appointment of Officers – First meeting of the calendar year
- (3) Approval of Agenda
- (4) Approval of Minutes

(5) Public Hearings

(6) Adjournment

(h) All members of the Zoning Board of Adjustments will be assigned a Town email address, and the use of this email address will be required for security and record-keeping purposes. Members of the Zoning Board of Adjustments shall comply with the same safety and security policies as Town staff in the use of their Town email. Further, it shall be each member's responsibility to check the assigned email regularly, to stay abreast of Town business and scheduling.

(j) Each member of the Zoning Board of Adjustments has only such authority as is conferred by applicable state statutes and the Paonia Municipal Code. No member of the Zoning Board of Adjustments, including the Chair, shall act in a manner that exceeds such authority, including but not limited to:

(1) No member may purport to speak on behalf of the Zoning Board of Adjustments on any matter on which the Board has not taken a position or represent a Board position inaccurately.

(2) No member shall make commitments or promises individually on any matter for which a vote or consensus of the Zoning Board of Adjustments is required.

(3) At Zoning Board of Adjustments meetings, no one member shall attempt to dominate the discussion. Each member shall strive to speak once on any topic, and then allow each other member to speak on that topic before speaking again. Members shall primarily direct remarks at Board meetings to the Board as a whole, rather than engaging in back-and-forth arguments with another member.

(4) No member shall act or attempt to act on any matter which is encompassed within the responsibilities of the Town Administrator or other staff member.

(5) No member shall give orders or directions to any staff member.

(6) Except where applicable laws, Town ordinances or resolutions specifically provide otherwise, no member shall allow or encourage any employee to disregard the chain of command within the Town or involve themselves in employment matters.

(7) No member shall attempt to direct or request the hiring or firing of any employee to or from a position of Town employment.

(8) Each member shall respect the right of others to be heard and given and given due consideration of their views.

(9) No member shall berate, intimidate or belittle others for expressing their opinions or viewpoints, or engage in speech that is inflammatory, defamatory, demeaning, bullying or threatening.

(10) No member shall make disparaging remarks about any Town employee in a public setting.

(11) No member shall fail to comply with any provision of the Town's personnel policies with respect to the treatment of employees, including but not limited to provisions concerning prohibited harassment, discrimination and bullying.

(12) Each member shall direct all inquiries or requests for staff support to the Town Administrator and shall respect the time limits on staff support.

(13) Each member shall comply at all times with applicable state statutes, the Paonia Municipal Code and any standards of conduct or procedures adopted by the Board of Trustees through policy, resolution or ordinance.

(14) Any member of the Board who violates these standards of conduct is subject to disciplinary action. Such disciplinary action shall be taken upon approval by a vote of a majority of the Board members in office. No member shall vote on any matter pertaining to their own discipline. The Board reserves the right to take one or more of the following steps, after consideration of the seriousness, duration, and/or repeated nature of the violation:

(I) Remedial or educational training on the subject of the violation intended to avoid or prevent future violations;

(II) Public Warning;

(III) A resolution of public censure;

(IV) A request that the member resign from his or her appointed office; or

(V) Removal from office.

Section 5. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 7. This Ordinance shall take effect thirty (30) days after adoption and publication.

HEARD AND FINALLY ADOPTED by the Board of Trustees of the Town of Paonia, Colorado, this 10th day of December 2024.

**TOWN OF PAONIA, COLORADO,
a Colorado municipal corporation**

By: Paige Smith
Paige Smith, Mayor

ATTEST:

Samira M. Vetter

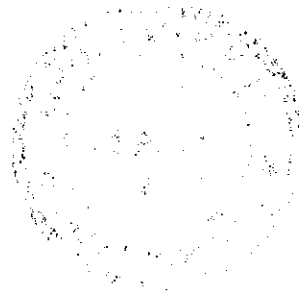
Samira M. Vetter, Town Clerk



Approved as to form and contents:



Clay Buchner, Town Attorney





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

AGENDA ITEM:	Item #5 – Consideration of Directing Staff on Enforcing Section 16-11-20 of the Paonia Municipal Code
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 22, 2025
BACKGROUND:	At the April 8, 2025 Regular Board Meeting the Board of Trustees had a discussion and gave directions to staff concerning ambiguities in the Paonia Municipal Code concerning rental of homes and rooms in homes for less than 30 days. Staff is now seeking direction on the enforcement of Paonia Municipal Code 16-11-20 Home Occupations.
BUDGET:	
RECOMMENDATION:	
ATTACHMENT:	Paonia Municipal Code Section 16-11-20 Memo from Town Attorney Buchner regarding PMC 16-11-20

A home occupation shall be permitted as an accessory use, provided that a home occupation permit is granted by the Town and the criteria for home occupations are met.

- (1) *Permit required.* A person desiring to establish a home occupation within the Town shall apply as follows:
 - (a) An application shall for home occupation shall be made to the Town Administrator, or its designee, in the form provided by the Town and accompanied by the appropriate fee as set by Resolution of the Board of Trustees.
 - (b) Upon the receipt of a completed application for a home occupation permit, the Town Administrator, or its designee, shall notify the applicant within ten (10) days that such application is complete.
 - (c) Thereafter the Town Administrator, or its designee, shall notify the applicant and set a date of public hearing before the Town Board of Trustees that will allow time for publication and notification of adjoining property holders.
 - (d) Upon the setting of a public hearing before the Board of Trustees the Town Clerk shall notify the property owners within two hundred (200) feet of the applicant's property by regular mail at the applicant's expense. The notification will include the nature of the application, a copy of this Article and the time and place of a public hearing.
- (2) *Revoke the permit.* A home occupation permit may be revoked by the Town Administrator if at any time the home occupation fails to meet the criteria listed below.
- (3) *Nontransferability.* Home occupation permits are issued to an individual for a specific property and use. Permits are not transferable should the property be sold or rented to other persons.
- (4) *Criteria for home occupations.* A home occupation shall be allowed as a permitted accessory use, provided that the following conditions are met:
 - (a) The use must be conducted entirely within a dwelling or accessory structure and carried on by the occupants of the dwelling and no more than one (1) non-occupant employee.
 - (b) The use must be clearly incidental and secondary to the use of the dwelling for dwelling purposes and must not change the residential character thereof.
 - (c) The total area used for such purposes may not exceed twenty-five percent (25%) of the first-floor area of the user's dwelling unit.
 - (d) There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation, including advertising signs or displays or advertising that solicits or directs persons to the address. A wall-mounted identification sign of not more than two (2) square feet shall be permitted.

- (e) There shall not be conducted on the premises the business of selling inventory, supplies or products, provided that incidental retail sales may be made in connection with other permitted home occupation.
- (f) There must be no exterior storage on the premises of material or equipment used as a part of the home occupation.
- (g) No equipment or process shall be used in such home occupation, which creates any glare, fumes, odors or other objectionable conditions detectable to the normal senses off the lot if the occupation is conducted in a single-family dwelling or outside the dwelling unit if conducted in other than a single-family dwelling.
- (h) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of the home occupation shall be met with additional off-street parking spaces that are not located in a required yard adjacent to a street.
- (i) Under no circumstances shall any of the following be considered a home occupation:
Antique shop, barber shop, a beauty parlor (with more than one [1] chair), clinic, mortuary, nursing home, restaurant, veterinarian's clinic or dance studio.

(Ord. No. 83-116, Art. XVIII, 1983; Ord. No. 2000-02, Art. XVIII, 2000; Ord. No. 2014-04, § 1, 1-13-2015; Ord. No. 2019-06, § 2, 8-13-2019)



CLAYTON M. BUCHNER
Town Attorney
Paonia, Colorado

MEMORANDUM FOR: Paonia Board of Trustees (“BOT”)

SUBJECT: Chapter 16, Article 11, Section 20 – Home Occupations

1. This memorandum is regarding Paonia Municipal Code (“Code”) Section 16-11-20 regarding requirements.
2. Within the Code, *Home Occupation* means a business or profession that is conducted within a dwelling unit, an enclosed garage or accessory building and is in conformance with the provision of Section 16-11-20 of the Code.
3. Remote Work. As an employee of a separate business remotely/teleworking out of a home office, the Code is silent on the matter of remote/telework scenarios. Looking at the Code language “business or profession that is conducted within the dwelling unit” indicates that working as an employee at a geographically dislocated business is probably not contemplated/excluded by the Code. Likewise, a consultant using a home office wherein no public transaction of business is taking place may be a stretch for the existing definition. In short, it seems an unnecessary imposition to prevent someone from working at a home office where such conduct is not meaningfully different than someone sitting at a home office doing their taxes, answering personal emails, and/or personally researching their personal hobbies and/or interests. Instead, the criteria in paragraphs (4)(a)-(i) are focused on preventing a dwelling unit or accessory structure thereof from becoming a commercial, outward-facing business. Examples would include a small manufacturer, retail store, local lawyer’s office, etc...as well as those specific exclusions delineated in paragraph (4)(i). Thus, I advise that the Town not pursue/enforce sole remote/telework scenarios as *home occupations*.
4. LLC Business Address. The specific question of listing a residential property as an LLC business address was also raised. Looking at the definition of *home occupation*, it is clear that business must actually be **conducted** to trigger the permit requirement in the Code. Thus, wherein a physical residential address is provided to the Secretary of State solely to fulfill the formation requirements of the LLC, such does not trigger the permit requirements for *home occupation* in the Code. Of course, insofar an LLC operates as an outward-facing business, the permit would be required.
5. This Memorandum does not contemplate all possible scenarios regarding *home occupations*. Ultimately, the BOT must decide how and where to enforce and fill gaps in existing legislation.

Very Respectfully,

Clayton M. Buchner, J.D.
Town Attorney
Paonia, Colorado



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

AGENDA ITEM:	Consideration of Approval of Ordinance 25-01 Publishing by Title
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 22, 2025
BACKGROUND:	Per C.R.S. §31-15-105 the option of publishing ordinances by title was son the ballot for the April 1, 2025 special election, passing with 310 votes out of 549 votes cast. Mayor Smith and myself certified the election on April, 11, 2025. This Ordinance will just put it into practice and amend the Paonia Municipal Code.
BUDGET:	
RECOMMENDATION:	Recommended Motion: I move to approve Ordinance 25-01 Amending Chapter 1- General Provisions, Article 1 – Code, Section 60 – Publication of ordinances of the Paonia Municipal Code regarding the passage of the referred ballot measure allowing the Town of Paonia to publish ordinances by title only instead of publishing them in full.
ATTACHMENT:	Ordinance No. 25-01 Publishing by title

**TOWN OF PAONIA
ORDINANCE NO. 25-01**

**AN ORDINANCE AMENDING CHAPTER 1- GENERAL PROVISIONS,
ARTICLE 1 – CODE, SECTION 60 – PUBLICATION OF ORDINANCES
OF THE PAONIA MUNICIPAL CODE REGARDING THE PASSAGE
OF THE REFERRED BALLOT MEASURE ALLOWING THE TOWN
OF PAONIA TO PUBLISH ORDINANCES BY TITLE ONLY INSTEAD
OF PUBLISHING THEM IN FULL.**

WHEREAS, the Town of Paonia (the "Town") is a municipal corporation duly organized and existing under the laws of the State of Colorado; and

WHEREAS, C.R.S. §31-16-105 and Paonia Municipal Code Section 1-3-60 require the Town to publish all of its adopted ordinances in a newspaper published within the Town or if there is none, in a newspaper of general circulation in the Town; and

WHEREAS, C.R.S. §31-16-105 allows a municipality to determine at a regular or special election to meet its publication requirements by publishing ordinances by title only, rather than publishing ordinances in full; and

WHEREAS, the cost of publishing all of the town's ordinances in full is significant and publishing such ordinances by title only would substantially reduce costs to the Town; and

WHEREAS, on January 28, 2025 the board of Trustees adopted Resolution 05-2025 submitting the measure of publishing ordinances by title only to the registered electors of Paonia, Colorado at a special election on April 1, 2025; and

WHEREAS, at Special Election on April 1, 2025, there was a measure on the ballot concerning the issue of publishing ordinances by title only, that passed, receiving 310 'YES' votes of 549 votes cast; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, AS FOLLOWS:

Section 1. Section 1-3-60 of the Paonia Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are stricken through):

Sec. 1-3-60. – Publication of Ordinances.

All ordinances, as soon as possible after their passage, shall be recorded in a book kept for that purpose and authenticated by the signature of the Mayor and Town Clerk. All ordinances of a general or permanent nature, and those imposing any fine or forfeiture, shall be published by title only, rather than by publishing them in full, in a newspaper published within the Town or, if there is none, in a newspaper of general circulation in the Town, with full copies of such ordinances to be made available on the Town's

website and at Town Hall . Such ordinances shall not take effect until thirty (30) days after such publication, except for ordinances calling for special elections or necessary for the immediate preservation of the public peace, health and safety and containing the reasons making the same necessary in a separate section. The excepted ordinances shall take effect according to State law upon their final passage and adoption and the approval and signature of the Mayor, if they are adopted by an affirmative vote of three-fourths ($\frac{3}{4}$) of the members of the Board of Trustees.

Section 2. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 3. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have approved and passed this Ordinance and each part hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4. The Board of Trustees herewith finds, determines and declares that this ordinance is necessary to the immediate preservation of public property, health, welfare, peace or safety because the Board of Trustees submitted the foregoing ballot question to the registered electors of the Town at the special election on April 1, 2025 and there are several immediate deadlines that relate to the passage of this ordinance, that need to be met.

Section 5.

This Ordinance shall take effect thirty (30) days after adoption and publication.

HEARD AND FINALLY ADOPTED by a vote ____ for and ____ against by the Board of Trustees of the Town of Paonia, Colorado, this 22nd day of April, 2025.

TOWN OF PAONIA, COLORADO

Paige Smith, Mayor

Attest:

Samira M Vetter, Town Clerk



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

AGENDA ITEM:	Item # 7 – Consideration of adopting Resolution 12-2025 Board Rules of Procedure
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 18, 2025
BACKGROUND:	My apologies, but after a final team review there were some inconsistencies that need to be addressed with the updated Resolution. I hope to bring it back to you for discussion and adoption in the next couple of meetings. I respectfully request that you remove this from the agenda.
BUDGET:	N/A
RECOMMENDATION:	To make a motion to remove Item # 7 – Consideration of Adopting Resolution 12-2025 Board Rules of Procedure from the agenda.
ATTACHMENT:	N/A



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

AGENDA ITEM:	Item #8 – Consideration of Resolution 13-2025 Temporary Moratorium on Enforcement
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 22, 2025
BACKGROUND:	The Board of Trustees voted to place a temporary moratorium on the enforcement of the renting of homes or rooms in homes for less than 30 days.
BUDGET:	N/A
RECOMMENDATION:	To adopt Resolution 13-2025 Temporary Moratorium on Enforcement.
ATTACHMENT:	Resolution 13-2025

**TOWN OF PAONIA, COLORADO
RESOLUTION NO. 13-2025**

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO IMPOSING A TEMPORARY 180-DAY MORATORIUM ON THE ENFORCEMENT OF CERTAIN SECTIONS OF PAONIA MUNICIPAL CODE CHAPTER 16 AS IT APPLIES TO THE REGULATION OF ANY RENTAL OF HOMES OR ROOMS IN A HOME FOR LESS THAN A MONTH AND DECLARING THE INTENTION OF THE BOARD OF TRUSTEES TO CONSIDER THE ADOPTION OF AMENDMENTS TO EXISTING REGULATIONS CONCERNING THE SAME.

WHEREAS, the Town of Paonia (“Town”) is a statutory Town in Delta County Colorado; and

WHEREAS, Paonia Municipal Code 16-1-100 defines a ‘dwelling unit’ as meaning “one (1) room or, or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy, rental or lease on a monthly or longer basis,”; and

WHEREAS, Paonia Municipal Code 16-11-30.-Renting of Rooms refers to ‘dwelling units’ throughout; and

WHEREAS, this causes an ambiguity in the code as it relates to renting of homes or rooms in a home for less than 30 days; and

WHEREAS, the Town is at the present time working with a contractor for a re-write of the Paonia Municipal Code meant to clear up ambiguities and conflicts within the Paonia Municipal Code and; and

WHEREAS, the Board of Trustees finds that a 180-day moratorium on the enforcement of the regulation of any rental of homes or rooms in a home for less than 30 days is reasonable and for the Town to properly investigate, develop and if appropriate adopt and implement any amendments or regulations that will clear up any ambiguity on the same issue; and

WHEREAS, on April 8, 2025, a unanimous vote of the Board of Trustees decided that due to the ambiguity in the Pania Municipal Code to instruct staff to not enforce the regulation of any rental of homes or rooms in homes for less than a month, as a moratorium for six months starting on April 8, 2025; and

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

Section 1. The recitals set forth above and its exhibits are incorporated herein.

Section 2. Temporary Moratorium Established Subject to the provisions of Section 3 below, a temporary moratorium is hereby imposed on the enforcement of the regulation of any rental of homes or rooms in homes for less than a month for 180 days.

Section 3. Applicability and Effective Date of Temporary Suspension. The Board of Trustees finds and determines that, the ambiguity of the current Paonia Municipal Code when it comes to rentals of homes and rooms in homes for less than a month, creates an atmosphere of conflict between the Town and the citizens of Paonia that cannot easily be resolved with its current form. The temporary moratorium of enforcement of regulation of the rental of homes or rooms in homes imposed by this Resolution shall commence as of the effective date of April 8, 2025, and shall expire on October 6th, unless sooner repealed or extended by a majority vote of the Board of Trustees.

Section 4. Staff to Investigate and Prepare Proposed Regulations. Before the expiration of the temporary moratorium on enforcement imposed by this Resolution, Town staff working with the Town Attorney, shall investigate, review and analyze potential new Town regulations or amendments for the renting of homes or rooms in homes for less than 30 days within the Town. Such investigation, review and analysis shall be completed promptly and with due diligence and submitted to the Town Board of Trustees for consideration. The Board of Trustees declares that it will give due and timely consideration to the adoption of any proposed regulations.

Section 5. Effective Date. This Resolution shall become effective immediately and retroactively from April 8, 2025.

INTRODUCED, READ, APPROVED AND ADOPTED by a vote of ___ for and ___ against at the regular meeting of the Board of Trustees of the Town of Paonia on the 22nd day of April, 2025 at 6:30 P.M., at Paonia Town Hall, 214 Grand Avenue, Paonia, Colorado.

TOWN OF PAONIA, COLORADO

Paige Smith, Mayor

ATTEST:

Samira M. Vetter, Town Clerk



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

AGENDA ITEM:	Consideration of Resolution 14-2025 Expedited Review of Affordable Housing Applications
SUBMITTED BY:	Stefen Wynn, Town Administrator & Treasurer
DATE:	4.14.2025
BACKGROUND:	After discussing with DOLA about the final amounts of funding available from the IHOP grant for the Housing Needs Assessment and Action Plan and how to collect them after the Short Term Rental Ordinance was repealed, another option has presented. The Town could require an expedited review process for affordable housing, which is less than ninety (90) days. DOLA has advised that communities with a process that includes a review process under 90 days is a good fit for adopting a resolution to codify our intent to continue meeting the requirement and stay compliant with proposition 123, and the IHOP grant to select a qualifying strategy. The DOLA fast track guidance also states, "Those local governments that already comply with prop. 123 expedited review requirements should review their processes, consider potential improvements, adopt language that aligns with prop. 123.
BUDGET:	N/A
RECOMMENDATION:	RECOMMENDED MOTION: I Move to approve Resolution 14-2025, Expedited Review of Affordable Housing Applications
ATTACHMENT:	ATTACHMENT A: Resolution 14-2025

**TOWN OF PAONIA, COLORADO
RESOLUTION NO. 14-2025**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN
OF PAONIA, COLORADO ESTABLISHING REVIEW POLICIES
FOR FUTURE AFFORDABLE HOUSING PROJECTS**

WHEREAS, the voters of Colorado approved Proposition 123 in 2022 creating the State Affordable Housing Fund to make certain funds available to local governments as defined by CRS 29-32-104; and

WHEREAS, the Town of Paonia, Colorado is a statutory municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado and is eligible for Proposition 123 funding and programming; and

WHEREAS, the Board of Trustees (“the Board”) of the Town of Paonia, Colorado, voted to opt-in to Proposition 123 to increase affordable housing during a regularly scheduled meeting on July 25, 2023; and

WHEREAS, the Town of Paonia, Colorado opted in to Proposition 123 and committed to increasing the affordable housing in Paonia by 25 units, or three percent (3%) annually or nine percent (9%) over a three-year period; and

WHEREAS, the Board approved and accepted a Housing Needs Assessment and Action Plan during a regularly scheduled Board Meeting on November 14, 2023, which gives recommendations and defines Affordable Housing for the Town of Paonia; and

WHEREAS, the Town is responsible for the processing and review of all land use and development permit applications pertaining to development within the Town limits, reviews include annexation, zoning, subdivision, and subdivision improvement agreements, infrastructure design reviews, and Planned Unit Developments prior to receiving a building permit, however, the Town recognizes the importance of allowing affordable and attainable housing to be developed for its workforce and its residents; and

WHEREAS, the Town of Paonia’s current process for reviewing proposed housing projects is typically completed within sixty (60) days per application; and

WHEREAS, prior to receiving a building permit, the Town is responsible for processing and reviewing all detailed plans, including but not limited to, site plan, landscaping, architectural design, parking, circulation, open space amenities; and

WHEREAS, the Town of Paonia also creates a policy for expedited review to ensure that affordable housing projects are reviewed and a decision rendered within ninety (90) days of a complete application.

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

SECTION 1. The following policy is created for the use of Proposition 123 Funding.

SECTION 2. The recitals set forth above and its exhibits are incorporated herein.

SECTION 3. The Trustees authorize the Town Administrator & Treasurer, or designee, to assist with policy implementation and applying for future funding on behalf of the Town of Paonia for the development of affordable housing as defined by CRS 29-32-104.

SECTION 4. That this expedited review policy does not imply or implicitly allow the circumvention of the water moratorium.

SECTION 5. The Trustees establish a formal policy that any complete application received by the Town for an affordable housing development, or a development with at least fifty percent (50%) of the property dedicated to permanently restricted affordable housing units as defined in the Housing Needs Assessment and Housing Action Plan, shall be placed on the next available agenda once proper public notice has been posted and a decision rendered on the application within ninety (90) days to ensure an expedited and timely review of the affordable housing project.

INTRODUCED, READ, APPROVED AND ADOPTED by a vote of ____ for and ____ against at a regularly scheduled meeting of the Board of Trustees on April 22, 2025, at 6:30 P.M., at the Paonia Town Hall, 214 Grand Avenue, Paonia, Colorado.

TOWN OF PAONIA, COLORADO

Paige Smith, Mayor

ATTEST:

Samira M. Vetter, Town Clerk



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

AGENDA ITEM:	Consideration of Contract Agreement with Colorado Complete Clean for Town Hall Cleaning Services
SUBMITTED BY:	Kaja Bowman
DATE:	4-17-2025
BACKGROUND:	At the March 25th, 2025 Board of Trustees meeting a motion was passed to direct staff to negotiate a contract with Colorado Complete Cleaning for Town Hall cleaning services. The purposed contact is for 3 years with the option to renew for an additional 2 years. Colorado Complete Clean provided a contract agreement and the Town's Attorney an addendum to be included.
BUDGET:	3 year contract with option to renew for 2 additional years. Annual Cost: \$19,200 (\$200/week clean, \$150/week mid-week light clean, \$500/twice a year deep clean)
RECOMMENDATION:	Staff recommendation is to enter the contract to Colorado Complete Clean for Town Hall cleaning services. Recommended Motion: I move to enter the 3 year contract agreement with Colorado Complete Clean for Town Hall cleaning services, with the option to renew for 2 additional years.
ATTACHMENT:	Contract agreement with Colorado Complete Clean Municipal ADDENDUM to contract agreement Colorado Complete Clean staff CJIS certifications (2)



Contract Agreement for Janitorial Services

This Agreement is made and entered into this [insert date] by and between the City of Paonia, Colorado, hereinafter referred to as the "City," and Colorado Complete Clean, LLC, a limited liability company organized under the laws of the State of Colorado, hereinafter referred to as the "Contractor."

1. Scope of Services

The Contractor agrees to provide janitorial services for the City's facilities as detailed in the Proposal provided to the City of Paonia.

2. Term of Agreement

The term of this Agreement shall commence on [insert start date] and continue for a period of three (3) years, terminating on [insert end date], unless earlier terminated as provided herein.

3. Renewal Option

Upon mutual written agreement of both parties, this Agreement may be renewed for up to two (2) additional one-year terms under the same terms and conditions.

4. Compensation and Economic Price Adjustment

The City shall compensate the Contractor for services rendered in accordance with the fee schedule set forth in the proposal.

The parties acknowledge that economic conditions may lead to increased costs for labor and materials over the term of this Agreement. Therefore, the Contractor's compensation for services rendered under this Agreement shall be subject to adjustment as follows:

1. **Adjustment Frequency:** The contract price shall be reviewed and may be adjusted annually on the anniversary date of this Agreement, commencing after the first year of performance.

2. **Adjustment Cap:** Any annual increase pursuant to this clause shall not exceed five percent (5%) of the current contract price.
3. **Notice Requirement:** The Contractor shall provide written notice to the City of its intent to adjust pricing at least thirty (30) days prior to the proposed effective date of the adjustment, including documentation supporting the calculation of the adjustment.
4. **Approval:** All adjustments shall be subject to the City's review and written approval prior to implementation.

5. Performance Standards

The Contractor shall perform all services in accordance with the performance measures and standards developed specifically for this contract. These standards shall be used by the City to evaluate the Contractor's performance.

6. Insurance and Bonding

The Contractor shall maintain insurance and bonding as required by the Request for Proposal (RFP) and shall provide the City with certificates evidencing such coverage, naming the City as an additional insured.

7. Compliance with Laws

The Contractor shall comply with all applicable federal, state, and local laws.

8. Termination

This Agreement may be terminated by either party upon thirty (30) days' written notice. In the event of termination, the Contractor shall be compensated for services satisfactorily performed up to the date of termination.

9. Notices

All notices required under this Agreement shall be in writing and delivered to the addresses specified below or to such other addresses as the parties may designate in writing.

10. Entire Agreement

This Agreement, constitutes the entire agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

City of Paonia

By: _____

Name: [insert name]

Title: [insert title]

Date: [insert date]

Colorado Complete Clean, LLC

By: _____

Name: Landan Wright

Title: CEO

Date: [insert date]

ADDENDUM A: MUNICIPAL PROVISIONS

- A.1. **Addendum A Controls**: In the event the terms and conditions of this Addendum A conflict in whole or in part with the terms and conditions of the Agreement, the terms and conditions of this Addendum A shall control.
- A.2. **No Waiver of Governmental Immunity**: Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to Paonia, its officials, employees, contractors, or agents, or any other person acting on behalf of Paonia and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10, Part 1 of the Colorado Revised Statutes.
- A.3. **Affirmative Action**: Producer will not discriminate against any employee or sub-contractor for employment because of race, color, religion, sex or national origin. Producer will take affirmative action to ensure applicants are employed, and employees are treated during employment without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- A.4. **Article X, Section 20/TABOR**: The Parties understand and acknowledge that Paonia is subject to Article X, § 20 of the Colorado Constitution (“**TABOR**”). The Parties do not intend to violate the terms and requirements of TABOR by the execution of this Agreement. It is understood and agreed that this Agreement does not create a multi-fiscal year direct or indirect debt or obligation within the meaning of TABOR and, therefore, notwithstanding anything in this Agreement to the contrary, all payment obligations of Paonia are expressly dependent and conditioned upon the continuing availability of funds beyond the term of the Paonia’s current fiscal period ending upon the next succeeding December 31. Financial obligations of Paonia payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available in accordance with the rules, regulations, and resolutions of the Town of Paonia, and other applicable law. Upon the failure to appropriate such funds, this Agreement shall be terminated.
- A.5. **Employment of or Contracts with Unauthorized Workers**: Producer shall not knowingly employ or contract with an unauthorized worker to perform work under this Agreement. Producer shall not contract with a subcontractor that fails to certify that the subcontractor does not knowingly employ or contract with any unauthorized workers. By entering into this Agreement, Producer certifies as of the date of this Agreement it does not knowingly employ or contract with an unauthorized worker who will perform work under the public contract for services and that the contractor will

participate in the e-verify program or department program in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the public contract for services. The Producer is prohibited from using either the e-verify program or the department program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed. If the Producer obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an unauthorized worker, Producer shall be required to notify the subcontractor and Paonia within three (3) days that Producer has actual knowledge that a subcontractor is employing or contracting with an unauthorized worker. Producer shall terminate the subcontract if the subcontractor does not stop employing or contracting with the unauthorized worker within three (3) days of receiving the notice regarding Producer's actual knowledge. Producer shall not terminate the subcontract if, during such three days, the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an unauthorized worker. Producer is required to comply with any reasonable request made by the Department of Labor and Employment made in the course of an investigation undertaken to determine compliance with this provision and applicable state law. If Producer violates this provision, Paonia may terminate this Agreement, and Producer may be liable for actual and/or consequential damages incurred by Paonia, notwithstanding any limitation on such damages provided by such Agreement.

- A.6. **No Waiver of Rights**: A waiver by any Party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either Party. Paonia's approval or acceptance of, or payment for, services shall not be construed to operate as a waiver of any rights or benefits to be provided under this Agreement. No covenant or term of this Agreement shall be deemed to be waived by Paonia except in writing.
- A.7. **Binding Effect**: The Parties agree that this Agreement, by its terms, shall be binding upon the successors, heirs, legal representatives, and assigns.
- A.8. **Limitation of Damages**: The Parties agree that Producer's remedies for any claims asserted against Paonia shall be limited to proven direct damages in an amount to exceed amounts due under the Agreement and that the Town shall not be liable for indirect, incidental, special, consequential or punitive damages, including but not limited to lost profits.
- A.9. **No Third-Party Beneficiaries**: Nothing contained in this Agreement is intended to or shall create a contractual relationship with cause of action in favor of, or claim for relief for, any third party, including any agent, sub-consultant or sub-contractor of Producer. Absolutely no third-party beneficiaries are intended by this Agreement. Any third-party

receiving a benefit from this Agreement is an incidental and unintended beneficiary only.

- A.10. Governing Law, Venue, and Enforcement:** This Agreement shall be governed by and interpreted according to the law of the State of Colorado. Venue for any action arising under this Agreement shall be in the appropriate court for Custer County, Colorado. To reduce the cost of dispute resolution and to expedite the resolution of disputes under this Agreement, the Parties hereby waive any and all right either may have to request a jury trial in any civil action relating primarily to the enforcement of this Agreement. The Parties agree that the rule that ambiguities in a contract are to be construed against the drafting party shall not apply to the interpretation of this Agreement. If there is any conflict between the language of this Agreement and any exhibit or attachment, the language of this Agreement shall govern.
- A.11. Survival of Terms and Conditions:** The Parties understand and agree that all terms and conditions of the Agreement that require continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.
- A.12. Assignment and Release:** All or part of the rights, duties, obligations, responsibilities, or benefits set forth in this Agreement shall not be assigned by Producer without the express written consent of Paonia. Any written assignment shall expressly refer to this Agreement, specify the particular rights, duties, obligations, responsibilities, or benefits so assigned, and shall not be effective unless approved by Paonia. No assignment shall release the Producer from performance of any duty, obligation, or responsibility unless such release is clearly expressed in such written document of assignment.
- A.13. Severability:** Invalidation of any of the provisions of this Agreement or any paragraph sentence, clause, phrase, or word herein or the application thereof in any given circumstance shall not affect the validity of any other provision of this Agreement.

CONTRACTOR:

Sign: _____

Name: _____

Title: _____

Date: _____

Criminal Justice Information Services Security and Privacy Training



This is to certify that
MATTHEW D. WARE
has successfully completed the
Security and Privacy: Basic Role

04/16/2025

Certification Date



04/16/2026

Expiration Date

Criminal Justice Information Services Security and Privacy Training



This is to certify that
LANDAN WRIGHT
has successfully completed the
Security and Privacy: Basic Role

04/01/2025

Certification Date



04/01/2026

Expiration Date

Welcome aboard, Colorado Complete Clean, LLC!

Thank you for participating in the Colorado Bureau of Investigation's CJIS Vendor Management Program. Your Account Application, Vendor Agreement, and contract with a Colorado criminal justice agency have been approved.

Here are the next steps for your organization.

FINGERPRINTS

The CJIS Security Policy requires each individual with access to criminal justice information (CJI) to undergo a fingerprint-based background check ([CJIS Security Policy, section 5.12](#)).

Please see the attachment titled Fingerprinting Instructions to learn how to submit fingerprints for each staff member with CJIS access.

The fingerprint account number assigned to your organization is COVCP0530 , and it must accompany all fingerprint submissions.

CJIS ONLINE

The CJIS Security Policy requires that each individual with direct, indirect, or incidental access to criminal justice information must be fingerprinted and complete Security Awareness Training ([CJIS Security Policy, section 5.2](#)). As the Vendor Administrator designated in your organization's Vendor Agreement, you are responsible for ensuring participating employees submit their fingerprints to the CBI and that they take their Security Awareness Test in CJIS Online as required by the Policy.

Your CJIS Online login information is below:

Website: <http://www.cjisonline.com>

Username: info@coloradocompletenessclean.com

Password: 1password

Log into CJIS Online immediately to change your password.

Refer to the attached user guide to learn how to set up your employees, which will need to be done before sending their fingerprints to the CBI.

Also attached is a user guide for vendor employees who need to log into CJIS Online to take their Security Awareness Training and Test; please feel free to provide this document to your personnel.

HELP SPREAD THE WORD

When you contract with Criminal Justice Agencies, make sure to tell them you are enrolled in the CBI CJIS Vendor Management Program. There are steps these agencies need to take if they contract with you, so telling them you are enrolled will make sure everyone stays in compliance.

Once again, thank you for your participation! If you have any questions, please contact us at cdps.cbi.cjisvendors@state.co.us.



Fingerprinting Instructions for Vendor Management Program Participants

The CBI implemented on September 24, 2018 the **Colorado Applicant Background Services (CABS)** program in response to Senate Bill 17-189. This bill authorizes, under the management of the CBI, third party vendors to print and submit non-criminal applicant fingerprints to the state.

Applicants are required to pre-enroll and schedule an appointment to have their fingerprints taken and submitted electronically to CBI for processing. To better serve all Colorado citizens, enrollment sites have been strategically placed throughout Colorado.

In the event an applicant resides outside of Colorado or is physically unable to visit an enrollment location, they will submit their fingerprints to our vendor for cardscan conversion processing (see link below for instructions). This process will convert physical fingerprint cards to allow these submissions to be processed electronically utilizing the CABS program.

	Website	Fees	Service Code	Mail-In Option
IdentoGo	https://uenroll.identogo.com/workflows/25YR99	\$39.50 CBI fee + IdentoGo fee	25YR99	Visit https://uenroll.identogo.com/workflows/25YR99/hardcard/bio for instructions.
Colorado Fingerprinting	http://www.coloradofingerprinting.com/cabs/	\$39.50 CBI fee + Colorado Fingerprinting fee	0530VCPI	Visit https://www.coloradofingerprinting.com/cabs/ Applicants register online, select "out-of-state applicant" and pay for their order online. Mail fingerprint card with order receipt to Colorado Fingerprinting for processing at 110 16th St, 8th Floor, Denver, CO 80202.

Fingerprint processing times are typically less than 24 hours for the fingerprint processing; up to an additional week for further screening and authorization into the Vendor Management Program. Please bear in mind that, even if the fingerprint processing is complete, there is still an additional review process conducted by the CBI for enrollment into the program. An applicant to the Vendor Management Program is not considered authorized until the Vendor Administrator receives an email declaring them as such.

In the rare instance that fingerprints are rejected for poor print quality, the applicant will be notified and instructed to reschedule an appointment at no charge.

If your company has elected to set up an invoiced account with the CBI in the past, the CBI will no longer be invoicing you directly. Payment to cover CBI/FBI processing as well as the fingerprint capture fee will be collected by the fingerprint vendor.

For more information, visit the Colorado Bureau of Investigation website:

- Fingerprints and CABS: <https://www.colorado.gov/pacific/cbi/employment-background-checks>
- Vendor Management Program: <https://cbi.colorado.gov/sections/cjis-security/cjis-vendor-management-program>



COLORADO

Bureau of Investigation

Department of Public Safety

CJIS ONLINE

Guide for Vendor Administrators

This Guide Includes:

How to set up and manage users at your organization for CJIS
Online Security Awareness Training.

Published by:

Colorado Bureau of Investigation | Crime Information Management Unit
cdps.cbi.ccic@state.co.us | (303) 239-4222

Last Updated:

December 2019
Version 5.2

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For more topics, please see our catalog of System User Guides on CJIS Portal.

CHANGE MANAGEMENT

Historical changes prior to 2017 can be requested from the CBI Crime Information Management Unit at cdps.cbi.ccic@state.co.us.

Version	Publish Date	Approved by
5.0	December 6, 2018	Emily C. Philip CJIS Information Security Officer/CCIC Supervisor
Summary of Changes		
- Added branding and formatting changes. - Removed any outdated/inaccurate information. - Updated Message Field Codes and Police Authority Levels for all forms. - Added links to other chapters, policies, reference material, and outside resources as needed. - Changed language from Vendor Services Coordinator to Vendor Administrator.		

Version	Publish Date	Approved by
5.1	January 22, 2019	Emily C. Philip CJIS Information Security Officer/CCIC Supervisor
Summary of Changes		
Revised instructions and screen shots to accommodate changes to CJIS Online.		

Version	Publish Date	Approved by
5.2	December 5, 2019	Emily C. Philip CJIS Information Security Officer/CCIC Supervisor
Summary of Changes		
Revised instructions and screen shots to accommodate login changes to CJIS online.		

INTRODUCTION

The CJIS Security Policy states that “basic security awareness training shall be required within six months of initial assignment, and biennially thereafter, for all personnel who have access to CJI to include all personnel who have unescorted access to a physically secure location. [...] Records of individual basic security awareness training and specific information system security training shall be documented, kept current, and maintained.”

The CJIS Online utility is an optimal way to provide, certify, and track Security Awareness Training, and is required for vendors participating in the Colorado Bureau of Investigation’s CJIS Vendor Management Program. This utility is offered free of charge.

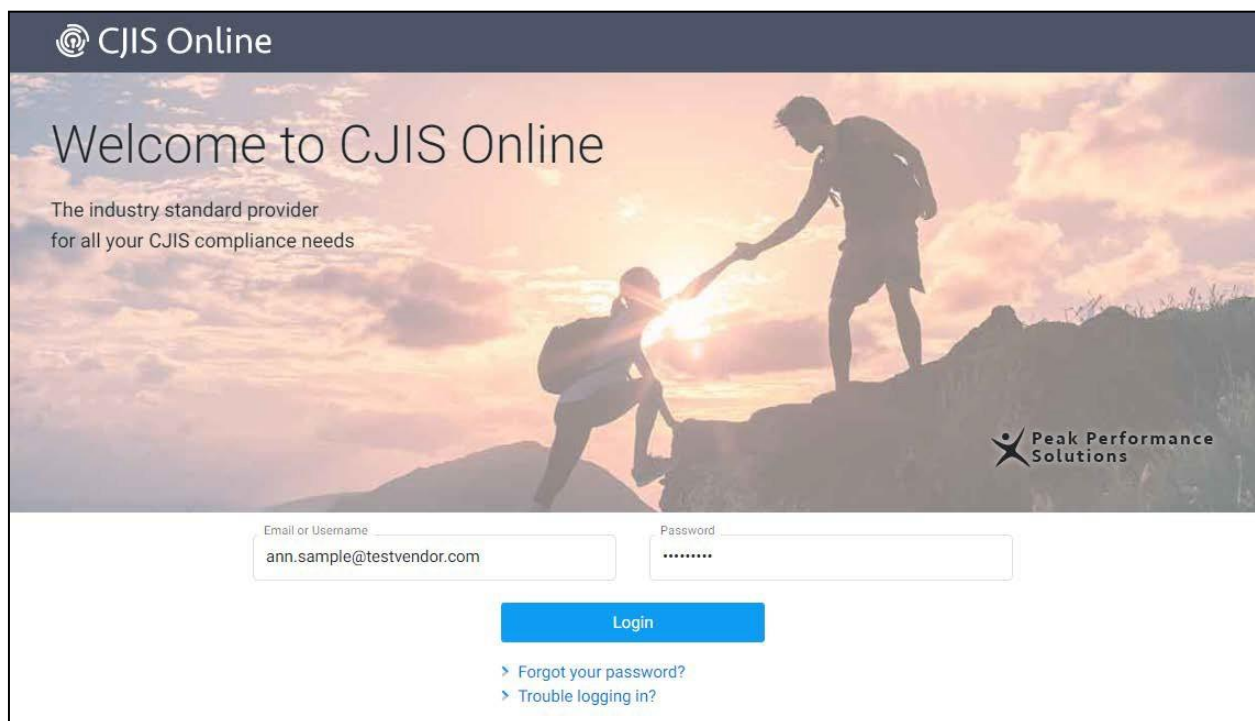
After the organization’s fingerprint/billing account is established, the CBI will create a Vendor Access account in CJIS Online and provide administrative access to the Vendor Administrator identified in the User Agreement and Account Application.

This guide is designed for the Vendor Administrator in order to assist with adding, modifying, tracking, and deactivating personnel.

Please contact the Colorado Bureau of Investigation at cdps.cbi.cjisvendors@state.co.us for any questions about this guide or the Vendor Management Program.

LOGGING IN

To log in as a Vendor Administrator, first visit www.cjisonline.com. Log in with your email address and the default password provided to you in your onboarding email. If you do not know your password, click **Forgot Your Password?** or contact the CBI.



CJIS Online

Welcome to CJIS Online

The industry standard provider
for all your CJIS compliance needs

Peak Performance
Solutions

Email or Username
ann.sample@testvendor.com

Password

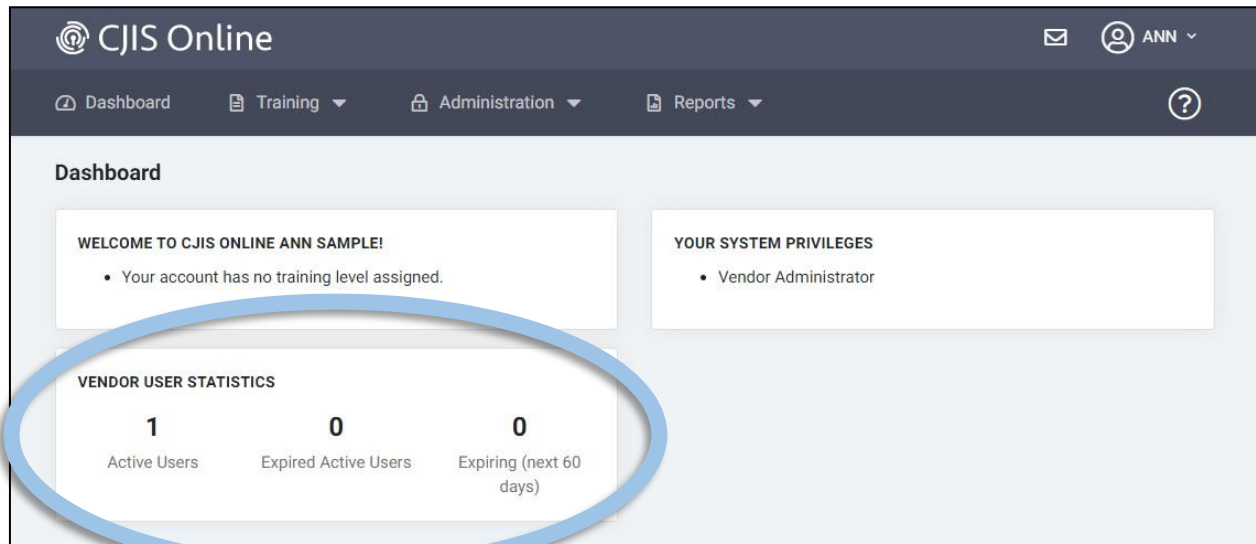
Login

[Forgot your password?](#)
[Trouble logging in?](#)

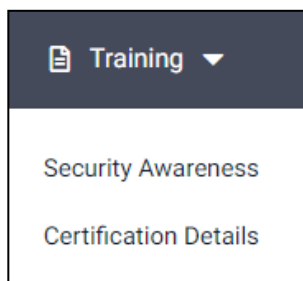
The first time you log in, you will be asked to reset your password, and to review your information to make sure everything is correct.

DASHBOARD

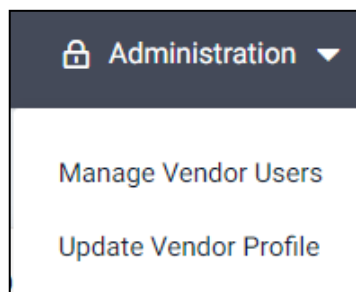
The dashboard for all Vendor Administrators displays basic user statistics upon login.



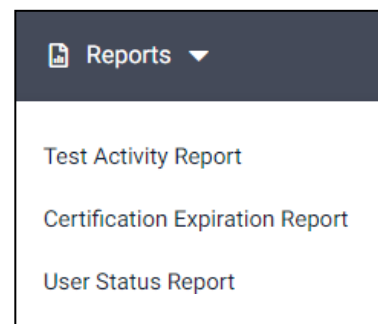
These menu options are available at the top of the dashboard:



The Training menu allows the Vendor Administrator to access **their own training and testing** (if needed), as well as the ability to view their past certifications.



The Administration menu allows the Vendor Administrator to add, modify, and deactivate their own users, and to update their company information.



The Reports menu allows the Vendor Administrator report-building functions to see which users have taken tests or are soon expiring.

ADDING AND MANAGING USERS

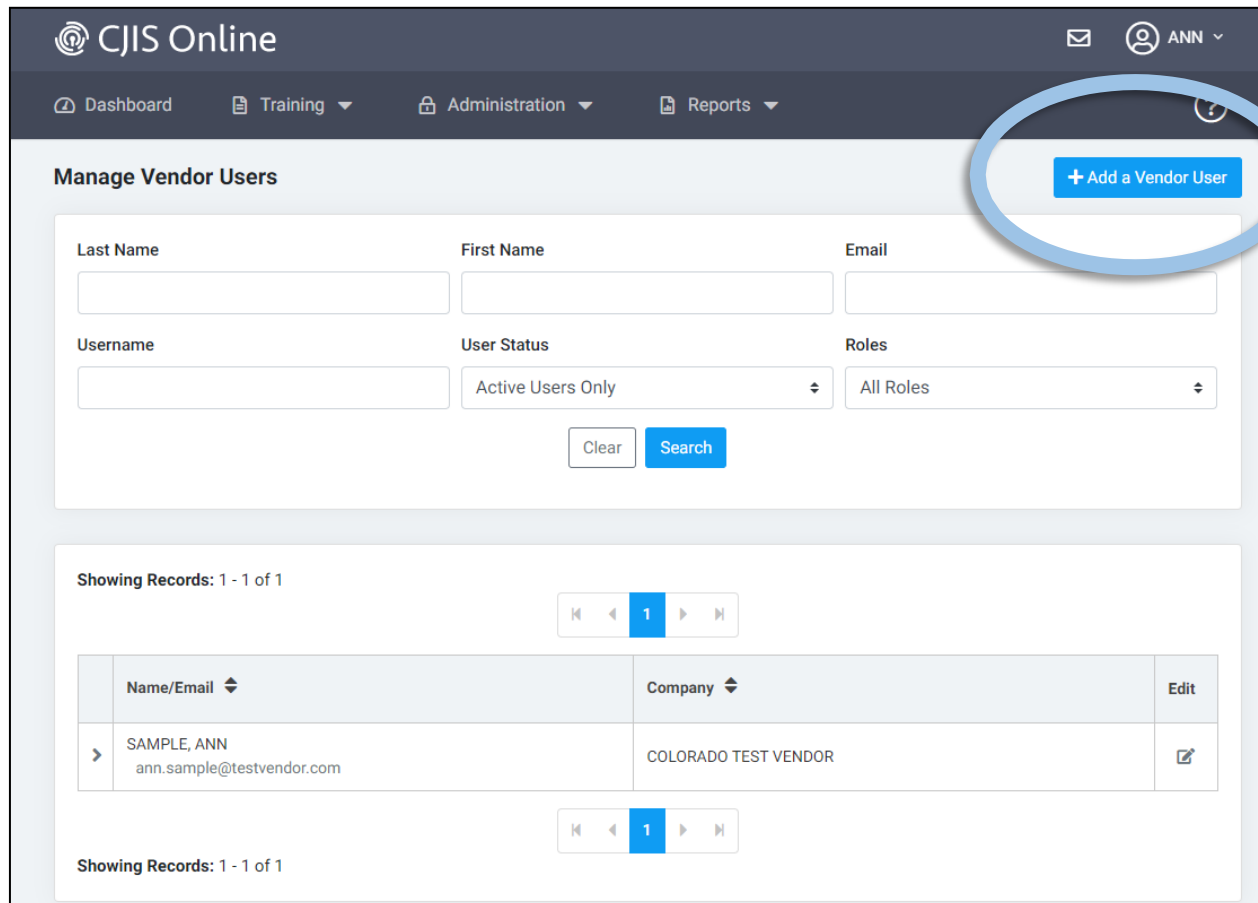
To manage users, click on the **Administration** menu and select **Manage Vendor Users**.

By default, you will see a list of all employees listed under your vendor account.

You can search for employees added under your vendor account, and choose to filter by active and inactive. You can also add new users.

Adding a User

To add a user, click on the **Add a Vendor User** button.



The screenshot shows the 'Manage Vendor Users' page in the CJIS Online system. The top navigation bar includes 'Dashboard', 'Training', 'Administration', and 'Reports'. The 'Administration' menu is expanded, showing 'Manage Vendor Users'. A blue button labeled '+ Add a Vendor User' is circled in blue. Below the button is a search form with fields for 'Last Name', 'First Name', 'Email', 'Username', 'User Status' (set to 'Active Users Only'), and 'Roles' (set to 'All Roles'). There are 'Clear' and 'Search' buttons. Below the search form is a table with one record for 'SAMPLE, ANN' from 'COLORADO TEST VENDOR'. The table has columns for 'Name/Email', 'Company', and 'Edit'. The 'Edit' column contains a pencil icon. The table is paginated to show 1 of 1 records.

Name/Email	Company	Edit
SAMPLE, ANN ann.sample@testvendor.com	COLORADO TEST VENDOR	

Complete all personal details for the user as prompted.

A person's CJIS Online username will be their email address. This is preferred because they will receive email notifications regarding their certification status.

If they do not have an email address, tick the box for "This user does not have an Email Address", and create a username for them. We recommend a combination of the first and last name (e.g., terrysample or tsample).

When you are finished, click **Next**.

User Information

Select Company *

COLORADO TEST VENDOR

Choose a company or enter a name to search for a company

Last Name *

Sample

First Name *

Terry

Middle Name

Phone

303-555-9876

Phone Ext

Account Information

☐ This user does not have an Email Address

Email *

terry.sample@testvendor.com

Confirm Email *

terry.sample@testvendor.com

Username

When adding a user, Username is reserved for the user to set unless this user does not have an email

Password *

Confirm Password *

The password must be 8-20 characters long, must contain at least 1 letter and 1 number and not begin or end with a space.

Next →

Role Assignments

When creating a new user, it's important to select the correct Role Assignment.

CJIS Online ✉ 👤 CORNELIA

[Dashboard](#) [Training](#) [Administration](#) [Reports](#) [?](#)

Add a Vendor User [← Return to Search](#)

1 Account Details **2 Roles**

Security Training Access

- ☒ **Level 1 CJIS Security Training** **Personnel with Unescorted Access to a Physically Secure Location**
(This level is designed for people who have access to a secure area but are not authorized to use CJI.)
- ☐ **Level 2 CJIS Security Training** **All Vendors with Access to CJI**
(This level is designed for vendors who do not have physical and logical access to CJI but may encounter it in their duties)
- ☐ **Level 4 CJIS Security Training** **Vendors with Information Technology Roles**
(This level is designed for all vendors with information technology roles including system administration, security administration, network administration, etc...)
- ☐ **Remove Security Training Access** Removing Security Training Access from a User disallows them from logging in to take Training, and excludes them from Certification Expiration Reports and Notifications.

Vendor Admin Access

- ☒ **No Vendor Admin Access** The user will not be able to manage other users in their company
- ☐ **Vendor Admin Access** Allows the vendor user to manage other users in their company

[← Previous](#) [Create User](#)

In accordance with to the CJIS Security Policy, different levels of access to criminal justice information require different types of training.

Naturally, someone who has more of an information technology role at the organization would require more in-depth training than someone who may simply encounter a printout of a criminal history during the course of their duties.

Read the Level Assignment descriptions and determine which level applies to the employee.

Note: the Level 1 training and testing is available in both English and Spanish. The employee will choose which one they prefer when they log in.

Vendor Admins can elect to set up additional admins to assist them with managing employees; this is done by selecting the Vendor Admin Access button.

Credentials

Each user you add will log in with their username and a password that you create.

Please note, when you add a new user to CJIS Online, it does NOT send an automatic notification to the user with their login information. Vendor Admins will need to provide these new login credentials to employees.

A possible email template you can use is:

Dear [Employee Name],

The CJIS Security Policy written by the Federal Bureau of Investigation (FBI) requires that all individuals working for or within a criminal justice agency take routine Security Awareness Training if their duties put them in contact with Criminal Justice Information (CJI).

A CJIS Online account has been created for you to take the necessary training and testing required for your position.

Your credentials are as follows:

Username:

Password:

Please log into www.cjisonline.com to change your password immediately. You are required to take the necessary training within 6 months, and two years thereafter as long as you are in a position where Criminal Justice Information is being accessed.

Editing or Viewing Existing Users

To view or edit employee data, click on the **Administration** menu and select **Manage Vendor Users**. All users under your account will be displayed. You can use the search function to narrow down the display. Click **Edit** to view or modify employee information.

CJIS Online

Dashboard Training Administration Reports

Manage Vendor Users [+ Add a Vendor User](#)

Last Name First Name Email

Username User Status Roles

Active Users Only All Roles

Clear Search

Showing Records: 1 - 2 of 2

Name/Email	Company	Edit
SAMPLE, ANN ann.sample@testvendor.com	COLORADO TEST VENDOR	Edit
SAMPLE, TERRY terry.sample@testvendor.com	COLORADO TEST VENDOR	

Showing Records: 1 - 2 of 2

Editing a User

On the employee profile page, you have the option to edit their name, email address/username, and roles (click Save User when you are finished). You also have the ability to deactivate the employee (see below).

Viewing User Details

When an employee successfully completes their Security Awareness Test, their certification will display under the Certification Details tab. You can view their completion grade, as well as a copy of their certificate of completion.

CJIS Online [Email Icon] [User: ANN]

Dashboard Training Administration Reports

Edit Vendor User [Return to Search]

✓ SAMPLE, TERRY

Account Roles **Certification Details**

Certifications

[Show Full Certification History](#)

Certification Level	Expiration Date	Grade	Score	Certificate
Level 2 CJIS Security Training	December 12, 2021	Pass	96.0%	With Border No Border

Documents [Upload]

Document Type	Upload Date	File Type	Delete	View
SECURITY ADDENDUM CERTIFICATION	December 05, 2019	PDF		

1

Please note: there is a Fingerprinting section on this page. You may see data entered here from other states (if your company has customers there), but **Colorado does not use this function**. If you need to confirm whether fingerprints are complete for this employee, contact the CBI at cdps.cbi.cjisvendors@state.co.us.

Security Addendum Certification Signature Page

What Does This Mean?

If your company is what we call a CJIS Access Vendor¹, then **each one of your employees** with unescorted access to unencrypted CJI shall sign the Security Addendum Certification Page, per section 5.1.1.5 of CJIS policy. Your customers will request these signature pages from you, as will the CBI during an audit.

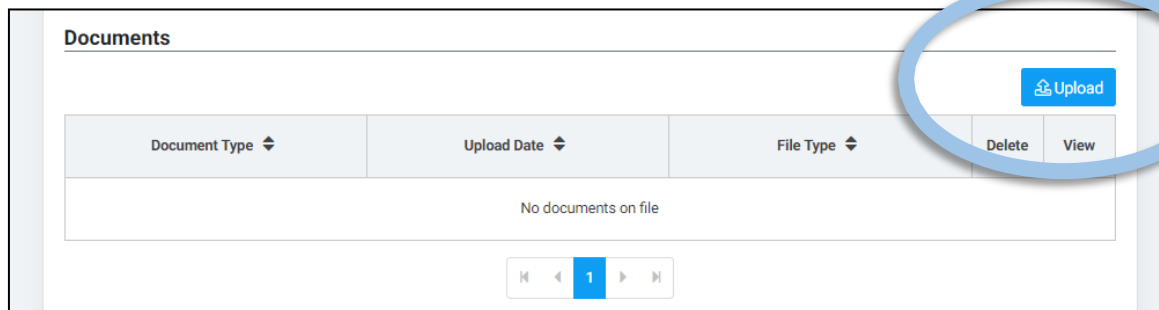
Effective 2019, CJIS Online provides a convenient way to upload and store these signature pages. If you choose to use this resource, follow these steps.

Note: if your company is a CJIS Support Vendor, this is not required.

Not sure what this document is? Please visit our [CJIS Security Resources](#) page, where you can find the [Certification Signature page](#) itself, as well as [how it differs from the CJIS Security Addendum](#).

Uploading the Certification Signature Page

When you are in an employee profile (either immediately after you add them, or if you are editing an existing profile), you will see a Certification Details tab. The middle section of this page—labeled Documents—allows you to upload the Security Addendum Certification page.



Choose the Document type (as of 2019, “Security Addendum Certification” is the only option).



Browse for a file, or drag it directly onto the webpage (as of 2019, the upload function only accepts .PDF files). Then click **Upload**.

You will see the newly uploaded Certification page listed on the employee profile. From here, you can choose to view or delete the file.

¹ CJIS Access Vendors are vendors who support criminal justice agencies in a way that involves a higher level of access to CJI. In short, they access CJIS systems or media intentionally as part of their job function. This would include vendors that provide services such as IT support, software solutions that process or store CJI, drive sanitation/destruction, document shredding, encryption, cloud storage, etc.

Documents				
				Upload
Document Type ▾	Upload Date ▾	File Type ▾	Delete	View
SECURITY ADDENDUM CERTIFICATION	December 05, 2019	PDF		
⏮ ⏪ 1 ⏩ ⏭				

Removing Employees

If an employee no longer works for your organization, **deactivate them and notify the CBI immediately** at cdps.cbi.cjisvenders@state.co.us. To deactivate an employee, click on User Actions in their profile. Then select **Deactivate User** from the Dropdown Menu.

The screenshot shows the 'Edit Vendor User' interface for 'SAMPLE, TERRY'. The top navigation bar includes 'CJIS Online', a search icon, and a user profile 'ANN'. Below the navigation bar are tabs for 'Dashboard', 'Training', 'Administration', and 'Reports'. The main content area has a 'Return to Search' button and a 'User Actions' dropdown menu, which is circled in blue. The 'User Information' section includes a 'Select Company' dropdown (currently showing 'COLORADO TEST VENDOR') and fields for 'Last Name', 'First Name', and 'Middle Name' (currently showing 'SAMPLE', 'TERRY', and an empty field respectively).

If they have been entered in error, contact cdps.cbi.cjisvenders@state.co.us to have them permanently removed instead of deactivated.

REPORTS

From the Vendor Admin dashboard, you will have access to different Reports options.

Test Activity Report

The Test Activity Report will display employees' test activity during a specified time frame.

The screenshot shows the 'Test Activity Report' form in the CJIS Online interface. The form includes fields for 'Begin Date *', 'End Date *', and 'Grade' (with a dropdown menu set to 'All Passes/Fails'). There is a checkbox for 'Include records from all dates'. At the bottom, there are 'Clear' and 'Run Report' buttons.

User Status Report

User Status Report will provide a list of all employees and their Security Awareness Certification status.

Enter a date range, and select whether you want to see everyone who passed their test, everyone who failed, or both.

The screenshot shows the 'User Status Report' table in the CJIS Online interface. The table has columns for Name, Status, User Level, and ExpirationDate. It displays two records: 'SAMPLE, TERRY' and 'VOLKSWAGEN, CORNELIA', both with a 'Certified' status and an expiration date of 'January 16, 2021'. The interface includes a 'Filter' dropdown set to 'Show Certified', a 'PDF' export button, and pagination controls showing 'Showing Records: 1 - 2 of 2'.

Name	Status	User Level	ExpirationDate
SAMPLE, TERRY	Certified	Level 1 CJIS Security Training	January 16, 2021
VOLKSWAGEN, CORNELIA	Certified	Level 2 CJIS Security Training	January 16, 2021

You can choose to export this list as a PDF file.

Expiration Report

The Expiration Report will display which users who are set to expire during a certain date range.

The screenshot shows the 'CJS Online' interface. At the top, there's a navigation bar with 'Dashboard', 'Training', 'Administration', and 'Reports'. The user is logged in as 'CORNELIA'. The main section is titled 'Certification Expiration Report'. It features a search bar with 'Search Again' and buttons for 'Clear Results' and 'Edit Filter'. Below this, it shows 'Showing Records: 1 - 1 of 1'. A table displays one record for 'VOLKSWAGEN, CORNELIA' with an expiration date of 'January 16, 2021'. The table has columns for 'Name/Email', 'Company', 'Test Level', and 'Expiration Date'.

Name/Email	Company	Test Level	Expiration Date
VOLKSWAGEN, CORNELIA corneliavolkswagen@abcvendor.com	ABC VENDOR	Level 2 CJS Security Training	January 16, 2021

Employees will be notified by email 60 days in advance of when their certification is going to expire.

Please note, it is a condition of access to Criminal Justice Information Systems—and, in turn, participation in the Vendor Management Program—for these employees to keep their certificates active. When the CBI audits participating vendors, active and elapsed certifications are things we will review.



COLORADO

Bureau of Investigation

Department of Public Safety

CJIS ONLINE

Guide for Vendor Employees

This Guide Includes:

How to log into CJIS Online to take Security Awareness training, and to test for certification.

Published by:

Colorado Bureau of Investigation | Crime Information Management Unit
cdps.cbi.ccic@state.co.us | (303) 239-4222

Last Updated:

December 2019
Version 5.2

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CHANGE MANAGEMENT

Historical changes prior to 2017 can be requested from the CBI Crime Information Management Unit at cdps.cbi.ccic@state.co.us.

Version	Publish Date	Approved by
5.0	December 6, 2018	Emily C. Philip CJIS Information Security Officer/CCIC Supervisor
Summary of Changes		
- Added branding and formatting changes. - Removed any outdated/inaccurate information. - Updated Message Field Codes and Police Authority Levels for all forms. - Added links to other chapters, policies, reference material, and outside resources as needed. - Changed language from Vendor Services Coordinator to Vendor Administrator.		

Version	Publish Date	Approved by
5.1	January 16, 2019	Emily C. Philip CJIS Information Security Officer/CCIC Supervisor
Summary of Changes		
Revised instructions and screen shots to accommodate changes to CJIS Online.		

Version	Publish Date	Approved by
5.2	December 5, 2019	Emily C. Philip CJIS Information Security Officer/CCIC Supervisor
Summary of Changes		
Revised instructions and screen shots to accommodate login screen changes to CJIS Online.		

INTRODUCTION

The CJIS Security Policy states that “basic security awareness training shall be required within six months of initial assignment, and biennially thereafter, for all personnel who have access to CJI to include all personnel who have unescorted access to a physically secure location. [...] Records of individual basic security awareness training and specific information system security training shall be documented, kept current, and maintained.”

The CJIS Online utility is an optimal way to provide, certify, and track Security Awareness Training, and is required for vendors participating in the Colorado Bureau of Investigation’s CJIS Vendor Management Program. This utility is offered free of charge.

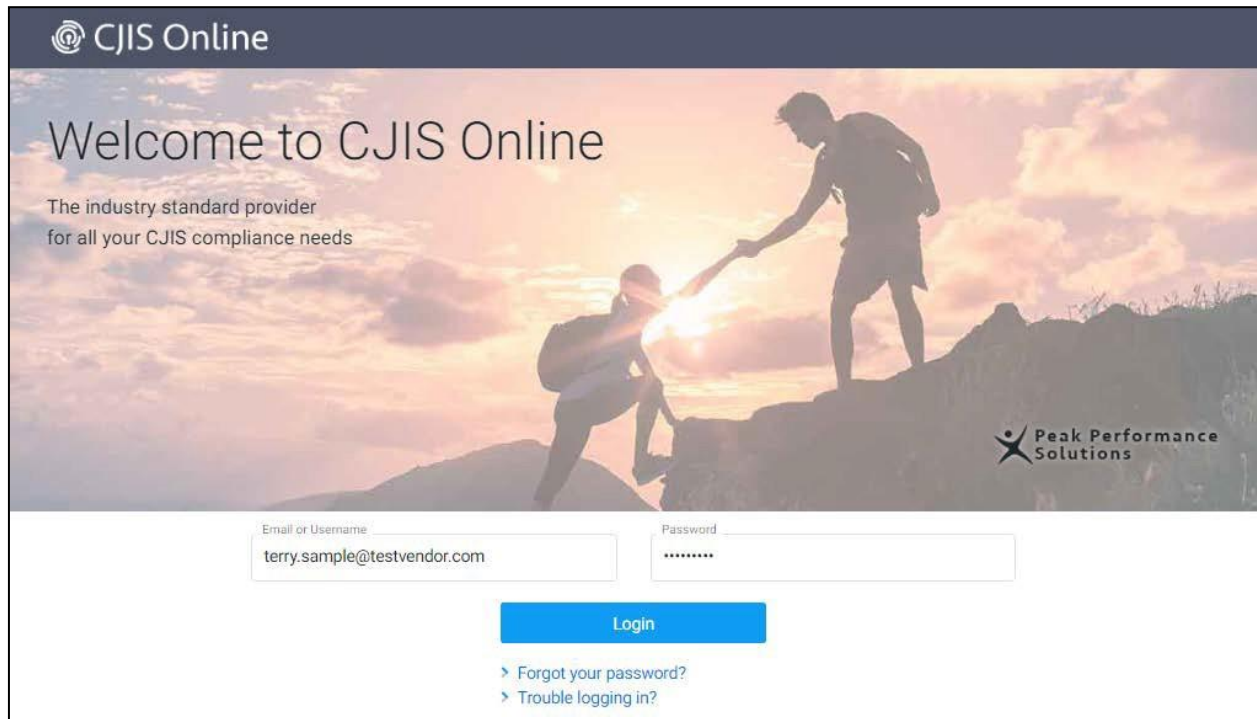
This guide is designed for the Vendor Employee whose organization is enrolled in this program, and illustrates how to log in, take the Security Awareness Training and Test, and view a certification history.

Please contact the Colorado Bureau of Investigation at cdps.cbi.cjisvenders@state.co.us for any questions about this guide or the Vendor Management Program.

LOGGING IN

To log in as a Vendor Employee, first visit www.cjisonline.com. Log in with your email address and the default password provided to you in your onboarding email.

If you do not know your password, click **Forgot Your Password?** or contact your company’s Vendor Administrator.



CJIS Online

Welcome to CJIS Online

The industry standard provider
for all your CJIS compliance needs

Peak Performance Solutions

Email or Username:

Password:

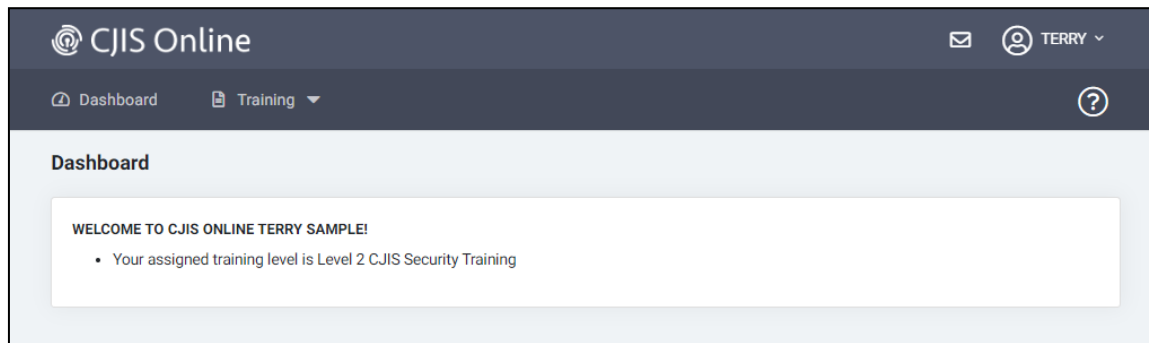
Login

> [Forgot your password?](#)
> [Trouble logging in?](#)

If it’s your first time logging in, you’ll be prompted right away to change your password.

DASHBOARD

Logging in will take you directly to the CJIS Online Dashboard.

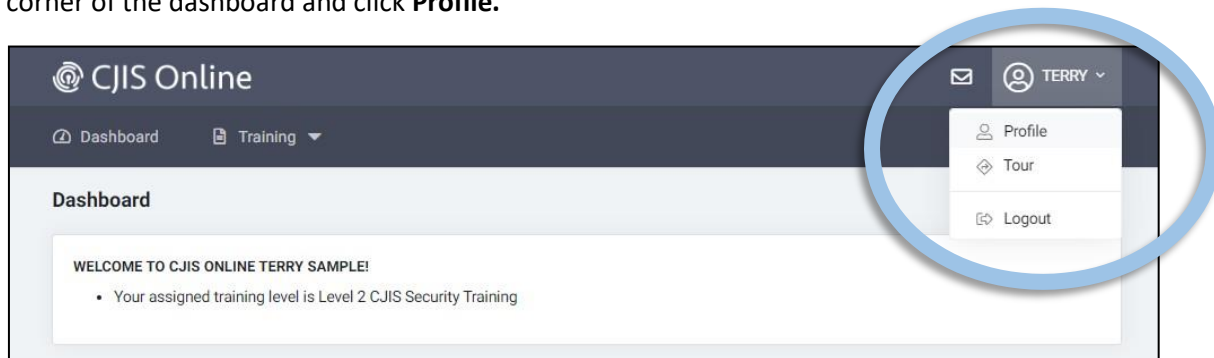


Your dashboard will tell you what level of CJIS Security Awareness training you have been assigned.

If you have already taken a certification test, your status and expiration date will display here as well.

USER INFO

If you want to change your password or any other account details, click on your name in the upper right corner of the dashboard and click **Profile**.

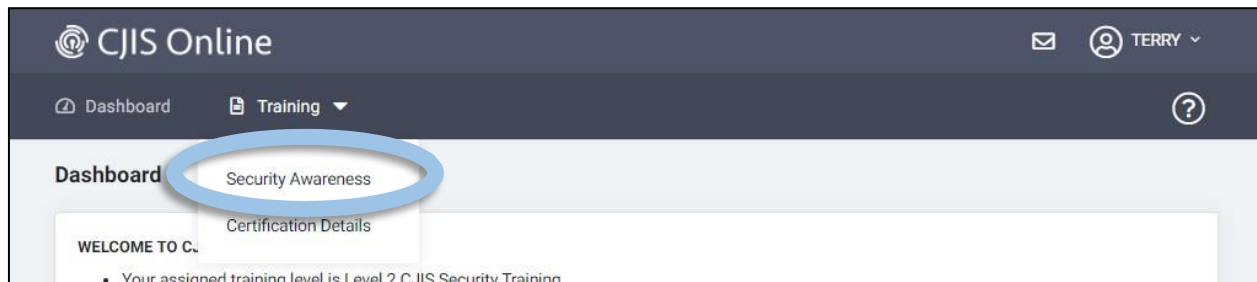


Edit the fields you want to update; then click **Save**.

User Information		
First Name	Middle Name	Last Name
TERRY		SAMPLE
Account Information		
☐ This user does not have an Email Address		
Email *	Confirm Email *	
terry.sample@testvendor.com	terry.sample@testvendor.com	
Username	Phone	Phone Ext
	303-555-9876	
Change Password		
Current Password	New Password	Confirm Password
The password must be 8-20 characters long, must contain at least 1 letter and 1 number and not begin or end with a space.		

TRAINING

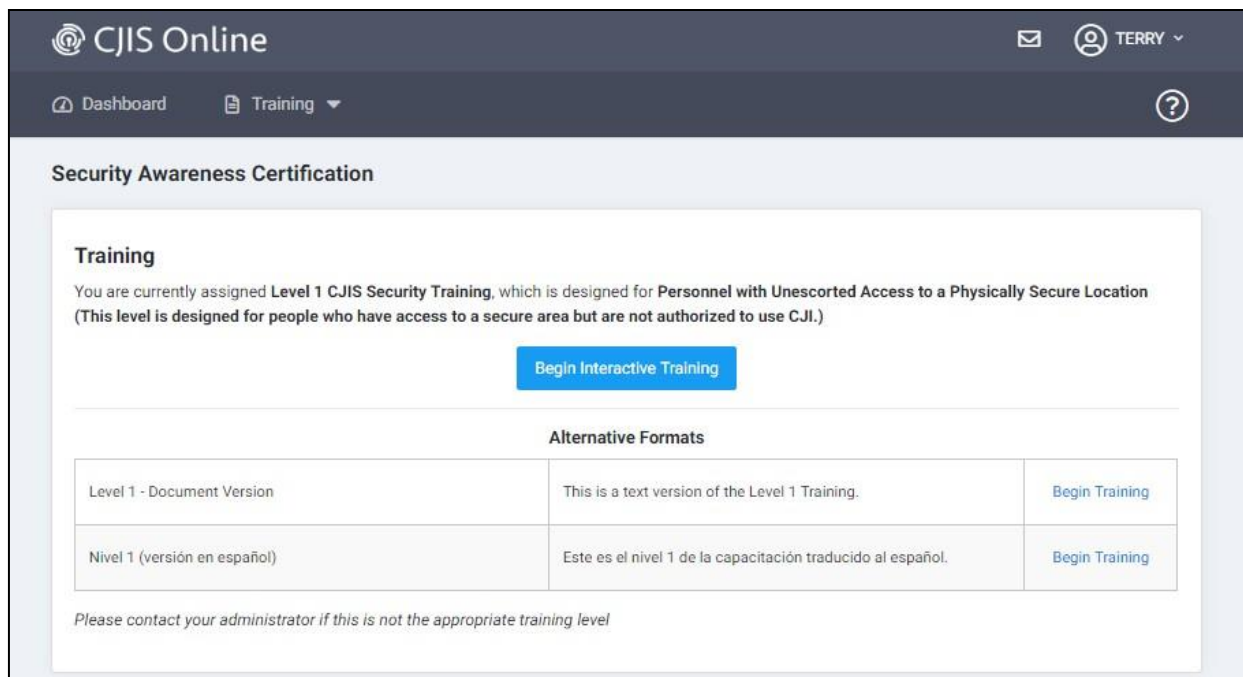
To take your training, click on the Training menu and select **Security Awareness**.



Depending on the training level assigned to you, you may see one of the following screens.

Level 1

Users with Level 1 roles have a few different options. They may take the interactive training in English, or they can view a text document that explains the basics of CJIS policy. The text document is available in both English and Spanish.



Example of the Spanish-language training:

Nivel 1 de la Capacitación en Conciencia de la Seguridad

Objetivo y descripción general

Esta capacitación está destinada a todo el personal cuyas obligaciones requieren el acceso sin acompañante a un lugar físicamente seguro que procesa o almacena Información de la Justicia Penal (CJI, por sus siglas en inglés). La siguiente información está dirigida específicamente al personal que no debe tener acceso ni debe manejar la mencionada CJI.

La Política de Seguridad del Sistema de Información de la Justicia Penal (CJIS, por sus siglas en inglés) del FBI establece que todo el personal que tenga acceso sin acompañante a una ubicación físicamente segura que procesa o almacena Información de la Justicia Penal (CJI) debe completar la capacitación en Conciencia de la Seguridad del CJIS dentro de los 6 meses posteriores a la designación o a la asignación en su puesto. Después de la capacitación inicial, debe realizar una

Levels 2-4

Users with Level 2- 4 are given an interactive training.

The screenshot shows the 'CJIS Online' interface. The top navigation bar includes 'Dashboard', 'Training', 'Administration', and 'Reports'. The user is logged in as 'CORNELIA'. The main content area is titled 'Security Awareness Certification' and contains a 'Training' section. It states: 'You are currently assigned **Level 2 CJIS Security Training**, which is designed for **All Vendors with Access to CJI** (This level is designed for vendors who do not have physical and logical access to CJI but may encounter it in their duties)'. A blue button labeled 'Begin Interactive Training' is prominently displayed. Below the button, a note reads: 'Please contact your administrator if this is not the appropriate training level'.

Training

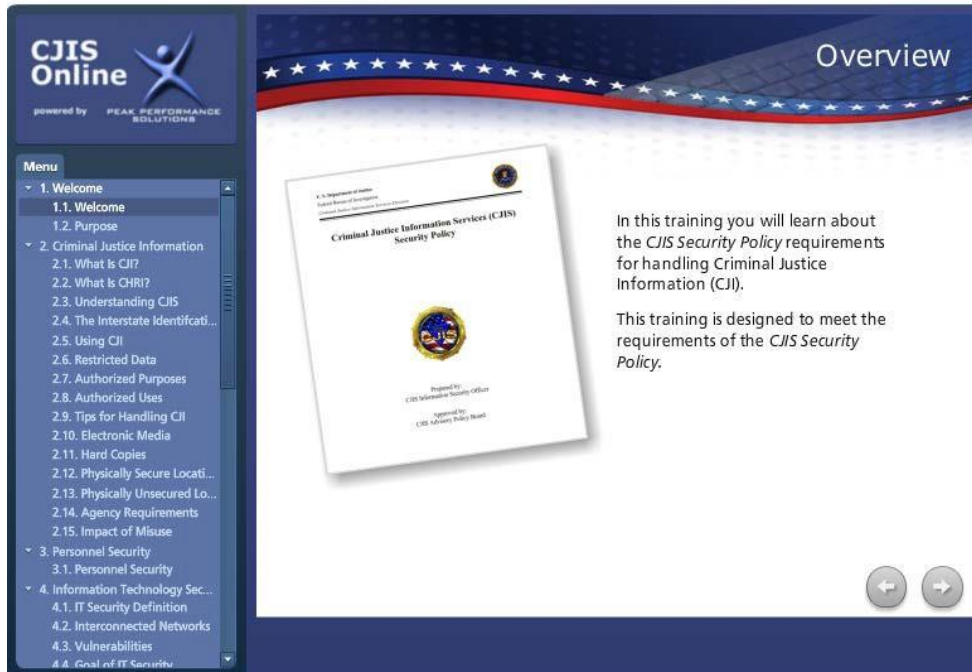
The interactive training will launch in a new window.

Once you begin your training, you'll be presented with a series of slides about Security Awareness as it relates to criminal justice information. You can take the training as often as you need to.

The information in the training is based on the [CJIS Security Policy](#), a publication by the FBI that governs the proper use and handling of criminal justice information.

Follow the prompts until you have completed the training.

Below is a screen shot of the first training slide:



TESTING

After you have completed your training, you must certify that you are now aware of CJIS policy. Again, depending on your level assignment, you may have different options.

Level 1

Users with Level 1 access only need to confirm their understanding of CJIS policy. Tick the boxes to acknowledge each statement, then click the button that says **Record Confirmation**.

Confirmation

[Version en Español](#)

You must confirm that you have completed the Level 1 Security Training and understand everything that was presented. You are required to complete the security awareness training each time you recertify. Security policies are constantly being updated and review of the training is required.

☐ I confirm that I read and understand the Level 1 Security Training.

☐ I understand that I am not authorized to access, read, handle or discuss Criminal Justice Information.

☐ I understand that unauthorized access, handling or discussion of Criminal Justice Information could result in criminal prosecution and/or termination of employment.

Record Confirmation

There is a Spanish-language version if needed; click **Version en Español**.

Levels 2-4

Users with Level 2, 3, or 4 are required to take a test. Click the **Begin Test** button to launch the test.

Test

NOTE: You will have 1 hour to complete this test once you begin

By checking below you are confirming that you have taken the necessary training for the test. Users are required to complete the security awareness training before taking the test each time. Security policies are constantly being updated, and review of the training is necessary.

☒ I have completed the required training

Begin Test

You will have 60 minutes to complete a 25-question test.

Test Timer

0:59:16

Close

POWERED BY
nexTEST

3

Custodial workers that access the terminal area must have a fingerprint background check done and training unless they are escorted in these areas.

True

False

When you are finished, you will be given your score.

Close

100%

Congratulations!

i

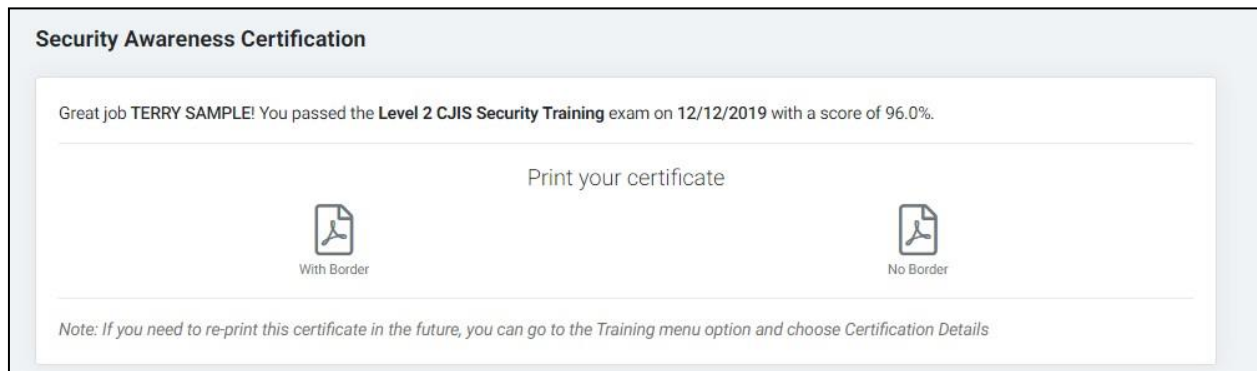
As identified by your logon, **CORNELIA VOLKSWAGEN**, you completed the **Level 2 CJIS Security Test** exam on **January 16, 2019**. You answered 25 out of 25 questions correctly and achieved a score of **100%**.

Time it took to complete the exam: 3 Minute(s) 32 Second(s)

Please click 'Close' at the top right when you are finished.

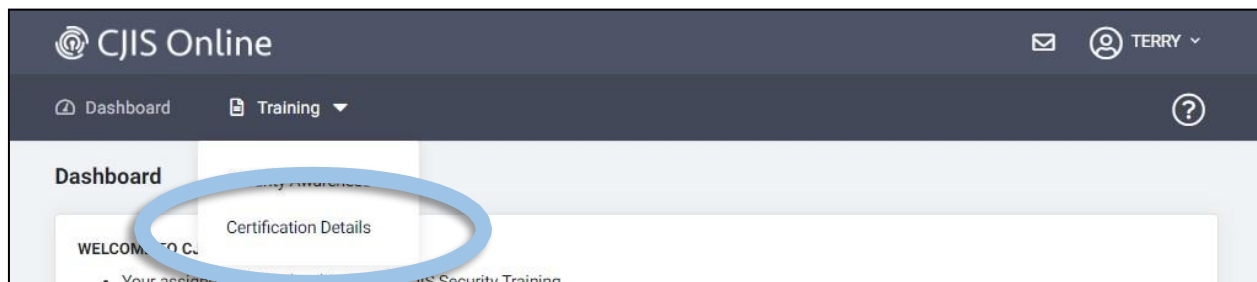
Congratulations! You answered all the questions correctly.

You also have the option to print your Certificate of Completion.



CERTIFICATION DETAILS

Certification Details shows you how many times you have taken the Security Awareness test—to include passes and fails—and allows you to download your certificates again if you need them.



It also displays your deadline for taking the test again. According to the CJIS Security Policy, vendors who access criminal justice information need to renew their Security Awareness Certification **every two years**.

Certification Details for TERRY SAMPLE				
Certifications				
Show Full Certification History				
Certification Level	Expiration Date	Grade	Score	Certificate
Level 2 CJIS Security Training	December 12, 2021	Pass	96.0%	With Border No Border
Documents				
Document Type	Upload Date	File Type	View	
SECURITY ADDENDUM CERTIFICATION	December 05, 2019	PDF		

If there is no document in the Documents section called “Security Addendum Certification”, see your Vendor Administrator. They will have you sign this form, and then upload it into your profile for you.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/31/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hiscox Inc. 5 Concourse Parkway Suite 2150 Atlanta GA, 30328	CONTACT NAME: PHONE (A/C No. Ext): (888) 202-3007 E-MAIL ADDRESS: contact@hiscox.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: Hiscox Insurance Company Inc INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 10200
INSURED Colorado Complete Clean 111 Fox Street Bennett, CO 80102		

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y	Y	P102.873.201.2	01/19/2025	01/19/2026	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ S/T Gen. Agg.
							\$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N ☐	N / A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**Town of Paonia
214 Grand Ave.
Paonia, CO 81428

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Western Surety Company

JANITORIAL SERVICE BOND Bond No. 67434206

In consideration of an agreed premium, Western Surety Company, a South Dakota corporation, hereby agrees to indemnify Colorado Complete Clean, LLC

of 111 FOX ST, BENNETT, CO 80102

(the "Obligee"), against loss of money or other property, real or personal, belonging to any and all subscribers (the "Subscriber") to its services, or in which the Subscriber has a pecuniary interest, or for which the Subscriber is legally liable, which the Subscriber shall sustain as the result of any fraudulent or dishonest act, as hereinafter defined, of an Employee or Employees of the Obligee acting alone or in collusion with others, and for which the Obligee is liable, the amount of indemnity on each of such Employees being Ten Thousand and 00/100

DOLLARS (\$10,000.00).

THE FOREGOING AGREEMENT IS SUBJECT TO THE FOLLOWING CONDITIONS AND LIMITATIONS:

TERM OF BOND:

SECTION 1. The term of this bond begins with the 1st day of April, 2025, at 12:00 o'clock night, standard time, at the address of the Obligee above given, and ends at 12:00 o'clock night, standard time, on the effective date of the cancellation of this bond in its entirety.

DISCOVERY PERIOD:

SECTION 2. Loss is covered under this bond only (a) if sustained through any act or acts committed by any Employee of Obligee while this bond is in force as to such Employee, and (b) if discovered prior to the expiration or sooner cancellation of this bond in its entirety as provided in Section 11, or from its cancellation or termination in its entirety in any other manner, whichever shall first happen.

DEFINITION OF EMPLOYEE:

SECTION 3. The word Employee or Employees, as used in this bond, shall be deemed to mean, respectively, one or more of the natural persons (except directors or trustees of the Obligee, if a corporation, who are not also officers or employees thereof in some other capacity) while in the regular service of the Obligee in the ordinary course of the Obligee's business during the term of this bond, and whom the Obligee compensates by salary or wages and has the right to govern and direct in the performance of such service, for whom a premium has been paid, and who are engaged in such service within any of the States of the United States of America, or within the District of Columbia, Puerto Rico, the Virgin Islands, or elsewhere for a limited period, but not to mean brokers, factors, commission merchants, consignees, contractors, or other agents or representatives of the same general character.

FRAUDULENT OR DISHONEST ACT:

SECTION 4. A FRAUDULENT OR DISHONEST ACT OF AN EMPLOYEE OF THE OBLIGEE SHALL MEAN AN ACT WHICH IS PUNISHABLE UNDER THE CRIMINAL CODE IN THE JURISDICTION WITHIN WHICH ACT OCCURRED, FOR WHICH SAID EMPLOYEE IS TRIED AND CONVICTED BY A COURT OF PROPER JURISDICTION.

MERGER OR CONSOLIDATION:

SECTION 5. If any natural persons shall be taken into the regular service of the Obligee through merger or consolidation with some other concern, the Obligee shall give the Surety written notice thereof and shall pay an additional premium on any increase in the number of Employees covered under this bond as a result of such merger or consolidation computed pro rata from the date of such merger or consolidation to the end of the current premium period.

NON-ACCUMULATION OF LIABILITY:

SECTION 6. Regardless of the number of years this bond shall continue in force and the number of premiums which shall be payable or paid, the liability of the Surety under this bond shall not be cumulative in amounts from year to year or from period to period.

LIMIT OF LIABILITY UNDER THIS BOND AND PRIOR INSURANCE:

SECTION 7. With respect to loss or losses caused by an Employee or which are chargeable to such Employee as provided in Section 4 and which occur partly under this bond and partly under other bonds or policies issued by the Surety to the Obligee or to any predecessor in interest of the Obligee and terminated or cancelled or allowed to expire and in which the period for discovery has not expired at the time any such loss or losses thereunder are discovered, the total liability of the Surety under this bond and under such other bonds or policies shall not exceed, in the aggregate, the amount carried under this bond on such loss or losses or the amount available to the Obligee under such other bonds or policies, as limited by the terms and conditions thereof, for any such loss or losses, if the latter amount be the larger.

DEDUCTIBLE:

SECTION 8. The Surety shall not be liable under this bond on account of any loss or losses through fraudulent or dishonest acts committed by any Employee of Obligee, unless the amount of such loss or losses, after deducting the net amount of all reimbursement and/or recovery, including any cash deposit taken by the Obligee, obtained or made by the Obligee or the Surety on account thereof, prior to payment by the Surety of such loss or losses, shall be in excess of ONE HUNDRED DOLLARS (\$100.00), and then for such excess only, but in no event for more than the amount of insurance carried on such Employee under this bond. If more than one Employee commits the fraudulent or dishonest act resulting in such loss or losses, said deductible amount shall apply to each Employee so involved.

Form 1375-8-2023

SALVAGE:

SECTION 9. If the Oblige shall sustain any loss or losses covered by this bond which exceed the amount of coverage provided by this bond, the Oblige shall be entitled to all recoveries, except from suretyship, insurance, reinsurance, security or indemnity taken by or for the benefit of the Surety, by whomsoever made, on account of such loss or losses under this bond until fully reimbursed, less the actual cost of effecting the same; and less the amount of the deductible carried on the Employee causing such loss or losses; and any remainder shall be applied to the reimbursement of the Surety.

CANCELLATION AS TO ANY EMPLOYEE:

SECTION 10. This bond shall be deemed cancelled as to any Employee: (a) immediately upon discovery by the Oblige, or by any partner or officer thereof not in collusion with such Employee, of any fraudulent or dishonest act on the part of such Employee; or (b) at 12:00 o'clock night, standard time, upon the effective date specified in a written notice served upon the Oblige or sent by mail. Such date, if the notice be served, shall be not less than ten (10) days after such service, or, if sent by mail, not less than fifteen (15) days after the mailing. The mailing by Surety of notice, as aforesaid, to the Oblige at its principal office shall be sufficient proof of notice.

CANCELLATION AS TO BOND IN ITS ENTIRETY:

SECTION 11. This bond shall be deemed cancelled in its entirety at 12:00 o'clock night, standard time, upon the effective date specified in a written notice served by the Oblige upon the Surety or by the Surety upon the Oblige, or sent by mail. Such date, if the notice be served by the Surety, shall be not less than ten (10) days after such service, or if sent by the Surety by mail, not less than fifteen (15) days after the date of mailing. The mailing by the Surety of notice, as aforesaid, to the Oblige at its principal office shall be sufficient proof of notice. The Surety shall refund to the Oblige the unearned premium computed pro rata if this bond be cancelled at the instance of the Surety, or at short rates if cancelled or reduced at the instance of the Oblige.

PRIOR FRAUD, DISHONESTY OR CANCELLATION:

SECTION 12. No Employee, to the best of the knowledge of the Oblige, or of any partner or officer thereof not in collusion with such Employee, has committed any fraudulent or dishonest act in the service of the Oblige or otherwise. If prior to the issuance of this bond, any fidelity insurance in favor of the Oblige or any predecessor in interest of the Oblige and covering one or more of the Oblige's Employees shall have been cancelled as to any of such Employees by reason of (a) the discovery of any fraudulent or dishonest act on the part of such Employees, or (b) the giving of written notice of cancellation by the insurer issuing said fidelity insurance, whether the Surety or not, and if such Employees shall not have been reinstated under the coverage of said fidelity insurance or superseding fidelity insurance, the Surety shall not be liable under this bond on account of such Employees unless the Surety shall agree in writing to include such Employees within the coverage of this bond.

LOSS—NOTICE—PROOF—LEGAL PROCEEDINGS:

SECTION 13. At the earliest practical moment, and at all events not later than fifteen (15) days after discovery of any fraudulent or dishonest act on the part of any Employee by the Oblige, or by any partner or officer thereof not in collusion with such Employee, the Oblige shall give the Surety written notice thereof and within four (4) months after such discovery shall file with the Surety affirmative proof of loss, itemized and duly sworn to, and shall upon request of the Surety render every assistance, not pecuniary, to facilitate the investigation and adjustment of any loss. No suit to recover on account of loss under this bond shall be brought before the expiration of two (2) months from the filing of proof as aforesaid on account of such loss, nor after the expiration of twelve (12) months from the discovery as aforesaid of the fraudulent or dishonest act causing such loss. If any limitation in this bond for giving notice, filing claim or bringing suit is prohibited or made void by any law controlling the construction of this bond, such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law.

TEMPORARY EMPLOYEES:

SECTION 14. The Oblige shall not at any time while this bond is in force direct any temporary employee(s) to any subscriber's premises unless such person(s) is/are accompanied by a foreman who is in the regular employ of the Oblige. For purposes of this restriction, any person who works less than the normal working hours established by his employer or otherwise fails to meet the definition of "Employee" above is considered a temporary employee.

EXCLUSIONS:

SECTION 15. This bond does not apply to loss that is an indirect result of any act or loss caused by or involving one (1) or more Employees, whether the result of a single act or series of acts, covered by this insurance including, but not limited to, loss resulting from:

- a. The Oblige's inability to realize income that would have been realized had there been no loss covered by this bond.
- b. Payment of damages of any type for which the Oblige is legally liable. Compensatory damages arising directly from a covered loss will be paid.
- c. Payment of costs, fees, or other expenses incurred by the Oblige in establishing either the existence or the amount of loss under this bond.

This bond does not apply to expenses related to any legal action.

OTHER INSURANCE:

SECTION 16. This bond does not apply to loss recoverable or recovered under other insurance or indemnity. However, if the limit of the other insurance or indemnity is insufficient to cover the entire amount of the loss, this bond will apply to that part of the loss, other than that falling within any Deductible Amount, not recoverable or recovered under the other insurance or indemnity, but not for more than the amount of indemnity as stated above.

DATED April 2nd, 2025.

WESTERN SURETY COMPANY

By



Larry Kasten, Vice President

TO THE INSURED:

Enclosed is the JANITORIAL SERVICES BOND you requested. **To protect you and your employees against unjustified allegations of dishonesty, the employee must be convicted before coverage will apply.**

You have taken the first step toward protecting your subscribers from potential losses due to dishonest acts of your employees. To more completely protect your subscribers, you should make sure your business has the following controls over employees when working at a third-party's place of business or home.

1. Thorough BACKGROUND AND REFERENCE CHECKS before hiring.
2. On-site SUPERVISION of employees.
3. Adequate CONTROL OVER KEYS AND BUILDING ACCESS.
4. Unannounced INSPECTIONS of employees at work site.

With these controls and a bond, the likelihood of a loss to your subscribers is substantially reduced.

Sincerely,



Larry Kasten
Vice President

Enclosure



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

AGENDA ITEM:	Item #11- Consideration of Approval of Ordinance 25-03 An Ordinance Approving Loans From the Colorado Water Resources and Power Development Authority (“CWRPDA”) in the Aggregate Principal Amounts Not to Exceed \$3,744,000 (the “Leveraged Loan”), \$3,000,000 (the “Direct Loan”) and \$3,000,000 (the “BIL Principal Forgiveness (PF) Loan”); Authorizing the Forms and Execution of the Loan Agreements and Governmental Agency Bonds to Evidence Such Loans; Authorizing the Construction of a Project; Prescribing Other Details in Connection Therewith; and Declaring an Emergency.
SUBMITTED BY:	Samira Vetter, Town Clerk
DATE:	April 22, 2025
BACKGROUND:	This Ordinance authorizes the Town to enter into loan agreements with the Colorado Water Resources and Power Development Authority is a parameters and delegation ordinance. This means that this Ordinance sets forth the maximum parameters under which the Town may enter into such loan agreements. This Ordinance also delegates the ability to make decisions with respect to these loans to the Mayor, the Town Manager and the Town Administrator/Treasurer, so long as such decisions are within the parameters set forth in the Ordinance. This delegation is valid for one year following adoption of the Ordinance.
BUDGET:	
RECOMMENDATION:	To approve Ordinance 25-03 An Ordinance Approving Loans From the Colorado Water Resources and Power Development Authority (“CWRPDA”) in the Aggregate Principal Amounts Not to Exceed \$3,744,000 (the “Leveraged Loan”), \$3,000,000 (the “Direct Loan”) and \$3,000,000 (the “BIL Principal Forgiveness (PF) Loan”); Authorizing the Forms and Execution of the Loan Agreements and Governmental Agency Bonds to Evidence Such Loans; Authorizing the Construction of a Project; Prescribing Other Details in Connection Therewith; and Declaring an Emergency.

ATTACHMENT:	Ordinance 25-03
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**TOWN OF PAONIA
COUNTY OF DELTA
STATE OF COLORADO**

ORDINANCE NO. 25-03

AN ORDINANCE APPROVING LOANS FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY (“CWRPDA”) IN THE AGGREGATE PRINCIPAL AMOUNTS NOT TO EXCEED \$4,500,000 (THE “LEVERAGED LOAN”), \$3,000,000 (THE “DIRECT LOAN”) AND \$3,000,000 (THE “BIL PRINCIPAL FOREGIVENESS (PF) LOAN”); AUTHORIZING THE FORMS AND EXECUTION OF THE LOAN AGREEMENTS AND GOVERNMENTAL AGENCY BONDS TO EVIDENCE SUCH LOANS; AUTHORIZING THE CONSTRUCTION OF A PROJECT; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Paonia, Colorado (the “Town”), in Delta County, Colorado, is a municipal corporation duly organized and operating under the Constitution and the laws of the State of Colorado (the “State”), acting through its elected Board of Trustees (the “Board”); and

WHEREAS, the members of the Board have been duly elected and qualified; and

WHEREAS, the Town owns and operates a system to supply water and sewer service for domestic and other public and private purposes (the “System”); and

WHEREAS, the Board has heretofore by Ordinance No. 1998-02 (the “Enterprise Ordinance”) recognized and confirmed the operations of the System as the “Town of Paonia Water and Sewer Enterprise” within the meaning of Title 37, Article 45.1, Colorado Revised Statutes (the “Enterprise Act”) and as an “enterprise” of the Town within the meaning of Article X, Section 20 of the Colorado Constitution (TABOR) (the “Enterprise”); and

WHEREAS, the Board serves as the Board of Directors and governing body of the Enterprise; and

WHEREAS, the Enterprise presently qualifies as an “enterprise” for purposes of TABOR; and

WHEREAS, the Board, acting by and through the Enterprise, has heretofore determined the need to improve the drinking water system of the Town by installing a temporary tank and repairing and relining the finished water storage tank, as well as the replacement of distribution piping and enhancements to raw water monitoring in the spring structures (as further described and defined in the Loan Agreements (defined herein), the “Project”); and

WHEREAS, the Town has made application to the Colorado Water Resources and Power Development Authority (the “CWRPDA”), a body corporate and political subdivision of the State of Colorado, for a loan to finance all or a portion of the cost of the Project; and

WHEREAS, the Board has determined that in order to finance all or a portion of the costs of the Project, it is necessary and advisable and in the best interests of the Town to enter into a loan agreement (the “Leveraged Loan Agreement”) with the CWRPDA, pursuant to which the CWRPDA shall loan the Town an amount of not to exceed \$4,500,000 (the “Leveraged Loan”) for such purposes; and

WHEREAS, the CWRPDA will obtain money to fund the Leveraged Loan to the Town through the issuance of its bonds (the “CWRPDA Bonds”); and

WHEREAS, the repayment obligations under the Leveraged Loan Agreement shall be evidenced by a governmental agency bond (the “Leveraged Bond”) to be issued by the Town to the CWRPDA, and which Leveraged Bond shall be payable only from revenue of the Enterprise; and

WHEREAS, additionally, the Town has determined that in order to finance all or a portion of the cost of the Project it is necessary and advisable and in the best interests of the Town for the Town to enter into a separate loan agreement with CWRPDA for a Direct Loan (the “Direct Loan Agreement”) pursuant to which CWRPDA shall loan the Town an amount not to exceed \$3,000,000 (the “Direct Loan”) for such purposes; and

WHEREAS, the repayment obligations under the Direct Loan Agreement shall be evidenced by a governmental agency bond (the “Direct Bond”) to be issued by the Town to the CWRPDA; and

WHEREAS, additionally, the Town has determined that in order to finance all or a portion of the cost of the Project it is necessary and advisable and in the best interests of the Town for the Town to enter into a separate loan agreement with CWRPDA for a BIL PF Loan (the “BIL PF Loan Agreement” and, with the Leveraged Loan Agreement and the Direct Loan Agreement, the “Loan Agreements”) pursuant to which CWRPDA shall loan the Town an amount not to exceed \$3,000,000, approximately \$3,000,000 of which is expected to be forgiven at the closing of the loan (the “BIL PF Loan” and, with the Leveraged Loan and the Direct Loan, the “Loans”) for such purposes; and

WHEREAS, the repayment obligations under the BIL PF Loan Agreement shall be evidenced by a governmental agency bond (the “BIL PF Bond” and, with the Leveraged Bond and the Direct Bond, the “Bonds”) to be issued by the Town to the CWRPDA; and

WHEREAS, the repayment obligations under the Loan Agreements shall be evidenced by the Bonds to be issued by the Town to CWRPDA, and which Bonds shall be payable only from revenue of the Enterprise; and

WHEREAS, TABOR requires an election to incur any multiple fiscal year obligation unless such obligation is incurred for an enterprise; and

WHEREAS, under TABOR, the Enterprise is a government-owned business authorized to issue its own revenue Bond and receiving under 10% of annual revenue in grants from all Colorado state and local governments combined; and

WHEREAS, in 2024, the Enterprise received grants from all Colorado state and local governments combined which were less than 10% of the annual revenue of the System; and

WHEREAS, there have been presented to the Board the forms of the Loan Agreements and Bonds (collectively, the “Financing Documents”); and

WHEREAS, the Financing Documents shall constitute revenue obligations of the Town, payable from the Net Revenues of the System (as defined in the Loan Agreements); and

WHEREAS, the Town has pledged the Net Revenues derived or to be derived from the operations of the System to payment of the bond issued under a Loan Agreement dated November 5, 2008, between the Town and the CWRPDA (the “2008 Loan Agreement”) in the amount of \$448,200 (the “2008 Loan”), to the payment of the bond issued under a Loan Agreement dated May 29, 2014, between the Town and the CWRPDA (the “2014 Loan Agreement”) in the amount of \$2,996,494 (the “2014 Loan”), and to the payment of the Town’s Water and Sewer Revenue Refunding Bonds, Series 2020A, originally issued in the aggregate principal amount of \$1,650,000 (the “2020A Bonds” and, with the 2008 Loan and the 2014 Loan, the “Prior Parity Obligations”); and

WHEREAS, the Town is not in default in making payments on the Prior Parity Obligations; and

WHEREAS, the Town is in compliance with all of the covenants of the Prior Parity Obligations; and

WHEREAS, except for the Prior Parity Obligations, the Town has not pledged the Net Revenues derived or to be derived from the operations of the System, or any part thereof, to the payment of any bonds or any other purpose, with the result that the Net Revenues may now be pledged lawfully and irrevocably to the payment of the Bonds; and

WHEREAS, pursuant to Title 31, Article 35, Part 4, C.R.S. (the “Sewer and Water Systems Act”) and the Enterprise Act, the Financing Documents may be approved by the Board without an election; and

WHEREAS, the forms of the Financing Documents are on file with the Town Clerk; and

WHEREAS, the Board desires to approve the form of the Financing Documents and other documents referenced therein, authorize the execution of the Loan Agreements, and authorize the execution and delivery of the Bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PAONIA, COLORADO, ACTING BY AND THROUGH THE TOWN OF PAONIA WATER AND SEWER ENTERPRISE:

Section 1. Recitals Incorporated.

The foregoing recitals are made a part of this Ordinance.

Section 2. Determinations.

The Board hereby finds and determines that the Enterprise constitutes an enterprise under TABOR.

Section 3. Approvals, Authorizations, and Amendments.

(a) The forms of the Financing Documents as are on file with the Town Clerk are hereby approved, and the Mayor and Town Clerk are hereby authorized and directed to execute the Financing Documents in substantially the forms as are on file with the Town Clerk, with such changes as are not inconsistent herewith and as are hereafter approved by the Mayor, the Town Manager or the Town Administrator/Treasurer, and the Town Clerk is hereby authorized to authenticate and affix the seal of the Town thereto. The Town shall enter into and perform its obligations under the Financing Documents, in the forms of such Financing Documents, with such changes as are not inconsistent herewith and as are hereafter approved by the Mayor or the Town Administrator/Treasurer.

(b) The Mayor, the Town Administrator/Treasurer and the Town Clerk are further hereby authorized and directed to execute and authenticate such other documents, instruments, or certificates as are deemed necessary or desirable in connection with the Town's performance of its obligations under the Financing Documents.

Section 4. Election to Apply Supplemental Act.

Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, Part 2, Colorado Revised Statutes (the "Supplemental Act") provides that a public entity, including the Town, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act. The Town hereby elects to apply all sections of the Supplemental Act to the Financing Documents.

Section 5. Delegation.

(a) Pursuant to Section 11-57-205 of the Supplemental Act, the Board hereby delegates to the Mayor and the Town Administrator/Treasurer the independent authority to make the following determinations relating to and contained in the Financing Documents, subject to the restrictions contained in paragraph (b) of this Section 5:

- (i) The interest rate on the Loans;
- (ii) The principal amount of the Loans;

(iii) The amount of principal of the Loans maturing in any given year and the final maturity of the Loans;

(iv) The dates on which the principal of and interest on the Loans are paid; and

(v) The existence and amount of capitalized interest or reserve funds for the Loans, if any.

(b) The delegation in paragraph (a) of this Section 3 shall be subject to the following parameters and restrictions:

(i) the net effective interest rate on the Leveraged Loan shall not exceed 6.50%;

(ii) the aggregate principal amount of the Leveraged Loan shall not exceed \$4,500,000;

(iii) the maximum annual repayment cost of the Leveraged Loan shall not exceed \$450,000;

(iv) the total repayment cost of the Leveraged Loan shall not exceed \$8,500,000;

(v) the final maturity of the Leveraged Loan shall not extend beyond December 31, 2048;

(vi) the net effective interest rate on the Direct Loan shall not exceed 1.50%;

(vii) the aggregate principal amount of the Direct Loan shall not exceed \$3,000,000;

(viii) the maximum annual repayment cost of the Direct Loan shall not exceed \$200,000;

(ix) the total repayment cost of the Direct Loan shall not exceed \$4,000,000;

(x) the final maturity of the Direct Loan shall not extend beyond December 31, 2048; and

(xi) assuming 100% principal forgiveness for the BIL PF Loan, there will be no repayment obligations upon the issuance of the BIL PF Loan.

(c) Pursuant to Section 11-57-205 of the Supplemental Act, the Board hereby further delegates to the Mayor, the Town Administrator/Treasurer the independent authority to sign the Bond Purchase Agreement and to execute any agreement or agreements in connection therewith. The Bond Purchase Agreement may be completed, corrected or revised as deemed necessary by the parties thereto in order to carry out the purposes of this Ordinance. The execution of the Bond Purchase Agreement by the Mayor, Town Administrator/Treasurer shall be conclusive evidence of the approval by the Town of the Bond Purchase Agreement in accordance with the terms hereof.

The delegation set forth in this Section shall be effective for one year after adoption of this Ordinance.

Section 6. CWRPDA's Official Statement.

The appropriate officers and employees of the Town are hereby authorized and directed to furnish and supply information concerning the Town to CWRPDA for use in the preparation of a Preliminary Official Statement related to the CWRPDA Bonds (the "Preliminary Official Statement") and an Official Statement related to the CWRPDA Bonds ("the Official Statement") to be used to market the CWRPDA Bonds if required. The Town consents to the use and distribution of the Preliminary Official Statement and the Official Statement in connection with the public offering and sale of the CWRPDA Bonds.

Section 7. Continuing Disclosure Undertaking.

The Mayor or the Town Administrator/Treasurer are hereby authorized and directed to execute a Continuing Disclosure Undertaking (the "Continuing Disclosure Undertaking") related to the CWRPDA Bonds to assist the Underwriter in complying with paragraph (b)(5) of Rule 15c2-12 under the Securities and Exchange Act of 1934 if required. The Town agrees that it will comply with the provisions of the Continuing Disclosure Undertaking, including providing notice of certain enumerated events. The execution of the Continuing Disclosure Undertaking by the Mayor or the Town Administrator/Treasurer shall be conclusive evidence of the approval by the Town of the Continuing Disclosure Undertaking in accordance with the terms hereof.

Section 8. Conclusive Recital.

Pursuant to Section 11-57-210 of the Supplemental Act, the Bonds and the Loan Agreements shall contain a recital that the Bonds are issued pursuant to the Supplemental Act. Such recital shall be conclusive evidence of the validity and the regularity of the issuance of the Bonds after its delivery for value.

Section 9. Pledge of Revenues.

The creation, perfection, enforcement, and priority of the pledge of revenues to secure or pay the Bonds and the Loan Agreements as provided herein shall be governed by Section 11-57-208 of the Supplemental Act and this Ordinance. The amounts pledged to the payment of the Bonds and the Loan Agreements shall immediately be subject to the lien of such pledge without

any physical delivery, filing, or further act. The lien of such pledge shall have the priority described in the Loan Agreements. The lien of such pledge shall be valid, binding, and enforceable as against all persons having claims of any kind in tort, contract, or otherwise against the Town irrespective of whether such persons have notice of such liens.

Section 10. Limitation of Actions.

Pursuant to Section 11-57-212 of the Supplemental Act, no legal or equitable action brought with respect to any legislative acts or proceedings in connection with the Financing Documents shall be commenced more than thirty days after the adoption of this Ordinance.

Section 11. Limited Obligation.

The Financing Documents are payable solely from the revenues set forth in the Financing Documents do not constitute a debt within the meaning of any constitutional or statutory limitation or provision.

Section 12. No Recourse Against Officers and Agents.

Pursuant to Section 11-57-209 of the Supplemental Act, if a member of the Board, or any officer or agent of the Town acts in good faith, no civil recourse shall be available against such member, officer, or agent for payment of the principal of or interest on the Bonds. Such recourse shall not be available either directly or indirectly through the Board of Trustees or the Town, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of the Bonds and as a part of the consideration of its sale or purchase, CWRPDA specifically waives any such recourse.

Section 13. Disposition of Loan Proceeds.

The proceeds of the Loans shall be applied only to pay the costs and expenses of acquiring, constructing, reconstructing, improving, bettering, extending or equipping the Project, including costs related thereto and all other costs and expenses incident thereto, including without limitation the costs of obtaining the Loans. Neither CWRPDA nor any subsequent owner(s) of the Loan Agreements shall be responsible for the application or disposal by the Town or any of its officers of the funds derived from the Loans. In the event that all of the proceeds of the Loans are not required to pay such costs and expenses, any remaining amount shall be used for the purpose of paying the principal amount of the Loans and the interest thereon pursuant to the terms of the Loan Agreements.

Section 14. Town Representatives.

Pursuant to the Loan Agreements, Paige Smith as Mayor and Stefen Wynn as Town Administrator/Treasurer are each designated as an Authorized Officer (as defined in the Loan Agreements) for the purpose of performing any act or executing any document relating to the Loans, the Town, the Bond or the Loan Agreements. A copy of this Ordinance shall be furnished to CWRPDA as evidence of such designation.

Section 15. Estimated Life of Improvements.

It is hereby determined that the estimated life of the Project to be financed with the proceeds of the Loans is not less than the maximum maturity of the Loans authorized hereby.

Section 6 Direction to Take Authorizing Action.

The Mayor, the Town Clerk, and the Town Administrator/Treasurer are hereby authorized and directed to execute the Financing Documents and to affix the seal of the Town thereto, in substantially the forms presented to the Board, with such changes as are not inconsistent with the provisions of this Ordinance. The Mayor, the Town Clerk, the Town Administrator/Treasurer and other appropriate officials or employees of the Town are further authorized and directed to execute and authenticate such other instruments, documents or certificates as are deemed necessary or desirable to effectuate the provisions of this Ordinance, including but not limited to such certificates and affidavits as may be required by CWRPDA or its bond counsel. The execution of any documents, instruments, or certificates by said officials shall be conclusive evidence of the approval by the Town of such documents, instruments, or certificates in accordance with the terms thereof and this Ordinance.

Section 17. Ratification and Approval of Prior Actions.

All actions heretofore taken by the Mayor, any member of the Board, the Town Clerk, the Town Administrator/Treasurer, and the other officers and employees of the Town, not inconsistent with the provisions of this Ordinance, relating to the Financing Documents, or actions to be taken in respect thereof, are hereby ratified, approved, and confirmed.

Section 18. Severability.

If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 19. Ordinance Irrepealable.

After the Bond is issued, this Ordinance shall constitute an irrevocable contract between the Town and CWRPDA, and shall be and remain irrepealable until the Bond shall have been fully paid, satisfied, and discharged. No provisions of any constitution, statute, charter, ordinance, resolution or other measure enacted after the issuance of the Bond shall in any manner be construed as impairing the obligations of the Town to keep and perform the covenants contained in this Ordinance.

Section 20. Electronic Signatures; Electronic Transactions.

The Mayor, the Town Clerk, the Town Administrator/Treasurer or other employee or official of the Town that is authorized or directed to execute any agreement, document, certificate, instrument or other paper in accordance with this Ordinance (collectively, the "Authorized Documents") are hereby authorized to execute Authorized Documents electronically

via facsimile or email signature. Any electronic signature so affixed to any Authorized Document shall carry the full legal force and effect of any original, handwritten signature. This provision is made pursuant to Article 71.3 of Title 24, C.R.S., also known as the Uniform Electronic Transactions Act. It is hereby determined that the transactions described herein may be conducted and related documents may be stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents shall be deemed to be authentic and valid counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

Section 21. Recording, Authentication and Publication.

This Ordinance immediately upon its final passage and adoption, shall be numbered and recorded in the Ordinance Book of the Town kept for that purpose, authenticated by the signatures of the Mayor (or Mayor Pro Tem) and the Town Clerk (or her deputy), and the full text hereof shall be published in a newspaper of general circulation in the Town.

Section 22. Emergency Declaration.

Because it is necessary to the successful completion of the Project that the Town be prepared to proceed as soon as the CWRPDA is ready to issue its CWRPDA Bonds, the Board hereby finds and declares that an emergency exists and that passage of this Ordinance at this time is necessary to the immediate preservation of the public health and safety and shall become effective immediately upon passage by a $\frac{3}{4}$ majority of the Board.

[Remainder of page left blank intentionally]

INTRODUCED, READ, ADOPTED BY A $\frac{3}{4}$ MAJORITY OF THE BOARD OF TRUSTEES AS AN EMERGENCY ORDINANCE AND ORDERED POSTED IN FULL AND PUBLISHED THIS 22ND DAY OF APRIL, 2025.

TOWN OF PAONIA, COLORADO

Paige Smith, Mayor

(SEAL)

Attest:

Samira M. Vetter, Town Clerk

ORDINANCE NO. 25-03

AN ORDINANCE APPROVING LOANS FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY (“CWRPDA”) IN THE AGGREGATE PRINCIPAL AMOUNTS NOT TO EXCEED \$3,744,000 (THE “LEVERAGED LOAN”), \$3,000,000 (THE “DIRECT LOAN”) AND \$3,000,000 (THE “BIL PF LOAN”); AUTHORIZING THE FORMS AND EXECUTION OF THE LOAN AGREEMENTS AND GOVERNMENTAL AGENCY BONDS TO EVIDENCE SUCH LOANS; AUTHORIZING THE CONSTRUCTION OF A PROJECT; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

was introduced, finally passed, adopted and authenticated on first reading on April 22, 2025, and was (i) ordered published after first reading at a regular meeting of the Board of Trustees of the Town of Paonia, Colorado (the “Board”) held on April 22, 2025 and (ii) that the same was so published in the _____, a daily newspaper published and of general circulation in the Town, on _____, 2025 and posted in full on the Town website on _____, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this _____, 2025.

Samira Vetter, Town Clerk

(SEAL)

Whereupon it was moved that the ordinance be now finally passed and adopted upon first reading. The motion was seconded. The question being upon the adoption of said motion and the placing of the ordinance upon its final passage, the roll was called with the following result:

Council Member	Voting Aye	Voting Nay	Absent	Abstaining
Paige Smith, Mayor				
Kathy Swartz, Mayor Pro Tem				
John Valentine				
Rick Stelter				
Walter Czech				
Lucy Hunter				
Mike Heck				

The presiding officer thereupon declared that there having been an affirmative vote of $\frac{3}{4}$ of the members of the Board, the ordinance was duly passed as an emergency ordinance.

(SEAL)

Attest:

Samira Vetter, Town Clerk

Paige Smith, Mayor

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the
Town on this _____.

Town Clerk

(SEAL)

(Attach Affidavit of Publication
of Ordinance No. 25-03)