

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020**

The Board of Trustees of the Town of De Beque held their Regular meeting on Tuesday, November 24, 2020 at 6:00 P.M. by virtual means. Present were the following:

Mayor: Zeke Gaudern

Trustees: David Jackson Judy Lake Cindy Farris
 Walter Wood Summer Black Greening

Absent: Trustee: Shanelle Hansen

Staff Present: Care' McInnis Bob Dalley Toni Vincenzetti Andrea Bryan Shirley Nichols

Also, Present: Dawn Palmer

Ms. McInnis asked to make a few preliminary announcements. She apologized for the late 23, page Ordinance and other things to do with the budget that were last minute. On the format of the meeting, she explained the Board of Trustees will need to convene as the Local Liquor Licensing Authority for a couple of Resolutions. There will need to be a public hearing for the budget. Then, the Regular meeting. Also noted was the fact that the October 20, 2020 meeting showed Mr. Farrar present and he was not.

6:03 p.m. LICENSING AUTHORITY GRANTING THE RENEWAL OF LIQUOR LICENSE FOR WILDHORSE ROADHOUSE.

Mayor Gaudern opened the meeting of the Town of De Beque's Liquor Licensing Authority. All Board members present with the exception of Trustee Hansen.

Ms. McInnis explained that these two Resolutions are simply reducing the decision of the Board at the October 20, 2020 meeting to the form of a Resolution.

ROLL CALL:

Roll call was taken and a quorum was present.

Mayor Gaudern moved on to the minutes.

APPROVAL OF MINUTES OF OCTOBER 20, 2020 SPECIAL MEETING

Mayor Gaudern asked if anyone had a problem with them. No one did

Motion: Trustee Lake

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 2**

To approve the minutes of the October 20, 2020 Special Meeting

Second: Trustee Jackson

Voice Vote: Unanimously in favor of the motion

1. ADOPTION OF RESOLUTION NO. 2020-21: A RESOLUTION OF THE DE BEQUE LOCAL LIQUOR LICENSING AUTHORITY GRANTING THE RENEWAL OF LIQUOR LICENSE FOR WILDHORSE ROADHOUSE:

Motion: Trustee Jackson

To adopt Resolution 2020-21 approving the renewal of a liquor license for Wildhorse Roadhouse.

Second: Trustee Wood

Voice Vote: Unanimously in favor of the motion

2. ADOPTION OF RESOLUTION NO. 2020-22, A RESOLUTION OF THE LOCAL LIQUOR LICENSING AUTHORITY GRANTING THE RENEWAL OF LIQUOR LICENSE FOR BEER MUGS N BAR STOOLS.

Mayor Gaudern called for a motion

Motion: Trustee Wood

To adopt Resolution 2020-22 approving the renewal of the liquor license for Beer Mugs N Bar Stools

Second: Trustee Jackson

Voice Vote: Mayor Gaudern, Trustees Lake and Farris voted, no. Voting, yes, Trustees Black- Greening, Jackson, and Wood.

Mayor Gaudern closed the Liquor Licensing Authority portion of the meeting and opened the Regular Public Meeting.

6:09 p.m. MEETING CONTINUED

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 3**

Andrea Bryan stated that just because there was no action taken on the Resolution, it does not change the outcome of the renewal hearing. She introduced herself and let them know that she was working for David McConaughy.

It does not change the outcome of the renewal, but they have a couple of options. Put it on the next agenda when there is a full Board. Since they did not have the actual vote from the hearing, she asked if everyone voted consistently with the way they voted the last time. Trustee Farris said, no, she changed her vote.

Ms. Bryan stated that it is not procedurally correct to change their vote. That action of renewing their liquor license last time is a final action. You cannot go back in time and change the outcome of that hearing. There are potentially other steps that could be taken if the Board wished to reconsider that. If they want to go that route it is probably something that should be discussed in executive session.

Ms. McInnis stated that it is her understanding that a tie vote is a no vote. Maybe we can discuss this on the next agenda. Whatever the Board wants to do with Ms. Bryan's advice.

Trustee Lake addressed the Mayor stating that she would like to see this set for the next Board meeting if we can do that.

Trustee Farris asked if this would be a motion to reconsider?

Ms. Bryan stated if there is a motion to reconsider, procedurally a Board member would need to make a motion to reconsider the entire matter and there would have to be a second. The person wishing to make a motion would have to be someone who had voted previously to approve the renewal. There would need to be a second and a vote on whether to reconsider the renewal of the liquor license. And then it would be set for a completely new hearing before the Board, to determine whether to renew the liquor license.

Trustee Lake asked if she had heard correctly that if you voted for it you could make the motion but if you voted, no, you could not.

Andrea Bryan said that is correct.

Motion: Trustee Farris

Stated that she would like to make the motion to reconsider. She voted for the renewal at the last meeting and at this time she feels like it is necessary to change that if she can.

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 4**

Ms. Bryan asked if there was support for this, would they consider an executive session to discuss the implication of reconsideration as a legal standpoint and to receive advice from her regarding this.

Care' McInnis indicated that procedurally via zoom we would have to end one meeting for an executive session and go back to the regular meeting for a zoom session. She indicated that this could be set up quickly. We could set it for an executive session later if this is legally feasible. There is a motion on the table.

Ms. Bryan confirmed that there was a motion on the table, but no second yet. She advised that due to the fact there was a motion on the table, if there is a second, it should be voted on tonight, and the motion to reconsider should be done tonight.

Trustee Lake feels this should be set out until the next meeting. She asked if to second, you would have had to approve it at the last meeting.

Ms. Bryan stated that to second you did not have to have voted for the renewal at the last hearing.

Second: Trustee Lake

Voice Vote: Trustee Farris, Lake, Jackson, Wood and Mayor Gaudern all voted, yes. Trustee Black-Greening voted, no

The motion carried

The Board of Trustees meeting was called to order.

DELETIONS, ADDITIONS, OR CORRECTIONS TO THE AGENDA:

There were none.

APPROVAL OF MINUTES: October 27, 2020

Motion: Trustee Jackson
To approve the minutes of October 27, 2020

Second: Trustee Lake

Voice Vote: Unanimously in favor of the motion

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 5**

BILLS AND EXPENDITURES: October 2020

Mayor Gaudern explained that IF any Trustee feels that they may have a conflict regarding information found in the financial documentation, to identify such information and then abstain from voting on the motion.

Motion: Trustee Farris

To approve the bills and expenditures for the month of October 2020

Second: Trustee Lake

Trustee Farris asked what kind of cooler was in the water plant. Ms. McInnis answered that it was a swamp cooler that the operators felt was necessary for temperature control. She will provide her with a copy of the invoice.

Voice Vote: Unanimously in favor of the motion

ITEMS FOR PUBLIC PARTICIPATION IN THE CONFERENCE – NOT ON THE AGENDA:

There was no public comment.

BOARD COMMENTS:

Trustee Wood brought up the recent break-ins in Town. He has received comments asking what the Marshal is doing and threatening to take matters into their own hands. Can the Town put out something to ease their minds?

Marshal Dalley stated that a couple of vehicles were broken into a couple of nights ago. He is unable to comment on this as it is an on-going investigation, and he expects arrests to be made soon.

He wants everyone to know that the people sleeping in Town are working an extra 1100 + hours per year without pay. Previously, they were on call in Grand Junction. When they are in the house sleeping, they are not on duty.

Ms. McInnis asked that the Board try not to engage in facebook gossip and encouraged them and the staff to refrain from this. Mayor Gaudern stated that the people in Town speaking out on facebook are usually negative and things are blown out of proportion. He stated, "We can't do everything." Trustee Farris suggested that people should take some personal responsibility. Try locking their cars and not leaving valuables/ guns in them.

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 6**

TOWN MANAGER'S REPORT:

Ms. Mcinnis informed the Board that she and the grant writer had met with DOLA. They are developing needs for a water treatment plant. This the first of other meetings. Westwater Engineering gave the Town and DOLA a report of needs for the WTP.

There have been problems with the lift station. She summarized the report stating that a pump was down, and we need a plan B pump. They alternate. This was a gigantic problem that has been repaired but needed an electrician immediately. 360 Electric was called to do this. There is more work to be done and repairs to be made. Westwater will be sending us a report that addresses this later. It is a big deal as it is on the Kum and Go lift station.

December 2nd we will be conducting interviews for a water plant operator.

We have a new server and are focusing on technology and some salaries for our COVID funds. There is no reimbursement for the Town Administrator's time spent on COVID as it is their job to take on the duties that come up. This has been a time-consuming project.

CDPHD UPDATE: They visited the water plant to see how it is working. There is continued flushing. We have purchased a meter to help with the problem. The last report was given to the Board in October 14th. There has been no bad reading since the last time. We will hear more at the end of December. There may a tiny red flag on the audit.

There will be a planning meeting on December 8th. An application for a Marijuana Cultivation license has been submitted and will be heard at a public hearing at the December Board of Trustees Regular meeting.

The County plans, weather permitting, to come up in the next week to do patching on Town streets. The County will be doing the work. We will purchase materials. No vehicles will need to be moved.

She called for questions but there were none.

6:47 P.M. PUBLIC HEARING: 2021 BUDGET OPENED:

Ms. McInnis had presented the draft budget to the Board last month. They are looking at a deficit budget and she explained why, calling their attention to certain line items. It may be necessary to take care of needs sooner than later. We will need to take care of sidewalks in 2021 (ADA requirements). There is \$120,000 in the budget not used in a decade that can be used for this. We have yet to receive the cash in lieu of park land from one person who has now pulled a building permit and now needs to pay.

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 7**

The Mayor has a discretionary fund that can be used and allows for his bonuses that he has given in the past.

BUDGET RESOLUTIONS:

- 1. DISCUSSION AND ACTION CONCERNING RESOLUTION NO. 2020-23, A RESOLUTION OF THE TOWN OF DE BEQUE BOARD OF TRUSTEES ADOPTING AN AMENDED BUDGET FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2020 AND ENDING ON THE LAST DAY OF DECEMBER 2020.**
- 2. DISCUSSION AND ACTION CONCERNING RESOLUTION NO. 2020-24, A RESOLUTION OF THE TOWN OF DE BEQUE BOARD OF TRUSTEES ADOPTING THE 2021 BUDGET, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND APPROPRIATING MONEY TO EACH FUND.**
- 3. DISCUSSION AND ACTION CONCERNING RESOLUTION NO. 2020-25, A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2021 TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF DE BEQUE FOR THE 2021 BUDGET YEAR.**

Mayor Gaudern asked for comments or responses from the Board. He asked if anyone had any questions regarding the budget. There were none.

The Public Hearing was closed at 7:02 p.m.

Motion: Trustee Jackson

To approve Resolutions 2020-23; 2020-24; 2020-25 approving the final 2021 Budget.

Second: Trustee Summer Black-Greening

Voice Vote: Unanimously in favor of the motion.

NEW BUSINESS:

- 1. DISCUSSION AND DIRECTION CONCERNING TEMPORARY WAIVER TO ALLOW PLACEMENT OF 5TH WHEEL ON REED PROPERTY LOT TERMINATING FEBRUARY 1, 2021.**

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
REGULAR MEETING
NOVEMBER 24, 2020
PAGE 8**

Mayor Gaudern stated that we have done this in the past, and he sees no problem with it. Trustee Black- Greening agreed as did Trustee Jackson. No one had any objections.

2. DISCUSSION AND ACTION CONCERNING ORDINANCE NO. 508, AN ORDINANCE ADOPTING A PRE-TREATMENT ORDINANCE TO PREVENT THE INTRODUCTION OF POLLUTANTS INTO THE WASTEWATER TREATMENT PLANT.

Ms. McInnis explained that this was based on a template from the engineer. We need to wait on the report from Westwater to see what we need. We need this in place if we should have an offending user. This would make them responsible. We need to get set up right.

Mayor Gaudern asked if we needed to adopt this today and was told that Staff was recommending this.

Motion: Trustee Jackson
To adopt Ordinance No 508

Second: Trustee Wood

Voice Vote: Unanimously in favor of the motion

There being no further business the Mayor called for a motion to adjourn.

Motion: Trustee Farris
To adjourn

Second: Trustee Jackson

No one objected and the meeting adjourned at 7:08 p.m.

Approved

Date

