**TOWN OF DE BEQUE**

**BOARD OF TRUSTEES**

**REGULAR MEETING**

**JUNE 22, 2021**

The Regular meeting of the Board of Trustees was held on Tuesday, June 22, 2021, at 6:00 p.m. In the Community Center, 381 Minter Avenue, De Beque, CO 81630. Present were the following:

Mayor Pro-Tem: Dave Jackson

Trustees: Judy Lake Cindy Farris

Shanelle Hansen Summer Black Greening

Absent: Mayor Zeke Gaudern Walter Wood

Staff Present: Tim Meloveck Care’ McInnis Toni Vincenzetti

Shirley Nichols Bob Dalley Lisa Rogers

Guest Present: Paul Hempel, Colorado Rural Water

**CALL TO ORDER:**

The meeting was called to order by Mayor Pro-Tem Dave Jackson at 6:?? p.m., beginning with the Pledge of Allegiance.

**ROLL CALL:**

Roll call was taken, and a quorum was present.

**EXECUTIVE SESSION: C.R.S. § 24-6-402 (b) CONFERENCES WITH AN ATTORNEY TO THE LOCAL PUBLIC BODY FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS. SPECIFICALLY, LEGAL ADVICE REGARDING TOWN COLLECTION OF MARIJUANA EXCISE TAX.**

Mayor Pro-tem Jackson called for a motion to go into executive session.

Motion: Trustee Lake

To go into Executive Session for the purpose stated.

Second: Trustee Farris

Voice Vote: Unanimously approved by those present.

6:15 p.m.

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Mayor Pro-Tem Jackson declared the executive session open and announced, for the record, that he was the presiding officer and as required by the Open Meetings Law, the session was being electronically recorded by hybrid, virtual means.

Present at this executive session, in addition to himself, were, Town Administrator, Care’ McInnis; Town Attorney, Andrea Bryan; Trustees, Summer Black-Greening; Shanelle Hansen; Cindy Farris; Judy Lake; Town Clerk, Shirley Nichols.

Mayor Pro-tem, Jackson again stated C.R.S. §24-6-402 (b) Conferences with an attorney for the local public body for the purposes of receiving legal advice on specific legal questions. Specifically, legal advice regarding Town collection of marijuana excise tax.

He cautioned the participants to confine all discussion to the stated purpose as stated above and that no formal action may occur in the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the purpose of the session, he asked that they please interrupt the discussion and make an objection.

The attorney was introduced, and discussion proceeded on the stated subject.

Discussion ended and Mayor Pro-tem stated that the recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the open meetings law and the recording will be given to the Town Clerk to retain for a 90- day period. The time is 7:07 p.m. and the executive session has been concluded.

**7:08** Return to Regular Session.

**DELETIONS OR CORRECTIONS TO THE AGENDA:**

**None**

**PRESENTATION: Paul Hempel, Colorado Rural Water, Source Water Grant**

This is a $5000.00 grant for free services. They will be looking at any contaminate sources and evaluate and rank them. Then they will identify the best management practices. Mr. Hempel showed and discussed his power point presentation (see attached). This grant is met by in-kind time and no out of pocket costs to the water system. They will assist us through the entire project. These services are free to the public water system.

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**APPROVAL OF MINUTES:** **MAY 25, 2021, MINUTES:**

Trustee Black-Greening had a question on what Xcel Energy was doing on V Road. After explanation:

**Motion:** Trustee Black-Greening

To approve the minutes of May 25, 2021.

**Second:** Trustee Hansen

**Voice Vote:** Unanimously in favor of the motion and it carried.

**BILLS AND EXPENDITURES WITH POSSIBLE CONFLICT: May 2021**

**Motion:** Trustee Black-Greening

To approve the bills for De Beque Country Store

**Second:** Trustee Lake

**Voice Vote:** Trustee Hansen abstained. Remaining Trustees voted in favor of the motion.

**BILLS AND EXPENDITURES REMAINING: May 2021**

**Motion:** Trustee Hansen

To approve the remaining bills and expenditures for the month of May 2021.

**Second:** Trustee Black-Greening

**Voice Vote:** Unanimously in favor of the motion. Trustee Black-Greening asked the staff to try to print the Payment Approval Report in landscape.

**ITEMS FOR PUBLIC PARTICIPATING IN CONFERENCE – NOT ON THE AGENDA:**

Dawn Palmer from Kush Gardens wanted to discuss the landscaping plan for Hava Gardens and the status of it. She asked this same question of the Board 90 days ago and nothing has been done. She asked that the Town hold them accountable for this.

**BOARD COMMENTS:**

Trustee Black-Greening stated that this is the 2nd time meetings have been inconvenient for the public. Today because of the Executive Session we had to ask the Public to leave. Also training and meetings

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with CIRSA took time out of the meeting. She said we are trying to get the public to come to the meetings, so we need to plan all of this at the end of the meetings.

She asked the Marshal about the solar batteries for the speed sign. Marshal Dalley explained that they were not solar but were rechargeable and were charging in his office. He said he was trying to get car batteries for the sign, which would last longer.

Trustee Black-Greening asked about the dog feces on the sidewalks, can we enforce the clean up? We need to encourage others to pick up after their dogs.

She wanted to give a shout out to Stanley in Maintenance who is doing an excellent job in the parks. Also. the park at the river and rubbish pile look great.

She stated that there are graves in the cemetery that are sinking.

Trustee Black-Greening said that the customer service in Town Hall is great. She prefers calling instead of e-mailing constituents. She gave a shout out to Lisa and said the staff is very accommodating.

It is wonderful that the dumpster was extended longer, and the staff stayed on top of it and did not let it blow away.

She is excited about all the events coming out. She gave a shout out to Parks and Rec. The crafts are good but is sad about the swim bus.

Trustee Jackson said that he likes all the flags but that they may be dangerous for younger kids. He asked that we pick them up after an event or move them somewhere else where they would be safer. It would be great to see them up through July 4th.

**TOWN ADMINISTRATOR’S REPORT:**

Marge and Lisa are looking into banners for the Gazebo Park to celebrate the seasons and holidays. She will have Marge put the dog information into the newsletter.

Ms. McInnis attended the Municipalities dinner, and it was very well attended.

Update on Grants:

The small communities’ water and wastewater grant for $400,00.00 has not been awarded. There are 84 applications, and they are mostly from the eastern Slope.

The Marshal’s office received a POST Training and Certification Grant.

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Main Street Revitalize Grant for sidewalks.

Resiliency and Recovery Grant has been awarded for consultants to help on a 2-year Road map

of Recover.

The Rate Study Grant has been awarded.

The Street Revolving Fund is various sources of funding.

The Redi Grant has been awarded.

ARP funds processed is a small grant.

Surface Water Granted.

We are evaluating an electric charging station. Trustee Hansen is assisting Stephanie.

There is Congressionally Directed Spending available. We can ask for 2 projects. Congresswoman Boebert is against this. We have asked Senator Bennett, the Mesa County Commissioners and Mesa County for their support for the Wastewater Treatment Plant.

We have received a spreadsheet with all the grants from Stephanie.

GOCO

Jag

Mem Justice Assistance

Fire Mitigation and Roan Creek – our contribution is Care’s time – trying to help the Community. We hosted an Open House with the Engineers and the County here to explain how they were doing this. You can see it down by the Reed’s house. They will be planting willows.

Wild Horse Subdivision – Bob Jones. We are in discussion with his counsel and have sent a notice of default. There will be a Public Hearing in the future. Mr. Jones is submitting plans to build a house in Town.

Wild Horse Days

We are doing a responsible analysis on all events. Marge really does need lots of volunteers. Wild Horse Days will include a parade, car show, desert/salsa/chili, and beard contests. The Mud run and horse poker run will also be returning along with many other events, vendors, and good food. Thank you to Marge for all your hard work.

There is still lots of interest in development here.

Bud’s is working on Phase II – a new building for security etc., Davis is reviewing the drawings now.

We have received concept plans for homes and residential growth. There are some zoning, sewer lift and utilities issues for annexed areas. We really need the Board retreat and work on the master plan.

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Schlumberger has asked the Blue Stone Ditch to transfer 10 shares of water to the Town. We have requested a list of shareholders and we have them now.

There are many drought and water issues going on right now. Ute Water pulled out of the river for the first time in 65 years. They are adding a 2% fee for on the water bills for the additional costs.

Ms. McInnis could not pick up the new debit cards because she is not a signer on the account, and she needs Board permission to be a signer. It takes a staff member and a Board member to sign checks. We need the Town Administrator for oversight control. She will be monitoring the debit cards.

IT challenges- We are struggling with our current IT providers. There have been times when we could not receive credit card payments or do any cash receipting because the system is down. When our computers are down, we cannot work, so we are holding them accountable.

Mosquitos – Mr. O’Neal Blackwell has resigned as Mosquito Control operator. We have a position open for someone to drive the van, do some landscaping and mosquito control. We need to have weeds taken care of at the Town’s house, the Town entry, flower boxes. etc. Mr. Blackwell will be going on vacation next week and he when he returns, he will be driving the van and doing the landscaping. He has still been spraying and will train someone new. We will check into someone from the private sector to spray until we hire someone.

Shanelle asked about the Parachute brochure. Ms. McInnis said the Marge has been in touch with Parachute and all submittals will be in it. This brochure covers events from Parachute, New Castle, Silt and Rifle. It includes all the events for the summer and details for restaurants and businesses. They are working on crating a De Beque day, with stops at the local businesses and sites and will have a blurb about the community and the history. Thank you, Marge, for doing this.

**NEW BUSINESS:**

1. **DISCUSSION AND ACTION REGARDING: §7.08.030 Recreational Vehicle and Trailer Parking.**
2. Overall discussion regarding changing the Municipal Code to permit invited overnight guests to occupy such vehicles located on any tract of land owned by the person ***to exceed seventy-two (72) hours or*** enforce current code without granting multiple variances.
3. Mr. and Mrs. Reed request for third variance from §7.08.030.

Ms. McInnis explained that the Reed’s are asking permission to let their daughter stay in a rented trailer on their property. Staff suggests that we stay with the original agreement. She fears some legal exposure for different people. We need to look at the code §7.08.030 which states 72 hours only. We are directed to follow the code. There will always be compelling unique situations especially if we treat people differently. We need to be consistent. If the Board choses to change the code, we can do that.

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Trustee Black-Greening wants to leave it at 72 hours and wants everyone to come and ask permission to stay longer. She also does not want people coming into Town and parking on an empty lot. Trustee Hansen stated that this was 2 different issues, and it needs to be discussed with the Marshal and Code Enforcement.

Ms. McInnis said that we cannot make special circumstances for each circumstance, i.e.: different, special, inconsistent. We need to have defined codes.

1. **DISCUSSION AND DIRECTION REGARDING RESOUTION NO 2021-05: A RESOLUTION ESTABLISHING PROCEDURES FOR DESIGNATING AUTHORIZED VOLUNTEER OF THE CITY/TOWN.**

This is from CIRSA to solidify the legality and to use responsible planning for our volunteers. Our insurance company insists this is what we need to distinguish volunteers from employees. Each volunteer will cost us $3.00 a year for insurance coverage while volunteering to the Town and being supervised by the Town. Everything that happens must be run through Mrs. Mackey and no one will run their own event. They cannot be compensated, even nominally like meal tickets, they are volunteers. This coverage is good for all year for all volunteers at the same compensation. Longer volunteers would need to be employees with different coverage.

If an event is organized and truly run by others, then they need their own insurance and need to endorse the Town and copy the Town on that. All vendors must provide a Certificate of Insurance and endorse the Town on it.

**MOTION:** Trustee Hansen

To adopt Resolution 2020-05.

**SECOND:** Trustee Farris

**VOTE:** Unanimously approved.

1. **DISCUSSION AND DIRECTON REGARDING: Adopting of 2021 Final Audit.**

**MOTION:** Trustee Black-Greening

To table the Final Audit until next month.

**SECOND:** Trustee Farris

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**VOTE:** Unanimously approved.

1. **DISCUSSION AND APPROVAL REGARDING: Town of De Beque contract with School District 49JT regarding the 2021-2022 School Resource Officer.**

**MOTION:** Trustee Farris

To approve the School Resource Office contract for the 2021-2022 school year.

**SECOND:** Trustee Black-Greening

**VOTE:** Unanimously approved

**ADJOURNMENT:**

**MOTION:** Trustee Hansen

To adjourn the meeting at 9:06 p.m.

**SECOND:** Trustee Farris

**VOTE:** Unanimously approved.

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Approved Date