

**TOWN OF DE BEQUE  
BOARD OF TRUSTEES  
REGULAR MEETING  
JANUARY 25, 2016**

The Regular Meeting of the Board of Trustees of the Town of De Beque was held January 23, 2015 at 6:00 p.m. in the Community Center, 381 Minter Avenue, De Beque, Colorado. Present were the following:

Mayor: Forest Matis

Trustees: Deborah Hoke    Travis Graham                      Patrick Cole  
                  Cinda Rexford                      Stephanie Rose

Absent: Trustee Reed

Staff Present:    David McConaughy                      Lance Stewart                      Isaac Inskeep  
                          Bob Dalley                      Diane Rickstrew    Shirley Nichols

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE:**

The meeting was called to order at 6:06 p.m. and the Pledge of Allegiance was recited.

**II. ROLL CALL:**

Roll call was taken and a quorum was present.

**III. ADDITIONS, DELETIONS OR CORRECTIONS TO THE AGENDA:**

None

**IV. CONSENT AGENDA:**

Mr. McConaughy explained to the Board that they had the option to vote on the entire Consent Agenda and do not have to do them item by item. Items are non-controversial or should be and they may pull out any item they wish to discuss. They chose to pull out the Employee Agreement for discussion

**1. MINUTES: Regular Meeting December 21, 2015**

**2. BILLS AND EXPENDITURES: December, 2015**

**Motion:** Trustee Rexford

To approve the minutes of the December 21, 2015 meeting as well as the bills for December, 2015.

**Second:** Trustee Rose

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

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**3. APPROVAL OF EMPLOYEE AGREEMENT BETWEEN TOWN AND LANCE STEWART:**

Mr. Stewart stated that the he, the Mayor and the Attorney had reviewed the draft several times prior to e-mailing it to the Board for the review. This is the contract they see tonight. There was one clause, specifically called a powder clause, Mr. Stewart asked to be removed. He had inserted this in fun. He referred the Board to a letter they had received with objections to the contract, stating he would address this now or at a different time or in a different setting, whichever they preferred. He asked if there were any questions.

Trustee Rexford asked about the amount of PTO hours. She wanted to know why he received more than the employees. He explained that he arrived at this by calculation for holidays, vacation and sick leave time for the first year. He feels he needs this to fulfill his other obligations. She also questioned the request for a cash payment in lieu of insurance. She also wonders if they need him to work eighty hours a week at this time.

Mr. Stewart replied that it depends on what the Board wants done and what they hope to accomplish.

Trustee Rose asked what he wanted and he said the full time position they had advertised. Trustee Rose stated she was ok with the 300 PTO as was Trustee Cole and Trustee Graham.

Trustee Graham asked if and when the backlog gets handled will you have enough to do.

Mr. Stewart stated that it was possible that 2017 would not be as busy and there could be less hours and he is willing to rethink the contract if there is a dead time.

Trustee Rexford asked if we would be locked into a three year contract and was told, no. She also asked about his request to be reimbursed for his health insurance. It is her understanding that the Town offers their insurance and the employee has the option of accepting it or not. Mr. Stewart stated that was corrected but he was asking to remain on his current plan and receive a stipend in cash.

Mayor Matis and Trustees Graham and Cole feel the insurance should be the same across the board. Trustee Cole stated that this would be establishing precedence.

Attorney McConaughy asked if they wished to delete the insurance sentence in the contract and was told, yes.

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**Motion:** Trustee Rose

To approve the agreement between the Town and Lance Stewart amending with amendments

**Second:** Trustee Cole

**Voice Vote:** Unanimous and the attorney will make the adjustments

**4. APPROVAL OF SRO IGA FOR SPRING SEMESTER 2016:**

**Motion:** Trustee Cole

To approve the IGA agreement between De Beque School District and the Town of De Beque

**Second:** Trustee Rose

**Voice Vote:** Unanimously in favor of the motion

**V. ITEMS FOR PERSONS PRESENT - NOT ON THE AGENDA: (Limit 3 Minutes)**

Jack Zimmerer spoke to the Board regarding Town Ordinances. He was especially concerned about snow removal and weed removal. He feels the Town Ordinances should be done away with if we are not going to enforce them. The Town should inform people of their responsibility. Dogs running at large are an additional problem. He stated that the maintenance crew is doing a good job with winter maintenance but the water and ice on the corner needs to be fixed.

Mr. McConaughy stated that the Town had codes to deal with public nuisances. They can order it cleaned up or the Town will do it and bill them for it.

General consensus was to review the Code and work on the problem. They thanked Jack for coming and for his input.

## **VI. REPORTS - INCLUDED**

The Mayor asked if anyone on the Board had additional questions. There were none.

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Mr. Stewart reported that the flooring and the insulation for the community center is complete.

Trees have been trimmed that were overlapping on Town property. We have received speed signs. Isaac is getting estimates on removal of the old water filter from the water plant. He has been taking files and maps to be digitized. He is preparing a grant application to submit to Dola for funding for mapping and locating water and sewer lines, determining fixed assets.

We are waiting to see if the Army Corps of Engineers will be allowing for more water to come by our intake.

He is working on the Special District Process for a formation of a mosquito district.

The cabin we moved to the cemetery needs upgrading. They have received a proposal to do this at a cost of \$10,000 and \$12,000. This includes a new foundation, removal and replacing of roof. Windows and doors will be built into it.

They suggested the FFA be involved in this. Mr. Stewart felt that the students and scouts might be better able to help with the proposed kiosk to the Wildhorse area.

Motion: Trustee Graham

To approve having Dave Myers (Sport) finish the cabin at a cost not to exceed \$12,000.

Second: Trustee Rose

**Voice Vote:** Unanimously in favor of the motion.

**VII. PUBLIC HEARING:**

None

**VIII. NEW BUSINESS:**

**1. DISCUSSION ON REQUEST TO AMEND THE TOWN CODE TO PROVIDE ADMINISTRATIVE AUTHORITY TO THE TOWN ADMINISTRATOR TO APPROVE THE TRANSFER OF LOCATION OF A MARIJUANA SALES LICENSE:**

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This is asking to give the Administrative Authority to approve the transfer of a marijuana license to another location. They are seeking to amend the Town Code to streamline the code to make it easier to transfer and give approval to move a license to another location. Tonight is for discussion of procedures in general.

The general consensus of the Board is that there needs to be public input before allowing a change in location. They agree that the applicant should not have to start all over but there needs to be a public hearing to allow citizens to voice their opinions.

“The Town has a transfer fee but nothing in the Code to back it up”, said Mr. Stewart. The attorney was directed to proceed and bring it back to the Board for approval.

**2. DISCUSSION AND ACTION TO AUTHORIZE THE A.A. TO DIRECT THE TOWN ADMINISTRATOR TO PAY THE ENTIRE INSURANCE PREMIUM FOR ALL EMPLOYEES AND DEPENDENTS.**

Mayor Matis requested this item be put on the agenda. The new employees are receiving full coverage for them and their dependents. He would like the Board to consider doing the same for the three full time employees currently required to pay 20% of their insurance. He wants everyone to be treated equally.

**Motion:** Trustee Hoke

To give all full time employees the same insurance benefits and pay the total premium for them and their dependents.

**Second:** Trustee Rose

**Voice Vote:** Unanimously in favor of the motion

A memo will be sent to all employees regarding this decision.

**3. DISCUSSION AND ACTION ON RESOLUTION 2016-01, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DEBEQUE, COLORADO, DESIGNATING THE OFFICIAL POSTING PLACE OF PUBLIC NOTICES AND THE TIME AND PLACE OF THE REGULAR MEETINGS FOR THE BOARDS AND COMMISSIONS OF THE TOWN OF DE BEQUE, COLORADO**

**Motion:** Trustee Rexford  
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To approve Resolution No. 2016-01 establishing the place and time for posting the time and place of meetings.

**Second:** Trustee Hoke

**Voice Vote:** Unanimously in favor of the motion

**4. DISCUSSION AND ACTION ON RESOLUTION NO. 2016-02, A RESOLUTION OF THE DE BEQUE TOWN BOARD OF TRUSTEES APPROVING A LIMITED RETAIL MARIJUANA CULTIVATION FACILITY LICENSE RENEWAL APPLICATION FOR THE ELK MOUNTAIN TRADING POST, LLC.**

All Town Ordinances are public hearings and Mayor Matis asked if there was any public comment. Receiving none, he called for a motion.

**Motion:** Trustee Rose  
To accept Resolution No. 2016-02

**Second:** Trustee Cole

**Voice Vote:** Unanimously in favor of the motion.

**5. DISCUSSION AND ACTION TO APPROVE THE SUBMISSION OF ENERGY IMPACT ASSISTANCE FUND APPLICATION TO PROVIDE FUNDING ASSISTANCE FOR UTILITY MAPPING.**

Mr. Stewart explained that he was seeking their approval to submit an application for an EIAF (Energy Impact Grant) to pay for digital mapping, priority based budgeting, inventory of assets, etc. This will be a \$50,000 capital improvement grant with a 50% grant fund.

**Motion:** Trustee Cole  
To approve the application for the DOLA grant

**Second:** Trustee Hoke

**Voice Vote:** Unanimously in favor of the motion.

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**6. DISCUSSION AND ACTION ON ORDINANCE 470, AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE, COLORADO, AMENDING THE ANNEXATION MAP CONCERNING THE ANNEXATION OF THE PROPERTY KNOWN AS 4582 I-70FRONTAGE ROAD.**

Mr. McConaughy explained the purpose of this Ordinance was to correct typos in the legal description of the Fire District Annexation map.

**Motion:** Trustee Rose  
To approve Ordinance No. 470

**Second:** Trustee Graham

**Voice Vote:** Unanimously in favor of the motion

**IX. OLD BUSINESS:**

Mayor Matis would like to have a spaghetti dinner and invite members of the community to participate in forming a strategic plan. Have examples set out showing what the Board was considering. Receive input from citizens and look at projects they feel are important to the community. Mr. McConaughy suggested that the Board notice the meeting as a workshop. He prefers to have this on a weekend. They decided on Saturday, March 5<sup>th</sup> at 4:00 p.m.

Mr. Stewart stated that it would be best to give them something to respond to. He feels the Board should meet first for a workshop.

Discussion ensued on a date for a workshop among them February 1, 5, and 8.

**X. EXECUTIVE SESSION:**

**Executive session for the following purposes: (1) for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS 24-6-402(4)(b); (2) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS 24-6-402(4)€; and (3) to discuss the potential acquisition of real property under CRS 24-6-402(4)(a).**

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**Motion:** Trustee Cole

To go into executive session for the reasons stated above

**Second:** Trustee Hoke

**Voice Vote:** Motion unanimously approved

8:04 p.m.

Mayor Matis called the Executive Session to order for the following purposes:

**Executive session for the following purposes: (1) for a conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under CRS 24-6-402(4)(b); (2) to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under CRS 24-6-402(4)€; and (3) to discuss the potential acquisition of real property under CRS 24-6-402(4)(a).**



As required by law the meeting was being electronically recorded. He cautioned each person to confine all discussion to the stated purpose of the session and that if the discussion strays from the stated topic to please interrupt.

Those present: Mayor, Forest Matis; Mayor Pro-tem, Cinda Rexford; Trustees: Travis Graham, Stephani Rose, Patrick Cole, Deborah Hoke; Town Administrator, Lance Stewart; Town Attorney, David McConaughy; Town Clerk Shirley Nichols

Mayor Matis attested that the recording reflects the actual contents of the discussion and has been recorded in accordance with the requirements of the open meetings law.

**8:27 p.m.** The Executive Session concluded.

**8:30 p.m.** The Board resumed their regular session.

Mayor Matis asked the Board if they had any concerns they wished to talk about. There were none and he asked for a motion to adjourn.

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**Motion:** Trustee Rexford  
To adjourn

**Second:** Trustees Cole and Hoke

Everyone was in agreement and the meeting adjourned at 8:35 p.m.

\_\_\_\_\_  
Approved

\_\_\_\_\_  
Date

