

MINUTES TO BE APPROVED AT MARCH TOWN COUNCIL MEETING

Boulder Town Council Emergency Meeting

November 30, 2023 8:00 PM

Meeting Minutes

Town Council Members present- Mayor Judy Drain, Jimmy Catmull, Gladys LeFevre, Conrad Jepsen, Elizabeth Julian

Town staff present or on Zoom- Town Clerk Jessica LeFevre

Meeting was called to order at 8:00pm

Pledge of Allegiance

The Pledge of Allegiance is spoken.

Approve agenda

Motion to approve the agenda made by Councilmember

TC conflict of interest disclosure

None were disclosed.

Election Results discussion

Clerk LeFevre stated information had been added to the website since that afternoon and explained why this meeting was taking place. On Tuesday November 28 she had been informed that there was a chance that Ray Gardner had not filed his financial disclosure form on time and had followed through with the Lieutenant Governor's Office to check on Mr. Gardner's paperwork. She had been informed that none of the candidates had filed a financial disclosure form by the October 24th filing deadline and that because they had not done so, each of the candidates was disqualified from the election and Clerk LeFevre was advised that they would have to move forward as per code and acknowledge every seat as vacant and talk with the attorney because it was a municipal issue.

Clerk LeFevre had spoken with the attorney and the County Clerk's Office which was why the public had received the letter informing them that all of the candidates had been disqualified. She shared the document with the meeting. Clerk LeFevre stated that after the letters had been sent, someone had brought it to their attention that Boulder Town had its own financial disclosure ordinance.

She explained that due to her inexperience she was unaware that Boulder had its own ordinance, but because of that this nullified the State code regarding financial disclosure and so a second letter was sent out to explain that nothing would be changing and that the candidates were not disqualified and the election results would stand.

Councilmember LeFevre asked for clarification on the dollar amounts raised by candidates during their campaign. Clerk LeFevre explained how the process worked.

Councilmember Jepson clarified that they did not have to follow State code, they only had to follow Boulder code. Clerk LeFevre confirmed.

Mayor Drain commented that they were right back where they started but wanted the public to understand what had happened.

Councilmember Julian asked for clarification on section 2A versus 2C of the code. Clerk LeFevre explained that this was the code that they had in place and it met all of the qualifications but if someone wanted to bring that up then they could discuss it. Councilmember Julian asked if they had asked the attorney about whether or not the Boulder code was more stringent than the State code and if they were moving forward with the correct legal process.

City Attorney Wynn stated that under subsection 2A there was no specification about what more stringent looked like and it did not make it clear as to who that burden was placed on so he was not hung up on what 'more stringent' looked like. He confirmed that moving forward as they were would fulfill the statutory requirement and apologized for not looking into Boulder having a code regarding this issue and he should have caught this but thanked for the issue being brought to his attention.

Mayor Drain congratulated the elected candidates.

Executive Session

Not held.

Adjourn

Meeting was adjourned.

DRAFT