

**TOWN OF DE BEQUE  
BOARD OF TRUSTEES  
PUBLIC MEETING/PUBLIC HEARING  
OCTOBER 24, 2023**

The regular meeting of the Board of Trustees was held on October 24, 2023, at 6:00 p.m. in the Community Center, 381 Minter Avenue, De Beque, Colorado. Present were the following:

Mayor: Shanelle Hansen

Trustees: Vern Bruse, Cindy Farris, Lisa Lippoldt, Sarah Hambrick, Judy Lake, and Walter Wood

Absent:

Staff Present: Town Manager Care' McInnis, Town Clerk Lisa Rogers, Town Treasurer Katherine Boozell, Town Attorney Chris McAnany, and Town Planner Matt Farrar.

Also Present: Courtney Diguardi and Kim Crawford (Butler Snow LLP), Josh Lieberman (PineWest), Dan Savoca, Diane Sandelin, and Jeanette Refior.

**CALL TO ORDER:**

The meeting was called to order at 6:05 p.m. by Mayor Hansen.

The Pledge of Allegiance was recited.

**ROLL CALL:**

Roll call was taken, and a quorum was present.

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

No additions or deletions. Ms. McInnis did ask that item H.a.ii. be taken out of order as we have several attorneys attending and would like to get them in and out as quickly as possible.

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

None.

**OLD BUSINESS:**

**DISCUSSION AND ACTION REGARDING ORDINANCE 540 (series 2023):** An ordinance approving a loan from the Colorado Water Resources and Power Development Authority ("CWRPDA") in the aggregate principal amount not to exceed \$2,500,000; authorizing the forms and execution of the loan agreement and governmental agency bond to evidence such loan; authorize the construction of a project; prescribing other details in connection therewith.

Ms. Boozell explained that this is the State Revolving Fund loan that will go to the water treatment plant. The initial loan is 2.5 million dollars. As De Beque was designated a disadvantaged community, eighty percent will be forgiven. The Department of Local Affairs (DOLA) has given De Beque a one million-dollar Energy & Mineral Impact Grant which the Town will use as matching funds. The loan will be for \$500,000.00 at 1% interest per annum. If the project comes under budget then the loan could be significantly less. Jeanette Refior asked regarding the math surrounding the loan interest per year. Kim Crawford explained that the numbers were based on every six months. Mayor Hansen thanked Staff for all their hard work on the project. Mayor Hansen asked if anyone had any questions or comments. There were none.

**Motion:**

Trustee Hambrick motioned to approve Ordinance 540.

Trustee Farris seconded the motion.

Motion carried 7-0.

**BOARD COMMENTS:**

Trustee Hambrick stated that she was excited for Halloween. Mayor Hansen stated that Friday night October 27<sup>th</sup> the Town would be hosting a Costume Party for the adults at the Community Center. Ms. McInnis stated that there would also be Trunk or Treat for the kids on Tuesday, October 31<sup>st</sup>.

**TOWN MANAGER REPORT:**

Ms. McInnis stated that she was happy to report that another “No” had turned into a “Yes” on the broadband front. The Town has secured space at the new Mesa County Community Hall for the CNL to be housed. The Town also asked for an additional parking space and was granted that also. There is a rush to try to get an application for an admin grant for the design and engineering for the CNL. Our DOLA representative is currently on vacation. The Town will have to wow DOLA to even be allowed to apply. Otherwise, it will be February before we can try again. It is \$25,000 with a \$25,000 match. It is due November 14<sup>th</sup>.

There were two planning matters that went before the Planning and Zoning Commission this month. Logan’s View Subdivision Sketch plan and StarLink Special Review Use for an antenna array at 1918 45 ½ Road. P & Z has recommended approval of both. Both matters will be brought before the Board of Trustees in November.

There will be a workshop to discuss Rouse Avenue. It will be the same night as the next planning meeting—November 14<sup>th</sup>. The Town has plats showing where the real Rouse Avenue was vacated years ago. Rouse Avenue was originally east of the townhomes. What is currently known as Rouse Avenue is more of an alley. There are no real good ways to deal with the issue. Perhaps making a one way. Ms. McInnis has also reached out to Fire Chief Matis to get input.

The Mayor has asked that the sign portion of the code be audited at the next planning meeting. There are twenty-four businesses in De Beque. There will be a survey going out in the utility bills at the end of the month.

Friday night a process server served Ms. McInnis to testify in a case concerning Zentco vs. Bob Jones De Beque and the Wild Horse Subdivision. She will keep the Board posted.

Silt is upgrading their bar screens (sewer) and has generously donated their old ones to us. The Town’s are old and dilapidated. Silt’s are in good shape—they just upgraded their system. Both Jim Taylor and Jeremy Gilliam said that this is a big upgrade for the Town. The Town will need to do some engineering to be able to use them. We will store the bar screens until the funds become available from the congressionally-directed spending (\$1.246 million).

The budget will be on the agenda in November for final approval.  
The Town has received the final draft of the River Front Park from UC/Denver. The Town can now seek grants for funding. Thank you UC/Denver for all the great work.  
Water Court determined that the Town should keep our conditional water right for another 6 years.

**CONSENT AGENDA:**

- a. **Approval of Minutes:** September 26, 2023.
- b. **Bills and Expenditures:** (Expenditures related to the Country Store and/or other conflict items are listed below as part of the regular agenda) September 2023

**Discussion Before Motioning on the Consent Agenda:**

Mayor Hansen asked if anyone had any questions or comments on the Consent Agenda items. There were none.

**Motion:**

Trustee Hambrick motioned to approve all items on the consent agenda.  
Trustee Lippoldt seconded the motion.  
Motion carried 7-0.

**REGULAR AGENDA:**

**OLD BUSINESS:**

**DISCUSSION AND ACTION REGARDING RESOLUTION 2023-19:** A resolution of the Board of Trustees of the Town of De Beque, Colorado, approving a subdivision improvements agreement for the Elkhorn Maverik Minor Subdivision.

Mr. McAnany explained that this project had been in the works for a while. It will be a filling station and restaurant space. This agreement spells out what public improvements the developer will complete. There are approximately \$290,000 worth of improvements. The agreement creates a timeline for completion and remedies if not completed. The plat will not be recorded until there is a signed performance guarantee in place. Josh Lieberman (PineWest Development) stated that although the name of the project included Maverik, there would be a different filling station and perhaps a Dunkin Donuts. Everything else with the project remains the same. Mayor Hansen asked if there were any questions or concerns. There were none.

**Motion:**

Trustee Lippoldt motioned to approve Resolution 2023-19.  
Trustee Bruse seconded the motion.  
Motion carried 7-0.

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although the name of the project included Maverik, there would be a different filling station and perhaps a Dunkin Donuts. Everything else with the project remains the same. Mayor Hansen asked if there were any questions or concerns. There were none.

**Motion:**

Trustee Lippoldt motioned to approve Resolution 2023-19.  
Trustee Bruse seconded the motion.  
Motion carried 7-0.

**NEW BUSINESS:**

**REMAINING BILLS AND EXPENDITURES:** Expenditures related to the Country Store and Always Something Creations.

Mayor Hansen asked if anyone had any questions or comments regarding the expenditures related to the Country Store or Always Something Creations. There were none.

**Motion:**

Trustee Farris motioned to accept the expenditures related to the Country Store and Always Something Creations.  
Trustee Hambrick seconded the motion.  
Mayor Hansen and Trustee Lippoldt abstained.  
Motion carried 5-0.

**DISCUSSION AND DIRECTION REGARDING BANKING RFP:**

Ms. Boozell explained that Grand Valley Bank while being a great small bank is unable to offer the services and rates the Town would be able to get with larger bank that was still small town. An RFP was sent out to Vectra Bank, Alpine Bank, and Bank of the San Juans. Ms. Boozell explained the different accounts that we would be able to have and the additional checks and balances and fraud protection that comes with a larger bank. The Town would also be able to have credit cards instead of debit cards and the interest rate would almost double. Ms. Boozell stated that the banks were rated. While Vectra Bank offered the most services, they came at a premium. Bank of the San Juans met our needs without large fees. Mayor Hansen stated that it looked homework was really done on this project. Trustee Wood asked Ms. Boozell if she was confident that Bank of the San Juans would meet the Town's needs. She stated that she was. Trustee Wood asked how long the process would take. Ms. Boozell stated that it would be a two-to-three-month process. Bank of the San Juans would come to us to get signatures and do training. Hopefully, by the first of the year the switch could be made. Payroll should not be affected.

**Motion:**

Trustee Farris motioned to accept the recommendation of Staff to switch to the Bank of the San Juans.  
Trustee Wood seconded the motion.  
Motion carried 7-0.

**CALL THE BOARD OF TRUSTEES PUBLIC HEARING TO ORDER:**

Mayor Hansen at 6:51 p.m.

**DISCUSSION AND ACTION CONCERNING ORDINANCE NO. 539 (series 2023):** An Ordinance amending Chapter 14.05 of the De Beque Municipal Code pertaining to subdivisions, amended plats, condominium developments, lot splits, and related provisions.

Town Planner Farrar stated that there were five key elements that these amendments are working to address the following issues: re-establish a review process for lot splits; establish a review process for condominium and townhome subdivisions; further clarify the Administrative Review process for certain types of subdivisions; further clarify the types of subdivisions, submittal requirements, and review processes for subdivisions; and make some minor formatting and wording changes to Sections 14.05.120 - 14.05.150. Mr. Farrar presented his staff report and discussed the review criteria for the proposed text amendments. The Planning Commission has recommended approval of the text amendment.

Mayor Hansen asked if there were any questions from the public. There were none. Mayor Hansen adjourned the public hearing at 7:01 p.m.

**RESUME PUBLIC MEETING:**

Mayor Hansen asked if the Board had any questions. There were none.

**Motion:**

Trustee Hambrick motioned to approve Ordinance 539.

Trustee Wood seconded the motion.

Motion carried 7-0.

**ADJOURNMENT**

Mayor Hansen asked if there was a motion to adjourn the meeting.

**Motion:**

Trustee Farris motioned to adjourn the regular meeting.

Trustee Hambrick seconded the motion.

Meeting adjourned at 7:04 p.m.

Respectfully submitted,

Approved by the Board of Trustees

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Lisa M. Rogers, Town Clerk

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Shanelle Hansen, Mayor