

**TOWN OF DE BEQUE
BOARD OF TRUSTEES
PUBLIC MEETING/PUBLIC HEARING
MAY 27, 2025**

The regular meeting/public hearing of the Board of Trustees was held on May 27, 2025, at 6:00 p.m. in the Community Center, 381 Minter Avenue, De Beque, Colorado. Present were the following:

Mayor: Shanelle Hansen

Trustees: Cindy Farris, Sarah Hambrick, NJ Fulmer, Vern Bruse, Walter Wood, and John Giffin

Absent:

Staff Present: Town Manager Care' McInnis, Town Clerk Lisa Rogers, Deputy Marshal Joel Korver, and Marshal Bob Dalley

Also Present: Dawn Palmer (Kush Garden) and Scott Hoyer (CPW)

CALL TO ORDER:

The meeting was called to order at 6:01 p.m. by Mayor Shanelle Hansen.

The Pledge of Allegiance was recited.

ROLL CALL:

Roll call was taken, and a quorum was present.

DELETIONS OR CORRECTIONS TO THE AGENDA:

Ms. McInnis stated that the regular agenda should be noted after the "Remaining Bills and Expenditures." There were no other deletions or corrections.

PRESENTATION – PROPOSED BIKE TRAIL STRATEGIES TO AVOID WILDLIFE CONFLICT – SCOTT HOYER, DISTRICT WILDLIFE MANAGER, NW REGION:

Scott Hoyer talked about wildlife conflicts and what could be done to mitigate those as much as possible. He spoke about the bike trail system that is currently on Town property but may extend into BLM land over time. He stated that often there is recommended seasonal closures from December 1st through April 30th each year to protect the sensitive winter habitat for deer and elk. Mr. Hoyer also talked about bald eagles and the need to keep the public at least .25 miles away from any nests. He stated that travel management was important to protect undisturbed areas. Trails should be concentrated where trails already exist. Mr. Hoyer stated that CPW only deals with the wildlife side of things. BLM may have more rules/restrictions regarding cultural areas and endangered species. Mr. Giffin questioned if CPW reviewed projects even if they were not CPW funded. Mr. Hoyer stated that they will still provide comment at the county level.

Mr. Hoyer also spoke about potential bear problems in town. He stated that bear-proof trash cans were key.

Mayor Hansen thanked Mr. Hoyer for his presentation.

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OPPORTUNITY FOR PUBLIC COMMENT:

There were no public comments.

BOARD COMMENTS:

Trustee Wood stated that the vacant lot looks nice. Mayor Hansen stated that the neighbors in the area really appreciate the nice lot and the reduction in dust. She also stated that she has gotten lots of positive feedback about the mural. She is also happy that there is a blonde cow.

TOWN MANAGER REPORT:

Ms. McInnis started her report with dates to remember. June 3rd is the next steering committee meeting. June 12th will be a Kickoff in the Park. After the June 3rd meeting, she will have more details. But in the meantime, let the community know that there will be a barbeque with burgers, and all are invited. Ms. McInnis hopes that all will attend. June 16th is the next Wild Horse Days organizational meeting. All are welcome. June 24th is the next Board of Trustees meeting. Also, budget season has begun. In June, there will be in-house meetings with department heads.

JetBoat and Shezmu will both be shutting down business in De Beque. JetBoat is for sale. Shezmu is permanently shutting down.

There was another water violation in February. It is not as bad as it sounds. Ms. McInnis asked the Board to recall that the lab in Grand Junction was not reporting as they should and was on the hot seat with the State. De Beque took over the duties while the lab works it out with the State. Jim Taylor, ORC, input all the February data on the State platform in a timely manner. When he reported March's data, he replaced all the data from February with March's data and did not realize this would "unsubmit" the February data. All was inputted and there was no issue with the water itself. It is just learning the data entry process.

Ms. McInnis told the Board that the water and sewer rates will need to be reviewed in 2026. She stated that staff will seek a grant for the rate analysis. She stated that the Town needs to stay on top of incremental changes (if they are needed). We do not want to end up where we were in 2022 with a big increase in rates. Tap fees, court fees, copy fees, etc. need to be reviewed also. Court fines have been drafted by the judge.

May 16th was the Wild Horse Gravel Ride/Bike/Run. Each year it is improved. Any opportunity, the Town has to showcase our community and businesses is a win! Who knows what seeds were planted in the participants' minds and it may take a while to see any benefit, but these events do matter. Staff did our best to get local businesses involved. There was also a beer tent fundraiser and a band. Also, tried to make it a local community event. The taco truck did well. The baseball team (beer tent) made a small profit of \$300. It may not be worth their efforts without some modifications. There are discussions about potential improvements for 2026. Perhaps making the Mesa County Community Center the basecamp, but that is up to the organizer. The fact that the riders are only in De Beque on Friday night limits us. Maybe instead of a beer tent on Friday night, have a 4H spaghetti fundraiser. And then have a beer tent on Saturday night after the event. Also, offer some healthy food and drink options.

May 23rd was karaoke night. Marge reported that about 40 people attended.

Ms. McInnis updated the Board on the new Code Enforcement Officer position. She stated that we are excited to have Carlina Jerome on board. The Board may have already heard some grumbling from

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community members. The position is technically under administration. It is a civil position and not POST-certified, but Carlina will be working closely with the Marshals. Code enforcement, or a perceived lack thereof has been the number one complaint that we hear at Town Hall—be it junk/rubbish, weeds, people living in campers, animals, etc. As expressed to the Board previously, the ultimate goal is resolving issues. What this means is warnings initially unless the situation necessitates a citation during the first contact. If the warnings fail to resolve the situation, then a citation is issued into Municipal Court. Even in the court process, the goal is resolution. Staff's request of the Board is that if people are upset that they are receiving warnings or citations is to refer folks to Town Hall, rather than an individual Trustee having to deal with it yourself. If a citation has been written—it is actually a court matter, and we need to stay out of it. On the other hand, if the Board as a whole thinks that something currently in our code should not be enforced, you have the power to repeal those sections of code and that would be a process for the Board. Variances are extremely problematic and equals special treatment. Then there is always the next person. It can undercut staff, especially Code Enforcement and the Court. Again, the Board can repeal almost anything, and staff would obviously not enforce it any longer.

The Town is livestreaming Court. The grant that we got for the jumbotron was based on this requirement. Then the Governor surprisingly vetoed the bill which also included matching sentencing between the State and municipalities. It was a win for the Municipal Court.

Three Town scholarships were awarded for a total of \$10,000. Alison Sandidge was awarded \$4,000, Ava Vines was awarded \$3,000, and Steven Zaragosa was awarded \$3,000. Next year instead of a scholarship committee, perhaps, we could change it up and have the entire Board of Trustees perform the interviews. Not sure what that would look like exactly, and we will wait for direction from the Board.

Ms. McInnis stated that the Town began pulling out of the river for irrigation early this year due to lack of snowfall over the winter months. The Kobe pump is running and there is no Cameo call yet.

Ms. McInnis reminded the Board that De Beque had contributed \$1,500 towards the Shoshone Water Rights Preservation Project that would preserve flows to the Western Slope. Initial hearings were held last week in Steamboat. Sean Norris along with the County represented De Beque and all the municipalities of Mesa County. The Eastern Slope will be fighting this.

The Comprehensive Plan is moving along. Our consultants have worked very hard to get input through surveys. Town events, coupons, and door-to-door have been used to try to get community input and it is working. Eighty-four surveys have been turned in so far. Ms. McInnis and Ms. Rogers meet with Britt from Rick Engineering once a week. Ms. McInnis stressed participation is key. Now is the time if community members want to provide input.

Ms. McInnis stated that she had several updates on the water plant. The Town was successful in purchasing Beers' water tap for \$3,800 (which is what he paid in 2008). The purchase has resulted in significant savings, about \$20,000, in demolition and construction. Sam and crew are doing much of the work as possible in-house to keep costs down. The Town solicited bids for the fill station equipment. We received two bids, then a third bid that was much lower came in last minute. The Town has also purchased \$400,000 of filter equipment. Jeremy is seeking CDPHE consent to piece meal other portions of the project to move it along and not put all our eggs in one basket.

Ms. McInnis discussed Town beautification and other requests. At the last meeting, there was a request for a stop sign instead of yield sign on Curtis Avenue. That has been done. The County will allow horseshoe pits near the pickleball courts. Public Works will get that put in when they can. The asphalt milling in the vacant lot is complete. The slab for the Wayfinding kiosk/shelter is in the works. The

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Town has other concrete projects and plans to get the slab poured at the same time to save costs. Sam and Jeremy shot the grades, and the specs are complete for the slab.

On the grant front, grants are really drying up. Staff will keep searching. To that end, Katherine, Steph, and Ms. McInnis met with the State today to seek a State grant for a secondary water source. We have already sought out through CDS, but we do not want to limit ourselves to one source of funding. We will seek Board consent to apply for the design and engineering through the State grant on the June agenda. The AGNC has award the grant for the Bike Trails on Town property. Things are moving along at rocket speed. Thanks to John, Katherine, Steph, and Gumption Trail Works. There are three anticipated invoices for the work. One has already been paid and a second is in the hopper for this week. Photos are in the packets. Ms. McInnis stated that she tried to drive up in her car but thought better of it. Ms. McInnis and Steph will hike and bike the trails on the weekend of the 6th. Steph submitted another AGNC grant for the Town, but we did not get it. Two other communities that had received one, submitted requests. The OEDIT grant paid for a sign for Quicker Liquor. Dawn Palmer (Quicker Liquor), Steph, and Ms. McInnis took a course, and the Town was awarded \$2,500 for the Quicker Liquor sign. There are photos in the packets.

The mural looks fantastic. Thank you to Roan Creek Bikes and The Flower Collective.

The Town received some exciting news. The Town submitted an ask of our congressional delegates for funding for the secondary water source. Staff gave the congressional staff the usual water plant tour and a tour of the community. There was even an article in the Daily Sentinel that discussed the need for a secondary water source for De Beque. Ms. McInnis has reached out to Congressman Hurd, but he is understandably swamped. Ms. McInnis stated that she decided to take a nap this weekend and turned off the ringer on her phone. Congressman Hurd called while she was sleeping. But there is good news. Congressman Hurd can send up to 15 projects in total for his entire district. De Beque is one of them. In his voicemail, he asked that she notify Town of De Beque leadership that he would be bringing our project before the Appropriations Committee and will go to bat for De Beque for this good project. There is still a long way to go. We have been here before. It literally takes an act of Congress. Thank you to the Board of Trustees for supporting staff as they were seeking this funding. Let's keep our fingers crossed that it all comes to fruition.

CONSENT AGENDA:

- a. **APPROVAL OF MINUTES:** April 22, 2025, and April 29, 2025
- b. **BILLS AND EXPENDITURES:** April 2025
- c. **DISCUSSION AND ACTION REGARDING RESOLUTION 2025-14: A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN AND THE DE BEQUE SCHOOL DISTRICT 49-JT PROVIDING FOR THE COST SHARING FOR A SCHOOL RESOURCE OFFICER FOR THE 2025-2026 SCHOOL YEAR.**

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 Wood seconded the motion.

Motion carried 7-0.

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REMAINING BILLS AND EXPENDITURES: EXPENDITURES RELATED TO THE COUNTRY STORE:

Motion:

Trustee Hambrick motioned to approve expenditures related to the Country Store.

Trustee Farris seconded the motion.

Mayor Hansen abstained.

Motion carried 6-0 with 1 abstaining.

DISCUSSION AND ACTION REGARDING RESOLUTION 2025-12: A RESOLUTION APPROVING AND AUTHORIZING THE DE BEQUE FIRE PROTECTION DISTRICT'S ENFORCEMENT OF THE 2018 INTERNATIONAL FIRE CODE WITHIN THE TOWN OF DE BEQUE:

Ms. McInnis explained that she thought about putting this on the consent agenda, but she wanted to explain the resolution. The Town of De Beque falls within the De Beque Fire District's service area. The Fire District cannot enforce the fire code within De Beque without the Town approving it through a Board resolution. The Mayor asked if there were any questions. There were none.

Motion:

Trustee Hambrick motioned to approve Resolution 2025-12.

Trustee Farris seconded the motion.

Motion carried 7-0.

DISCUSSION AND ACTION REGARDING RESOLUTION 2025-13: A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE TOWN OF DE BEQUE SUBDIVISION IMPROVEMENTS AGREEMENT FOR ELKHORN-MAVERIK MINOR SUBDIVISION:

Ms. McInnis stated that Brian Salek from Read-King was attending via Zoom. Ms. McInnis stated that this was an amendment to the original agreement submitted a couple of years ago. Read-King is hoping to develop a Travel America that will be going in on the other side of the interstate. The amendment lines out conditions that need to be met for site plan approval. There needs to be additional sidewalks along the frontage road and an increase in the performance guarantee bond. Trustee Fulmer asked if this will be incorporating the closed down pot shop. Ms. McInnis stated that that property was owned by a different private entity. Mayor Hansen asked if this renames the subdivision. Ms. McInnis clarified that this SIA amendment is due to increased cost estimates which increases the amount of the performance bond and use tax. Trustee Fulmer asked what the project entailed. Ms. McInnis stated that it would include a fueling center, convenience store, and a restaurant (Dunkin Donuts?) on the southside. Mayor Hansen asked if there were any other questions. There were none.

Motion:

Trustee Farris motioned to approve Resolution 2025-13.

Trustee Hambrick seconded the motion.

Motion carried 7-0.

CALL THE BOARD OF TRUSTEES PUBLIC HEARING TO ORDER:

Mayor Hansen called the hearing to order at 7:07 p.m.

Ms. McInnis stated that this hearing had been duly noticed and that proof of the notice was in the Board packets. Ms. McInnis stated that this hearing was to decide what if any sanctions would be applied to

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Kush Gardens for their recent State violation. She also stated that the Board could continue the hearing to a date certain if they wanted to have legal counsel present. Ms. McInnis reminded the Board that they had previously had a hearing for another retail marijuana store. The findings were that no further sanctions beyond what the State had already done were warranted. Ms. McInnis stated that Dawn Palmer, owner of Kush Gardens, had self-reported that her business had been cited for selling to an underage individual in 2023. Ms. McInnis further stated that the State had finally adjudicated the case. Ms. Palmer faced a fine of \$10,000 and a suspension of 7 days (held in abeyance for a period of 12 months pending no further violations). Ms. Palmer stated that the employee that sold to a minor was terminated, she has instituted new operating procedures and equipment, and has put employees through additional training. Mayor Hansen asked Marshal Dalley if there had been any other issues with Kush Gardens. Marshal Dalley stated that there have been no problems.

Mayor Hansen asked if there were any public questions or comments. There were none.

Mayor Hansen asked if there were any Board questions. There were none.

ADJOURNED BOARD OF TRUSTEES PUBLIC HEARING:

Mayor Hansen adjourned the hearing at 7:15 p.m.

**A PUBLIC HEARING PURSUANT TO DMC CHAPTER 2.08 TO CONSIDER THE POSSIBLE
SUSPENSION, REVOCATION, OR OTHER SANCTION AGAINST KUSH GARDEN, LLC
WITH RESPECT TO TOWN OF DE BEQUE MARIJUANA LICENSING ORDINANCES:**

Mayor Hansen asked if the Board wanted to continue the hearing to a date certain and seek legal counsel or if they were comfortable moving forward with a decision. Trustee Wood stated that he was comfortable making a decision as Kush Gardens had paid fines, retrained on their SOPs, and had the new scanner. Mayor Hansen asked if there were any other comments. There were none.

Motion:

Trustee Wood motioned to deny any further sanctions including revocation, suspension, and fines against Kush Gardens.

Trustee Hambrick seconded the motion.

Motion carried 7-0.

CALL THE BOARD OF TRUSTEES PUBLIC HEARING TO ORDER:

Mayor Hansen called the hearing to order at 7:24 p.m.

Ms. McInnis stated that this hearing had been duly noticed and that proof of the notice was in the Board packets. Ms. McInnis stated that staff had been working with Civic Plus to update our current code. She stated that no changes had been made to the code other than what the Board had previously approved through ordinances. The code needed to be updated to reflect all approved ordinances and to comply with state law.

Mayor Hansen asked if there were any public questions or comments. There were none.

Mayor Hansen asked if there were any Board questions. There were none.

ADJOURNED BOARD OF TRUSTEES PUBLIC HEARING:

Mayor Hansen adjourned the hearing at 7:28 p.m.

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DISCUSSION AND ACTION CONCERNING ORDINANCE NO 552 (series 2025): AN ORDINANCE ADOPTING AND RECODIFYING ALL PREVIOUSLY ADOPTED ORDINANCES AMENDING THE TOWN OF DE BEQUE'S MUNICIPAL CODE; INCLUDING THE ADOPTION AND AMENDMENTS TO CERTAIN PARTS OF THE TOWN OF DE BEQUE MUNICIPAL CODE TO BE COMPLIANT WITH CURRENT COLORADO STATE STATUTES AND REVISING MINOR GRAMMATICAL OR SPELLING ERRORS:

Mayor Hansen asked if the Board Mayor Hansen asked if there were any other comments. There were none.

Motion:

Trustee Hambrick motioned to approve Ordinance 552 (series 2025).

Trustee Wood seconded the motion.

Motion carried 7-0.

CALL THE BOARD OF TRUSTEES PUBLIC HEARING TO ORDER:

Mayor Hansen called the hearing to order at 7:30 p.m.

Ms. McInnis stated that this hearing had been duly noticed and that proof of the notice was in the Board packets. Ms. McInnis explained that staff was working with the county building department and that there are substantive issues with Chapter 12 of our code not being up-to-date and accurate. There is no such thing as Property Maintenance Code. We need to adopt updated versions of those codes. We are required to have our code so that it matches Mesa County as they act as our building department.

Mayor Hansen asked if there were any public questions or comments. There were none.

Mayor Hansen asked if there were any Board questions. There were none.

ADJOURNED BOARD OF TRUSTEES PUBLIC HEARING:

Mayor Hansen adjourned the hearing at 7:34 p.m.

DISCUSSION AND ACTION CONCERNING ORDINANCE NO 551 (series 2025): AN ORDINANCE REVISING TITLE 12 OF THE DE BEQUE MUNICIPAL CODE ADOPTING AND AMENDING THE 2024 INTERNATIONAL BUILDING CODE, THE COLORADO PLUMBING AND FUEL GAS CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE CURRENT NATIONAL ELECTRICAL CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, AND THE CURRENT COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE AND THE DELETION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE:

Mayor Hansen asked if there were any other comments. There were none.

Motion:

Trustee Hambrick motioned to approve Ordinance 551 (series 2025).

Trustee Wood seconded the motion.

Motion carried 7-0.

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ADJOURNMENT

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

Motion:

Trustee Hambrick motioned to adjourn the meeting.

Trustee Farris seconded the motion.

Meeting adjourned at 7:36 p.m.

Respectfully submitted,

Approved by the Board of Trustees

Lisa M. Rogers, Town Clerk

Shanelle Hansen, Mayor