

**TOWN OF DE BEQUE  
BOARD OF TRUSTEES  
PUBLIC MEETING/PUBLIC HEARING  
APRIL 23, 2024**

The regular meeting of the Board of Trustees was held on April 23, 2024, 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, Walter Wood, Sarah Hambrick, Lisa Lippoldt, and Vernon Bruse

Absent: Judy Lake

Staff Present: Town Manager Care' McInnis, Town Clerk Katherine Boozell, Town Clerk Lisa Rogers, and Town Attorneys David McConaughy, Chris McAnany, and Michael Santo (via Zoom)

Also Present: Dawn Palmer, Kyle Cluff, Chief Forest Matis, Annette Tanner, Ethan Shaw, Sam Giffin, Suzie and Darrel Kuhn, Marge Mackey, Dan Savoca, Evelyn and Ryan Giertz, Randy and Suzanne Sheeley, and Brad and Carrie Church

**CALL TO ORDER:**

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

The Pledge of Allegiance was recited.

**ROLL CALL:**

Roll call was taken, and a quorum was present.

**PRESENTATION – GRATITUDE FOR YEARS OF SERVICE:**

Although Trustee Lake was unable to attend, Mayor Hansen presented a plaque and gratitude for Ms. Lake's years of service on the Board of Trustees. Ms. McInnis will make sure that Ms. Lake gets the plaque.

**SWEAR IN NEWLY ELECTED OFFICIALS:**

Mayor Hansen swore in Kyle Cluff, Cindy Farris, and Sarah Hambrick to the Board of Trustees.

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

None

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

Sam Giffin of Roan Creek BikeWorks spoke regarding a De Beque Town Trails Proposal. He stated that there were two Town owned properties that suitable for building trails. Both properties have diverse hilly, desert terrain. Both properties are adjacent to BLM land to provide for future trail connections.

Ethan Shaw of The Flower Collective spoke regarding the donation of a mural for the Town. The location of the mural would be the north wall of the De Beque Community Center. It would celebrate the rich outdoor activities available in De Beque. The goal is to enhance the downtown area for residents and visitors alike. It would hopefully attract more foot traffic to Town.

**BOARD COMMENTS:**

Trustee Hambrick stated that the craft fair was awesome.

**TOWN MANAGER REPORT:**

The ribbon cutting ceremony for the barbeque grill will be held Friday, April 26<sup>th</sup> from 11:30 to 1:00. Brats and burgers were donated by High Lonesome Ranch. There is a new ADA sidewalk around the grill. It was paid for with part of the OEDIT grant funds.

At the next Board of Trustees meeting (May 28<sup>th</sup>), there will be the annual CIRSA Training led by the General Counsel for CIRSA, Sam Light. Training will focus on laws, ethical rules, best practice, and organizational structure. It helps reduce the Town's risk of liability and personal liability.

The Scholarship Committee will conduct interviews on April 29<sup>th</sup>. There are two applicants.

Ms. McInnis spoke to the Board about scheduling a workshop with the Marshal. There are two vacancies for deputy. It has been posted in ads and by word of mouth. There have been no applicants. It is getting to crisis level. A workshop was scheduled for May 14<sup>th</sup> at 5:30.

There is an amazing opportunity for our local businesses. Ms. McInnis stated that she has been working with Chris Justice of Gemini Adventures since the beginning of February. They bought the Wild Horse Gravel Bike Race. The goal is to incorporate the Town and its local businesses into the ride as much as possible. There was a meeting with local businesses and Chris Justice last week to determine what can we do to promote the Town. Yesterday those meetings may have paid off. The race may restructure their check in process to have it at Gazebo Park on Friday, May 17<sup>th</sup>. The race also runs through Town the next morning. This means 350-500 participants picking up their packets in De Beque on Friday afternoon. It is a great opportunity for businesses to showcase De Beque. It is not a done deal. Ms. McInnis will be meeting with businesses and Chris Justice again on April 24<sup>th</sup>. Chris Justice and crew will also attend the BBQ ribbon cutting and then will go up to High Lonesome to discuss the race details.

Ms. McInnis stated that she was sad to say that she had received a resignation from Lisa Lippoldt from the Planning Board. Ms. McInnis thanked Ms. Lippoldt for her service.

There are several new staff coming on board. Jacob Burns is a Maintenance II and started April 15<sup>th</sup>. John Haas will be starting as Maintenance I in mid-May. Joey Christensen is with Express Employment and will be filling in temporarily.

Ms. McInnis stated that the Town found out this morning that we had an unannounced CIRSA audit today. Although unexpected, staff rallied and got it done.

There is one claim for unemployment. Ms. McInnis will keep the Board updated.

Ms. McInnis stated that one of the sign grants needs an extension. Staff is working with OEDIT and will let the Board know how it works out.

Ms. McInnis wanted to highlight two points concerning the financials so that the Board is aware as we move forward through the year. One – Excise payments are down almost 50%. Ms. McInnis explained that it is hard to forecast where this may go from here. Cannabis stores opening in Grand Junction and the market in general have brought revenues down. There is a request on the agenda tonight for one of the local cannabis business owners to diversify. Two – Insurance rates are up. Staff tries every which way we can to earn points to reduce our rates. There was also an inquiry regarding a non-lethal ammunition expense. It was actually a 2023 expense.

Last month, Ms McInnis announced that the Town was successful in obtaining \$464,435 in grant funding from DOLA for Broadband. The grant award is in the packets. Staff also has revised a resolution to seek more grant funding for this project through the USDA. There was also a \$25,000 Administrative grant for the Design and Engineering which was matched by the Town. The D&E was completed by NeuComm Solutions. The next step is the Build Contract. There will likely be a resolution next month regarding NeuComm Solutions. NeuComm Solutions has done the build for a number of our neighboring communities, including Garfield County and Collbran. There are some benefits to being the last link in the chain. Garfield County did a collaborative agreement to vet and obtain the best deals on equipment and the like. It is very similar to our OneSource for other needs. It saves us time and provides the economies of scale if we can use these types of processes. NeuComm is not only very familiar with the other I-70 builds, but also our needs and challenges through their work on our design. They are also well connected with Region 10 and all the manufacturers. Staff would like to reach out to Garfield County to see if we could enter into a cooperative agreement with them as other communities have done and ask the Board to allow us to pursue NeuComm for the build contract. Again, we could skip some of the procurement steps because they have already been completed by others.

It has been a challenging year and start for the Public Works Supervisor. There have been two significant irrigation leaks. The Fiber bore went right through our line. Also, there was a leak in the County line under the brand-new Community Hall sidewalk. They had to remove the sidewalk to repair. Fingers crossed that everything is running smoothly soon. Please have patience.

Xcel is replacing poor soil around their station with better soil to avoid drainage issues. They are adding a culvert. Ms. McInnis stated that she is unsure of the specific plan beyond drainage and access improvements but does know that it is costing close to \$300,000.

Ms. McInnis talked about Town beautification. The new Town sign looks fantastic and was able to be paid for with grant money. The split rail for the fence has been purchased. The screened gravel needs to be thinned out. There are differing opinions on whether getting a roller will have much impact and rollers are expensive. For now, the plan is to thin it out and move forward in phases. Ms. McInnis asked Mayor Hansen if she was able to get any information on whether the mustang in Gazebo Park had been painted. Mayor Hansen stated that she was unable to get any information.

There is one grant request pending with DOLA for a much-needed new Comp Plan for De Beque. The plan is to get to this in 2024. Ms. McInnis stated that she would let the Board know when we hear from DOLA.

Great news, the Town was awarded another \$25,000 administrative grant from DOLA for a drainage study before new sidewalks are laid.

**CONSENT AGENDA:**

- a. **Approval of Minutes:** March 26, 2024.
- b. **Bills and Expenditures:** March 2024.
- c. **Discussion and action regarding Resolution 2024-11:** A resolution authorizing the Town to apply for a grant from the United States Department of Agriculture (USDA) to fund improvements to broadband infrastructure and authorizing specified Town employees to submit required documentation to the agency.
- d. **Discussion and action regarding Resolution 2024-12:** A resolution enacting revised fees for services provided by the De Beque Marshal's Office.
- e. **Discussion and action regarding Resolution 2024-13:** A resolution authorizing a pre-annexation and utility agreement providing for domestic water service outside the municipal limits at the property known as 4602 Highway 6 & 24.
- f. **Discussion and action regarding Resolution 2024-14:** A resolution re-appointing persons to the positions of Town Treasurer, Clerk, Attorney, Prosecutor, and Associate Municipal Judge.

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

Mayor Hansen asked that the item (f) for Town Prosecutor be pulled from the consent agenda and moved to new business. All other appointments will remain on consent agenda. Mayor Hansen asked if anyone had any other questions or comments on the Consent Agenda items. There were none.

**Motion:**

Trustee Hambrick motioned to approve all items except item f regarding Town Prosecutor on the consent agenda.

Trustee Cluff seconded the motion.

Motion carried 7-0.

**REGULAR AGENDA:**

**NEW BUSINESS:**

**Remaining bills and expenditures: Expenditures related to the Country Store**

**Motion:**

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

Trustee Wood seconded the motion.

Mayor Hansen and Trustee Cluff abstained.

Motion carried 5-0.

Town Treasurer, Clerk, and Attorney were sworn in by Mayor Hansen.

**Discussion and action regarding Resolution 2024-15:** A resolution appointing Dana P. Hlavac as Presiding Municipal Judge.

Trustee Cluff stated that he wasn't sure about Mr. Hlavac, but he had won him over during interview.

**Motion:**

Trustee Lippoldt motioned to approve Resolution 2024-15 appointing Mr. Hlavac.

Trustee Bruse seconded the motion.

Motion carried 7-0.

**Discussion and action regarding make up of Planning and Zoning Commission:**

Attorney McAnany presented his staff memo. There is an open position and must be ex officio. Also, the Mayor cannot be the chair. Trustee Cluff asked if the Planning Commission is necessary. Mr. McAnany stated no but that the Commission does important work such as the Master Plan. Trustee Cluff then asked if the Planning Commission could be disbanded and added to the Board of Trustees. Mr. McAnany stated that the size of the Board was statutory. Mayor Hansen stated that the Commission is important as it is the review process before matters come before the Board of Trustees. If there were no Planning Commission, Board agendas would be longer. The Board will discuss next month when Planner Farrar can be available.

**Discussion and action regarding Town Prosecutor:**

Mayor Hansen stated that she would like to have the interview process with the prosecutor. Ms. McInnis stated that if the Board wanted to discuss specific personnel issues that should be done in executive session. Mayor Hansen stated that she wanted to see what other options were out there. Trustee Farris stated that she would like to see how it goes with new judge. The consensus was to put out an RFP for prosecutor.

**Discussion and action regarding Resolution 2024-16:** A resolution granting local consent for a retail liquor store application by Quicker Liquor, LLC for store premises to be located at 4550 Highway 6 & 24, Unit B.

A public hearing was opened at 7:16 p.m. Chris McAnany presented a staff report recommending approval of a liquor license. Dawn Palmer of Quicker Liquor introduced herself and asked for approval for a liquor license to open a retail liquor store. She stated that she is committed to the community and to the local economy. Susie Kuhn of De Beque Liquors stated that they were currently closed for remodeling. They have been here 20 years and already have to compete with Kum & Go. She stated that the community is too small for two liquor stores. Trustee Cluff asked when they will open again. Ms. Kuhn stated within the next month. Trustee Farris stated she thought there was enough business to support two stores with the tourists. Randy Sheeley of Elk Mountain Trading Post stated that we need business to come into town not just the highway. Mayor Hansen stated there has been a need for a liquor store as De Beque Liquors has been closed for a while. Ethan Shaw of The Flower Collective reminded of the principles of the free market. Trustee Farris stated that we have to be fair. There may be a way to make both businesses successful. Mayor Hansen asked how many jobs will be created. Ms. Palmer replied two. The public hearing closed at 7:41 p.m.

Trustee Cluff asked if the legal parameters had been met. Mr. McAnany stated that Quicker Liquor has met the statutory distance requirements.

**Motion:**

Trustee Cluff motioned to approve Resolution 2024-16 approving a liquor license for Quicker Liquor. Trustee Bruse seconded the motion.

Motion carried 5-2 with Trustee Lippoldt and Mayor Hansen opposing.

**OLD BUSINESS:**

**Executive session for a conference with the Town's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiations under C.R.S. 24-6-402(4)(e) specifically regarding sewer connections to the fire district property and related contracts.**

**Motion:**

Trustee Lippoldt motioned to enter executive session.  
Trustee Farris seconded the motion.  
Motion carried 7-0.

**Discussion and direction/action regarding the Fire District annexation agreement:**

Attorney McConaughy told Fire Chief Matis that he will contact the Fire District attorney regarding options 2 and 3.

**Discussion and direction regarding health care and FAMLI (Family Medical and Leave Insurance):**

Ms. McInnis explained currently that using PTO could be used to offset health insurance proportionally. This was passed by Resolution 2024-06. Mayor Hansen stated that the employee should not be penalized for participating in FAMLI. Discussion ensued regarding unpaid leave and the payment of health benefits. Ms. McInnis stated that we have to be careful to treat all employees in the same fashion. Employee Marge Mackey stated her family suffered a health scare and that paying for health care out of pocket would have been catastrophic. Employee Evelyn Giertz spoke of the unaffordability of paying approximately 80% of the health insurance. She stated she is willing to pay something, but that is too much. Ryan Giertz indicated that he felt that the Town was screwing over the employee when on leave for health issues. Ms. McInnis told the Board that she needs direction of how the Board wants to proceed. After much discussion, the Board consensus was that if a person is out on unpaid leave and have FAMLI that the employee should pay 20% of the cost of health insurance. Attorney Michael Santo will appear in person next month and bring the Board some workable options.

**ADJOURNMENT**

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

**Motion:**

Trustee Lippoldt motioned to adjourn the meeting.  
Trustee Wood seconded the motion.

Meeting adjourned at 10:28 p.m.

Respectfully submitted,

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Lisa M. Rogers, Town Clerk