

**TOWN OF DE BEQUE  
BOARD OF TRUSTEES  
REGULAR MEETING  
JANUARY 25, 2022**

The Regular Meeting of the Board of Trustees was held on January 25, 2022, 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	Judy Lake
	Sarah Hambrick	Dave Jackson	

Trustee Summer Black-Greening was absent.

Staff Present: Care' McInnis, Town Administrator; Lisa Rogers, Interim Town Clerk; Davis Farrar, Town Planner via Zoom; Bob Dalley, Marshal; JR Korver, Deputy Marshal

Also Present: Joe Keys, Derek Hansen, Tom & Shelly Johnston, Deb Fache

**CALL TO ORDER:**

The meeting was called to order at 6:03 p.m. by Mayor Shanelle Hansen.

The Pledge of Allegiance was recited.

**ROLL CALL:**

Roll call was taken, and a quorum was present.

**DELETIONS AND ADDITIONS:**

Town Administrator McInnis asked if the Board if they would not object to moving the presentation (Item 9A) up on the agenda so that those participating can go on with their evening. The Board had no objections.

**9A. PRESENTATION, DISCUSSION, AND ACTION REGARDING: Community Partnership and Study Agreement with the Colorado Water Conservation Board (CWCB), Federal Emergency Management Agency (FEMA), Wood, and the Town of De Beque**

Ms. McInnis explained that the presentation is to advise the Board on the offer through a Memorandum of Agreement (MOA) with the Colorado Water Conservation Board (CWCB) and the Federal Emergency Management Administration (FEMA) to update the floodplain maps. If the Board does authorize the MOA, then she would ask that the Town Planner Davis Farrar be the Town's representative on the project going forward.

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Marta Blanco Castano, the program assistant with CWCB Flood Mapping Program, explained the reason and purpose of the project and CWCB's role in the project in conjunction with FEMA through the work of the project contractor, Wood. FEMA provides federally backed flood insurance. The project is to update the floodplain map for the area. CWCB is the liaison and will provide risk and hazard information, and provide support to the community. The maps have not been updated in some time and the end result will be digital map products. It is slated as a five-year project, broken out into phases. Phase I, which is the discovery and information gathering in order to develop base level (Zone A) mapping, is complete. The next phase, Phase II, will be to send staff to the area to gather information to put into their modeling. Things change over time and the goal is to protect life and property for the community. However, and she emphasized this several times, they want to study the area in the way the community wants with the community's priorities because ultimately it will be the community's responsibility to manage the outcome of the study. The purpose of the MOA is to ensure the community is comfortable with its responsibilities throughout the study and with the result. They ask the community to provide access to stakeholders, keep leaders updated, provide any information already available, have staff be involved, ask questions, and keep them on track. It is not a contract but an understanding. At the end of the study, the Town will have the opportunity to refute the findings and ask for changes. CWCB's job is to communicate as this study will, in the end, affect the citizens and have an impact on flood insurance.

Ms. McInnis said she is asking for the Town Board direction on whether to participate in the study or not.

Town Planner Farrar asked what the difference is between a 1D study and a 2D study. Ms. Castano responded that 2D studies usually apply to streams where there are split flows or in flat areas where the flow goes in different directions. 1D is the traditional model and would be recommended for the Colorado River.

Elizabeth Jefferson, the project engineer with Wood, provided additional clarification on the different types of study advising that 1D is a one-dimensional model that is easier for a community to manage and is easier for a water body like the Colorado River.

Mr. Farrar asked why Roan Creek is not included in the study; is it because it has been recently studied and mapped? Ms. Jefferson responded yes, and that not much has changed since that was done. However, if the community felt it should be remapped they could do that. Mr. Farrar replied that the current mapping is probably accurate and there is not a lot of development in that area. He asked how far upstream the last mapping was for Roan Creek. Ms. Jefferson did not have that information. Mr. Farrar asked how frequent the interaction will be with staff. Ms. Castano said probably every other month; they do send out a quarterly newsletter. However, the community can reach out anytime, they can do workshops and training, but it is all at the community's request; they want to hear from the community. Mr. Farrar asked how meetings and training are conducted. Ms. Castano said usually via Zoom, but they are flexible. Ms. Jefferson said they have had success with hybrid meetings where a small number of staff are on site and the meeting is conducted virtually.

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Mayor Hansen asked if there were any questions. Trustee Hambrick asked if the project is just about mapping to which the answer was yes.

Ms. McInnis advised that when Roan Creek flooded after the fire was when the recent modeling was done. FEMA offered lower cost flood insurance to De Beque residents. She added entering into the MOA will affect Town staff workload.

Ms. Castano added that the maps produced will be tied to insurance. In areas of high flood risk, properties will likely need flood insurance but that is up to lender. Lenders may require flood insurance to protect their asset. CWCB does not have involvement with that. High risk areas are not just by the river but areas where there is risk of flash floods.

There were no other questions.

**Motion:**

Trustee Hambrick moved to authorize entering into the Memorandum of Agreement with CWCB, FEMA and Wood, as their contractor, for the floodplain map update. Trustee Wood seconded. Motion carried unanimously.

At that point the Zoom participants signed off.

**APPROVAL OF MINUTES:**

Ms. McInnis noted a request from Trustee Black-Greening for a change to the minutes. She read the amendment to the rest of the Board noting it was a more detailed account of what Trustee Black-Greening stated under public comments.

**Motion:**

Trustee Farris moved to approve the minutes of December 15, 2021, as amended. Trustee Wood seconded. The motion carried with Trustee Jackson abstaining.

**BILLS AND EXPENDITURES:**

Ms. McInnis advised that she provided a second set of financials to the Board that included more detail on the expenditures. Trustee Farris expressed appreciation for the additional detail.

**#A Motion:** Trustee Farris moved to approve the expenditures relating to the Country Store. Trustee Wood second. Motion carried with Mayor Hansen and Trustee Jackson abstaining.

**#B Motion:** Trustee Wood moved to approve all remaining transactions, financials, bills and expenditures. Trustee Lake seconded. The motion carried with Trustee Jackson abstaining.

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**PUBLIC COMMENTS ON THE ISSUES NOT ON THE AGENDA:**

Joe Keys, owner of JetBoat, addressed the Board regarding the discussion on use of the riverfront property. Mayor Hansen advised that item is Item E on the agenda and he can make his comments then. This portion of the meeting is for items not on the agenda.

There were no other public comments.

**BOARD COMMENTS:**

Trustee Farris gave high praises to Marge Mackey who has stepped up to the plate again to help out in the time of short staffing. She inquired if Ms. Mackey's hours could be divided up between her rec position and office position. Ms. McInnis explained that Ms. Mackey is being paid at her rec director rate which is higher than the rate for administrative assistant. She added that Ms. Mackey is saving the day by stepping in but she will be looking to use Express Employment again.

Mayor Hansen said the fireworks were well-done, a beautiful display. Trustee Hambrick concurred. Mayor Hansen also said she went to the karaoke night and it was good.

Then Mayor Hansen brought up the Town's policy on the renting of the chairs and tables in the Community Center. Ms. McInnis stated that the chairs and tables are free to residents within the 81630 zip code.

**TOWN MANAGER REPORT:**

Ms. McInnis reported on the following:

She agreed the fireworks were amazing and that Karaoke night was good as already addressed.

The Town tried to start a wrestling program and obtained some mats. The plan was to store them at the school however the mats were huge and it wasn't practical. Luckily a resident graciously offered the use of their barn to store the mats. The wrestling program didn't pan out and the mats were no longer needed and difficult to store so the wrestling mats were sold.

Regarding the election, in all likelihood the election will be canceled although that won't be confirmed for a week. If that happens, the Trustee candidates will be gathered together to determine a process, likely "by lot", to determine who will get the two-year term. Later, on the agenda, is a resolution authorizing the election to be by mail ballot, which needs to be adopted just in case the election does need to go forward. If the election is able to be canceled, staff will bring a resolution to that affect to the next Board meeting.

Both the Planning Commission meeting and the joint Board and Planning Commission meeting went well and things are progressing. The Planning Commission is looking at updates to the Code and the Town Planner will guide them through that. She has ordered some map books from the State through SGM for reference.

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Ms. McInnis advised that Mesa County made an error on the property assessment last year but it will only amount to about an \$800 difference (less) in the property tax to be received by the Town.

The sander died and a new sander was purchased.

Annual audit preparations are underway. The auditors will be performing an on-site visit and will be asking staff to provide a variety of documents.

Ms. McInnis attended an Opioid Governance Board meeting. There are funds coming out of the settlement and both Mesa County and De Beque will be receiving funds. The funds will be over two years and focused on prevention and diversion in that first two years. Then treatment after that which is more expensive.

Ms. McInnis participated in a conference call with AGNC (Associated Governments of Northwest Colorado) as the legislature is now in session. There is a potential for a number of unfunded mandates flowing down from the legislature in the areas of court, law enforcement and taxation.

Regarding the chip and seal, she wanted to clarify that she does not have control over Mesa County's work schedule so she wanted it clear that there is no set date for Mesa County to complete the work. The two road patches discussed at the last meeting must be complete prior to the County chip and seal work. Both items are very weather dependent and mobilization dependent.

In reference to the Wetland Mitigation and Monitoring Report in the packet, that is ongoing project to come into compliance. Tim Conwell has completed the bulk of the work there. There is one section left to address for planting vegetation and that was red flagged but is not significant. The report has been sent on to the Army Corps of Engineers and efforts are being made to correct the violation.

Ms. McInnis has spent time trying to track down and gather together the outstanding Blue Stone Ditch water shares. The Town had six and an additional ten shares were transferred from Schlumberger as Derek Hansen and Angela Barton signed the required affidavit to Schlumberger allowing the transfer. Another three shares were transferred to the Fire District and should ultimately go to the Town; that is in process. There are still 169 shares outstanding. The next Blue Stone board meeting is February 7th and the Town Attorney will be making the case that the rest of the Schlumberger shares should be transferred to the Town.

On the Broadband issue, there are two different requests for broadband. Collbran is applying for funding but Mesa County is considering applying for a regional grant. Having a regional request is more likely successful. If there is no downside, De Beque will likely opt in on that grant request for a regional, non-proprietary hub out by the interchange.

Ms. McInnis said that the water plant continues to have challenges and there are two significant projects ongoing. There is the "here and now", keeping things going now and then the future. The new plant project is further along than some think as far as permitting, etc. The grant request for SRF funding is ready to submit which will bolster the \$1 million received from the County. The Roadmaps to

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Resiliency program, which is consultants coming to the Town to look at how to recover economically from the pandemic, is progressing. A CDOT grant the Town is pursuing through their safety and connectivity section and would constitute installing sidewalks and mobility ramps in town which is a \$2 million project that requires a 20% match. She may need to come back to the Board for additional funds to make the match.

Regarding the ripped liner at the sewer plant, the in-kind submittal has been submitted and that is on track but there are a lot of steps that need to happen. It is weather permitting also; it has to be above 40 degrees for a certain period of time.

On staffing, Ms. McInnis hopes to have a new ORC (in charge person at the plant) out of Paonia lined up as a possible long-term solution and is working on a long-term solution for a “boots on the ground” person as the current Public Works Director Tim Melovek has resigned. His last day is the upcoming Friday (January 28). A crew from Parachute will be helping out in the meantime. Both the Town Clerk and Town Treasurer job postings are in the Daily Sentinel and Post Independent as well as on a listserv and various online platforms. She does not have the administrative assistant position posted at this time.

There are always questions about where the marijuana revenue is being spent. In reviewing the past years financials, it is apparent that the Town would be in a negative balance situation (-\$500,000) if it were not for those revenues. There will be an article published in an upcoming CML magazine that she, the Mayor, and one of the industry business owners wrote on the history of marijuana in De Beque and how it has impacted the Town. She invited all to read the article which was included in the packet.

Mayor Hansen asked about the new water plant and if any of the current upgrades in the plant will be transferrable to the new plant, specifically the dispenser they recently discussed. Ms. McInnis didn't think that would be the case but will check into it and report back. Trustee Hambrick recalled that Mr. Melovek had said he couldn't find one that was transferrable so it didn't make sense to purchase one at this time.

Mayor Hansen asked if anybody had other any questions for the Town Administrator. There were none.

**9B. DISCUSSION AND ACTION REGARDING RESOLUTION NO. 2022-01: A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE, 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:**

Mayor Hansen explained this is the standard resolution adopted every year as required to designate the official posting place for the meetings. Ms. McInnis advised that the official posting place is the website but they do also post the meeting notices on the Community Center window and in Town Hall.

**Motion:**

Trustee Hambrick moved to adopt Resolution No. 2022-01 – A Resolution of the Board of Trustees of the Town of De Beque, 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. Trustee Farris seconded. The motion carried unanimously.

**TOWN MANAGER REPORT ADDITION:**

Ms. McInnis noted one more item – the reason the SIA for the Maverik station is not on this agenda is that the agreement has not yet been finalized. The Town Attorney is working on it and will bring it forward when it is ready.

**9C. DISCUSSION AND ACTION REGARDING RESOLUTION NO. 2022-02 – A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE, COLORADO, ESTABLISHING A FEE PER ACRE IN LIEU OF DEDICATION OF LAND FOR PARK PURPOSES**

Mayor Hansen explained this is something the Board reviews every year. The Planning Commission has made a recommendation that the Board increase the fee in lieu of park dedication from 8 % of the actual value to 9 % of the actual value. A developer pays this fee, a one-time fee, when they annex into the Town. The fee is paid when it is impractical or illogical to require a development build a park, so they pay a fee to the Town in lieu of that dedication that is equal to a percentage of the actual value of the land they would have to dedicate for those purposes.

Ms. McInnis referred the Board to the spreadsheet in the packet that showed the calculation. She noted the fee is used to offset the cost of services provided.

Mayor Hansen noted that the decision should be balanced with the thought in mind that they don't want the fee to be so high that it discourages development.

Trustee Farris asked what previously paid fees have been used for. Ms. McInnis said that is a valid question but she cannot account for the expenses tied to the fees received in the past.

Trustee Farris asked how De Beque's fee compares with other surrounding communities. Ms. McInnis said it is on the low side. She can't compare it to New Castle as they have a policy that land has to be dedicated and Rifle does land trades so they can't compare to them either.

Trustee Farris suggested that De Beque should stick with the 8 percent as right now De Beque does not have a lot to offer. Ms. McInnis noted that there are no pending annexations at this time.

Trustee Wood agreed with leaving it as is as there is no reason to change; there are not a lot of developers knocking at the door.

Trustee Farris stated that without knowing what it is being spent on, it would be hard to justify an increase.

**Motion:**

Trustee Farris moved to adopt Resolution No. 2022-02 – A Resolution of the Board of Trustees of the Town of De Beque, Colorado, Establishing a Fee per Acre in Lieu of Dedication of Land for Park Purposes with the fee to remain at 8%. Trustee Wood seconded the motion and the motion carried unanimously.

**9D. DISCUSSION AND ACTION REGARDING RESOLUTION NO. 2022-03 – A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF DE BEQUE, COLORADO, AUTHORIZING A MAIL BALLOT ELECTION APRIL 5, 2022 AND SETTING FORTH OTHER DETAILS RELATING THERETO:**

Mayor Hansen noted this resolution is just a housekeeping item as was discussed previously.

**Motion:**

Trustee Farris moved to adopt Resolution No. 2022-03 – A Resolution of the Board of Trustees of the Town of De Beque, Colorado, Authorizing a Mail Ballot Election April 5, 2022 and Setting Forth Other Details Relating Thereto. Trustee Hambrick seconded the motion and the motion carried unanimously.

**9E. DISCUSSION AND DIRECTION CONCERNING: The use/permitting of the Town’s riverfront property for vendors:**

Town Administrator McInnis explained that this issue arose because there is a food truck that has parked down on the riverfront property a few times and would like to be there again this year. He hasn’t paid a lease fee in the past but yet Joe Keys, JetBoat, has paid a lease fee to locate there. Ms. McInnis is looking for policy direction on allowing other users there, as it is Town property, how to regulate it, and how much to charge. Mayor Hansen concurred there should be some guidelines. Mayor Hansen asked Mr. Keys to comment.

Mr. Keys said his license agreement allows him to have the only commercial use of the ramp area and an area past the cattle guard. He doesn’t want the Town to allow a conflicting or competing use to set up there. However, he would support anything else, in fact would encourage more business there. He thinks a food truck would be a great use.

Trustee Wood said he sees activity there regularly and thought it would be good to make some improvements there because it is a nice area.

Ms. McInnis said she will bring back some ideas for the Board to review. There should be the ability to say no to a request but who would have that say is another question. Another issue will be the need for restrooms if activity is increased and encouraged.



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Mayor Hansen mentioned some ideas for the Board to consider; length of permit – 1 day permit? 3 day permit?, maximum stay? She said they absolutely would have to get a Town business license. Ms. McInnis added that includes providing proof of insurance.

Ms. McInnis will bring ideas and options back to the Board for consideration.

**ADJOURNMENT:**

There was no further business before the Board.

**Motion:**

Trustee Farris moved to adjourn. Trustee Hambrick seconded. It was agreed to adjourn.

The meeting adjourned at 8:10 p.m.

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Approved

\_\_\_\_\_  
Date