

The Regular Meeting of the Meeker Town Board was held Tuesday, October 20, 2009 at Town Hall.

Members Present	Mayor	Etheridge
Trustees		Omer Cook Strate Gerloff Halandras
Members Absent		Mills
Town Staff Present	Town Administrator Town Clerk Town Planner Attorney Liquor Clerk Admin. Assist.	Day Cook Smith Viscardi Sizemore Niemi
Citizens Present	Nikki Turner Kai Turner Jeff Madison	RB Herald Times RBC Commissioner Rio Blanco County

#### **CALL TO ORDER**

Mayor Etheridge called the meeting to order at 7:00 p.m.

#### **ROLL CALL**

All Trustees present, except Trustee Mills.

#### **APPROVAL OF THE AGENDA**

Mayor Etheridge asked if there were any changes to the agenda, with Attorney Viscardi requesting the addition of an Executive Session to discuss the tendered Memorandum of Understanding concerning the Fairfield Center. He stated the Executive Session would be pursuant to C.R.S 26-4-402(1)(b), regarding a conference with an attorney for legal purposes as well as C.R.S 26-4-402(4)(e), regarding negotiations and developing strategies for negotiations. Administrator Day suggested the Executive Session take place after the workshop.

A motion was made by Trustee Halandras to approve the agenda with the addition of an Executive Session, seconded by Trustee Strate. All ayes, motion carried.

#### **APPROVAL OF THE PREVIOUS MINUTES**

Mayor Etheridge asked for changes or revisions to the minutes of September 15, 2009. Trustee Halandras stated on page nine of the September 15, 2009 minutes, under the first paragraph of the Update of Ute Road, Dave Moran should be Dave Morlan.

A motion was made by Trustee Gerloff to approve the September 15, 2009 minutes with the noted revision, seconded by Trustee Strate. Ayes, Trustees Cook, Gerloff and Strate. Trustees Omer and Halandras abstained (due to being absent from the 9/15/09 meeting). Motion carried.

Mayor Etheridge asked for changes or revisions to the minutes of October 6, 2009 with none noted.

A motion was made by Trustee Halandras to approve the October 6, 2009 minutes, seconded by Trustee Cook. All ayes, motion carried.

**APPROVAL OF VOUCHERS**

Mayor Etheridge asked for questions or comments regarding the revised set of vouchers dated October 20, 2009 with Trustee Halandras inquiring (Item #26 ó General Fund) as to who Zen Transport was and where they were located. Administrator Day stated it was the company who picked up the recycling materials and thought they were located in Utah, with Town Clerk Cook stating she thought Craig. Ms. Cook verified the company was located in Longmont. Day added she had begun the process of notifying local haulers to see if any were interested (in hauling recyclable materials to Denver), but had not completed the list.

A motion to approve the revised set of vouchers dated October 20, 2009 was made by Trustee Strate, seconded by Trustee Halandras. All ayes, motion carried.

**PUBLIC PARTICIPATION**

None

**NEW BUSINESS**

***Request from Joe M Sullivan dba/OI' Crows Beer & Beverage, 1030 Market Street for retail liquor store license renewal.***

Liquor Clerk Sizemore stated this was the annual license renewal and Mr. Sullivan couldn't be present. She stated there had been seven calls for service with none related to alcohol. She added all paperwork was complete and Staff recommended approval. Mayor Etheridge asked for questions or comments with none noted.

A motion was made by Trustee Strate to approve the license renewal for Joe M. Sullivan dba/OI' Crows Beer & Beverage, seconded by Trustee Cook. All ayes, motion carried.

***Consideration of Resolution No. 7, Series 2009. A Resolution vacating certain side lot line utility and drainage easements on the common lot line of Lots 33R and 34R of Block 3 of the re-subdivision of Sage Hills Subdivision, requested by Jeffrey D Watson and Deborah H. Watson, owners of both lots.***

Town Planner Smith gave the following report: The Watsons are seeking to consolidate the two lots they own in the Sage Hills Subdivision (Lots 33R and 34R, Block 3 of the Re-subdivision of Sage Hills Subdivision). The appropriate entities have consented to the vacation of the 5-foot Side Lot Utility and Drainage Easements on either side of the lot lines between Lots 33R and 34R and have signed and returned the Vacation of Utility Easement form. The Board's approval and adoption of Resolution No 7, Series 2009 authorizing the requested vacation, is the final step before staff can administratively approve the submitted Lot Consolidation Plat, a copy of which is attached.

Trustee Halandras inquired as to why the Watsons were doing this. Planner Smith explained they wanted to build a carport, but as there wasn't enough area so they needed to vacate the utility easements, and once the lots were consolidated there would be enough space. Trustee Halandras asked what would be done with the water line?

Planner Smith stated it had been done within the Watsons lot through the provision of an easement on the north side of the WREA easement (completed administratively). She added the Watsons had worked out a new agreement with the Sheridans, and this was the final step to eliminate the utility easements and that the Town had approved an encroachment agreement for the new line, but didn't know if the Sheridans had completed the work yet. Trustee Omer asked if the notice for adjacent property owners had been done, with Planner Smith stating it wasn't required for lot consolidation, it was done administratively, but the Town does notify the utility and referral agencies and hadn't received any comments. Mayor Etheridge asked for additional comments or questions with none noted.

A motion was made by Trustee Omer to approve Resolution No. 7, Series 2009, to vacate certain side lot line utility and drainage easements on the common lot line of Lots 33R and 34R of Block 3 of the re-subdivision of

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Sage Hills Subdivision, seconded by Trustee Cook. All ayes, motion carried.

**2010 Proposed Budget Update**

Day stated if the Board saw any changes or wanted additional revisions to let Staff know. Trustee Halandras stated in Day's memo of "other information" regarding the dumpster donation, he stated the previous year it had been placed in the budget, or thought it had been discussed to do so. He added the Town should plan for it. Day stated there was ample funding and Liz Turner had just called asking the Town to consider it. Trustee Omer inquired if the funding for dumpsters the previous year came out of the Community Development Fund, with Day stating no, it came out of the Trash fund in Public Works, and there was funding in the line item for this year.

Mayor Etheridge inquired if the property tax increase could be discussed. Day stated the valuation had gone up significantly with the increase in property taxes for 2010 \$66,939.00 to those who live within town limits. She added it would be fairly insignificant for homeowners, but significant for business owners. Day stated a thought might be to look at a temporary mill levy decrease for one year and share the increase in the budget with more reserve to balance the budget. She added a temporary mill levy was only good annually. Mayor Etheridge asked what the process would be, with Day stating it would be done during the Budget Public Hearing, acknowledging that the Town would be changing the budget to increase the amount of the reserve and decrease the amount of property tax for 2010. Day stated the Town had done a temporary mill levy decrease several times in the past, with Trustee Halandras stating the business owners would appreciate it. Trustee Strate inquired if it would keep it (the property tax revenue) the way it is now (in 2009 budget), with Day stating if the Board wanted to do that, (the whole amount of \$66,939.00) or the Board could decide to take it from the reserve this year and leave the collections the same as the previous years revenue, or they could split it, increase the property tax revenues by half or two-thirds or whatever they decided and pull the remainder out of reserve to balance the budget. Trustee Omer inquired if the Town did that, would there be sufficient funding for the projects that must be done in 2010?

Day stated the reserve could be used as some of the projects didn't come in as expensive as they thought and there would be some carryover at the end of the year. Trustee Omer clarified the budget public hearing was scheduled for November 17, 2009 and asked if Day could outline via memo some of the different scenarios regarding if the Board does or does not apply the whole mill increase, no mill increase or split it. Day confirmed the date of the Public Hearing and stated she would email the Board a spreadsheet showing the information requested. Mayor Etheridge inquired if there were any additional comments or questions, with none noted.

Day stated she would be traveling to Steamboat Springs on October 29, 2009 to present the idea of moving the Enhancement funding to the sidewalks along Sulphur Creek Road. She stated if it was approved it would help the budget for 2010. Mayor Etheridge inquired if the Town would know right away with Day stating she thought so, as CDOT had already stated they didn't have any problem with the request.

**MAYOR'S REPORTS**

Mayor Etheridge shared the programs from Smoking River Pow-wow and Rural Philanthropy Days stating it was nice recognition for the Town.

**MANAGER'S REPORTS**

**Housing Needs Assessment** ó Day reminded the Board and audience members to complete the survey at either the Town's website or the Meeker Chamber of Commerce website. She added the survey would close on Friday (October 23, 2009) and they will be able to add their name in for drawing of chamber bucks.

**USGS Meeting** ó Day stated there recently was a meeting (Thursday, October 15, 2009) with USGS regarding the annual testing. She stated Yellow Jacket has been a big funder of the project, announcing at the last meeting that they will cut funding in half for 2010 with no funding or participation in 2011. Day stated the group discussed options to reduce costs, with the suggestion of dropping one gauging station (North Elk) as well as dropping testing for BOD's. She stated there were a couple of other tests that give USGS an indication of any nutrients in the water but at this time, the testing isn't showing any. She stated she would be receiving an email outlining how

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much it would save, and would forward it to the Board. Mayor Etheridge inquired without Yellow Jacket's funding, which entities were left? Day stated it would be Rangely, Colorado River District, Town of Meeker, Meeker Sanitation and the County. Discussion focused on where the North Elk testing site was, if there was a gauge at Boise Creek, where the next gauge was located from the North Elk site, and Yellow Jacket funding cuts. Day reiterated as soon as she received the information regarding costs, she would email it to the Board. Mayor Etheridge inquired if there were any intentions of splitting the costs between the remaining contributors of the project? Day stated possibly, but for 2010 it would be covered, unless the North Elk gauge was kept.

**CML Policy Committee** ó Day stated if any of the Board was interested, the CML Policy Committee would be meeting in November and February. She stated they were great meetings as they have most of the legislators present; CML provides an overview of what is upcoming for the year and this year there would be an open house at the Governor's mansion. Day added if any of the Board was interested in attending; the Town would pay their expenses. Mayor Etheridge inquired if Day was talking about being part of the committee or just attending the meetings. Day stated they could do either. Mayor Etheridge inquired as to the exact dates of the meetings, with Day stating she would email the dates to the Board.

**Insulation Purchase (Public Works)** ó Day stated Public Works Superintendent Russell Overton had inquired if the Board could be asked if they would approve the purchase of insulation for the ceiling in the Town Shop, using the funding (about \$10,000) remaining in the Systems Development line item. She went on to explain the materials would be purchased and when the weather was inclement, they would install the insulation. The Board concurred.

**ATTORNEY'S REPORTS**

None

**OTHER TOWN BOARD BUSINESS**

Trustee Gerloff asked when the Sanitation District would have their work completed and stated he had heard a complaint from someone who stated the Sanitation District hadn't backfilled their trenches very well, and the person's vehicle took a pretty hard hit. Day stated she thought they were almost done.

A motion was made by Trustee Halandras to adjourn the regular meeting at 7:30 p.m. and move into the workshop discussion, second by Trustee Cook. All ayes, motion carried.

Mayor Etheridge called the regular meeting back into session at 8:52 p.m.

**Executive Session:** A motion was made by Trustee Strate to move into an Executive Session regarding advice from the attorney and instruction of negotiators under C.R.S. 26-4402-4B and 26-4402-4E, concerning the proposed Memorandum of Understanding concerning the Fairfield Center Financial contributions, seconded by Trustee Omer. All ayes, motion carried.

Mayor Etheridge called the regular meeting back to order at 9:34 p.m. Attorney Viscardi stated a record of the meeting would be kept for 90-days under State Law (Open Records Act) and if there was any member who believed the discussion varied from the discussion of topic that was announced to speak now. No discussion.

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**ADJOURNMENT**

Mayor Etheridge adjourned the meeting at 9:35 p.m.

Attest:

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Mandi Etheridge, Mayor

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Lisa Cook, Town Clerk