

# RECORD OF PROCEEDINGS

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The Regular Meeting of the Meeker Town Board was held Tuesday, October 19, 2021, at Town Hall.

## Members Present

Mayor  
Trustees

Borchard  
Creecy  
Day  
Gutierrez  
Lockwood  
Kindall  
Nielsen

## Town Staff Present

Administrator  
Town Attorney  
Town Clerk  
Police Chief  
PW Superintendent

Etheridge  
Massih  
Cook  
Thompson  
Overton

Citizens Present: None.

## CALL TO ORDER

Mayor Borchard called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

## ROLL CALL

All Board members were present except Trustee Creecy who arrived a few minutes late.

## APPROVAL OF THE AGENDA

Mayor Borchard asked for changes to the agenda. A motion was made by Trustee Nielsen to accept the agenda as presented. Second by Trustee Gutierrez. All ayes. Motion carried.

## APPROVAL OF THE PREVIOUS MINUTES

A motion was made by Trustee Kindall to approve the minutes of October 5, 2021, as corrected. Second by Trustee Gutierrez. All ayes. Motion carried.

## APPROVAL OF MONTHLY DISBURSEMENTS

A motion was made by Trustee Day to approve the revised disbursements dated October 19, 2021. Second by Trustee Nielsen. All ayes. Motion carried.

## PUBLIC PARTICIPATION

None.

## NEW BUSINESS

*Consideration of MOU between Attorney General's office regarding opioid settlement for the State of Colorado.* Administrator Etheridge stated she included an email in the packets from the State Attorney General's Office explaining the MOU and four documents needed to maximize the settlement funds for the State and local governments to abate the opioid crisis in the State of Colorado. Etheridge explained the maximum amount the State would receive is approximately \$300,000,000 and distribution of such is explained in the MOU and that an Abatement Fund Committee will provide oversight of the shared distribution of how much each region would get; Exhibit A explains the many approved purposes for the funds which include recovery, treatment and prevention opportunities for those needing assistance; adopting the MOU also releases legal claims against the pharmaceutical companies involved in the settlement; and lastly is an escrow agreement which as written provides incentives to those who sign and participate in the MOU and the subdivision's legal claims will only be released when 95% participation by certain local governments has been reached.

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Trustee Lockwood asked if Attorney Massih had reviewed the MOU and whether she had any objections, which she did not. Hearing no further discussion Mayor Borchard called for a motion to approve the MOU between the Attorney General's office regarding the opioid settlement for the State of Colorado. Moved by Trustee Lockwood. Second by Trustee Gutierrez. All ayes. Motion carried.

### ***Update on Land Use Code Revision and Consideration of letter of extension for DOLA Grant Funds.***

Administrator Etheridge extended her appreciation to all who have participated in the process of the update and requested the Board's approval to halt any further review meetings until a full document is received by Western Slope Consulting including the revisions to chapters one through four, the remainder of the document and the definitions stating she believed at that point the committee could move forward with a more effective process. Etheridge stated her second request was approval of the letter to DOLA requesting to extend the grant another six months to June 30, 2022, explaining previously a four-month extension to December 31<sup>st</sup> had been granted and we will not meet that deadline. Trustee Gutierrez suggested the Town require the documents from WSC prior to the end of the year.

There was discussion regarding withholding payment until the end of the grant and that WSC needs to be reminded of their previous agreement. Administrator Etheridge replied WSC is aware there was a deadline, and they haven't met it thus far, the financial piece can be determined at a later date.

Mayor Borchard called for a motion to approve the letter to DOLA requesting an extension of grant funds for the Land Use Code Update. Moved by Trustee Nielsen. Second by Trustee Creecy. All ayes. Motion carried.

## **DISCUSSION ITEM**

***Discussion regarding Draft MOU between Town of Meeker and ERBM Park & Rec District for Circle Park Phase II project.*** Administrator Etheridge stated she and Attorney Massih had worked together drafting the MOU based on the direction given by the Board at the last meeting and asked the Board for their thoughts, pointing out the cost estimates included are from last December's proposal from SWCA and references the \$250,000 committed by both the Town and ERBM Rec. and Park District and that both parties will jointly apply for grants with the Dept. of Natural Resources, CWCB and GOCO to fund the project with an estimated cost of \$880,000.

There was a lengthy discussion with several Board members expressing their concerns over not having an exact project amount, only an estimate; the amount of match on the grants and if they could be applied for without a scope of work; who would manage the project; who would pay for any overages; completing in-channel work in the river and the permitting process that would be required.

Administrator Etheridge stated that she assumed Exhibit B of the MOU would include the final cost of the project. Mayor Borchard pointed out the most important part of the MOU is having proper supervision and control of the project. Discussion followed about hiring a third-party project manager and that payment for those services would need to come from the grant funds. Trustee Nielsen stated he would like to see a neutral party provide the project oversight. Etheridge asked why the design engineering firm could not provide the oversight. Trustee Day added that whoever the project manager ends up being needed to be an expert in river work.

Trustee Creecy asked if the cost of the 5<sup>th</sup> Street sidewalk project was included in the grant request would the Town then be contributing an additional \$240,000 toward the project. Administrator Etheridge explained after a conversation with GOCO they asked if there was anything that could be added to the grant application to make the project more catalytic as they want to fund larger projects, that is when we added the sidewalk to the project. After more discussion about adding the sidewalk project to the grant it appeared as if the Town would be contributing the additional funds. Administrator Etheridge stated she

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would clarify with Director VonRoenn the Town does not intend to commit another \$240,00 to the grant. Trustee Day stated he had no problem with committing half of that amount.

Attorney Massih reminded the Board that none of this conversation was part of the MOU. Mayor Borchard again stated the purpose of the MOU was to define the relationship between the Town and the Rec. District and that the focus should be on paragraph four concerning who the project manager would be and how it will be paid for. Massih asked for direction from the Board on the draft of the MOU. It was determined paragraph four would be revised to include an independent project manager; items a and b would be removed but leave the reference to the committee; Mayor Borchard suggested striking the reference in paragraph one of the \$250,000 and make it an estimated or anticipated amount that makes it non-binding and adding the statement “if sufficient grant funding is not received the project goes away”. Administrator Etheridge asked by adding the language about no funds would be expended if no grants were awarded, does that mean we can’t move forward with anything on the project until May when the GOCO grant would be awarded? Trustee Lockwood reminded everyone that the CWCB Grant was for the planning process and could fund the preliminary part of the project. Mayor Borchard suggested that both parties agree to contribute equally as the project progresses.

### **STAFF REPORTS**

Public Works Superintendent Overton reported during the month of September 24 million gallons of water were pumped; they were able to take care of the beaver problem at the pump house for now; fixed and painted the handrail at Town Hall; winterized the water system; and because he anticipates a shortage due to COVID, ordered parts for the sprinklers at Ute Park.

Police Chief Thompson reported 334 incidents, eight citations and one arrest during the month of September; the jail is officially closed and from here on out detainees will be taken to Craig; the advertisement for the Police Secretary position closed last Friday and several applications were received; the speed limit on Highway 13 north of Town continues to be a problem area, two weeks ago Sheriff Mazzola contacted the Captain of the State Patrol in Craig asking if there was something we can do locally to reduce the speed and help with safety, the Captain stated CDOT is adamant they will not reduce the speed but were agreeable to make the area a no passing zone from County Road 15 toward town and that should happen before the end of the year.

Town Clerk Cook informed the Board she had been completing insurance renewals for 2022; finalizing the budget and gearing up for the election next spring where the Mayor and Trustees Creecy, Nielsen and Lockwood’s seats were up for re-election with Creecy being term limited, nomination petitions would be available on Tuesday, January 4<sup>th</sup>.

Town Attorney  
No report.

Town Manager Etheridge said she had been approached by Pioneers Healthcare Foundation about becoming a sponsor for the Foundation’s annual fundraiser “Jingle Mingle”, unfortunately they won’t be able to officially make the request until the first board meeting in November and they are placing the order for their marketing materials before that time and would like the Town’s logo to be included if we are amenable to becoming a sponsor. Etheridge stated they were not asking for a specific amount as any amount helps and the event will provide funding for Meals on Wheels, cancer screening and scholarships, the request will be placed on the next agenda. To be consistent with other requests, the Board agreed to wait for receipt of the application.

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## **MAYOR'S REMARKS**

Mayor Borchard commented he had asked for the board room to be rearranged again because of COVID, he has been told by the doctors in his family that the Delta strain is worse than the last strain, numbers are going up in Meeker and state wide, the recommendation is for everyone to receive the vaccination, social distance and wear a mask, the hospitals are filling up quickly and they are having a hard time placing people statewide, it is more important now than it was originally.

## **OTHER BOARD BUSINESS**

Trustee Day asked if the Town could ask the Smith's to graze the feed down on Ute Park as there is an abundance of grass on the north end of the park. The Board did not reach a consensus with the request.

## **ADJOURNMENT**

Mayor Borchard adjourned the meeting at 8:24 p.m.

  
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Kent A. Borchard, Mayor

Attest:

  
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Lisa Cook, Town Clerk