

# RECORD OF PROCEEDINGS

The Regular Meeting of the Meeker Town Board was held Tuesday, November 16, 2021, at Town Hall.

## Members Present

Mayor  
Trustees

Borchard  
Creedy  
Day  
Gutierrez  
Kindall  
Lockwood  
Nielsen

## Town Staff Present

Administrator  
Town Clerk  
Attorney  
Police Chief  
PW Superintendent

Etheridge  
Cook  
Massih  
Thompson  
Overton

Citizens Present: Smith, Davie; Jones, Diana; Davis, Megan; Regional DOLA Rep. Hlavac, Dana.

## 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.

## APPROVAL OF THE AGENDA

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

## APPROVAL OF THE PREVIOUS MINUTES

A motion was made by Trustee Nielsen to approve the minutes of November 2, 2021, as corrected. Second by Trustee Creedy. Aye: Trustees Creedy, Day, Gutierrez, Lockwood, and Nielsen. Abstain: Trustee Kindall due to her absence. Motion carried.

## APPROVAL OF MONTHLY DISBURSEMENTS

A motion was made by Trustee Gutierrez to approve the disbursements dated November 16, 2021. Second by Trustee Creedy. All ayes. Motion carried.

## PUBLIC PARTICIPATION

None.

## PUBLIC HEARINGS

**2022 Town of Meeker Final Budget Hearing.** Mayor Borchard opened the public hearing at 7:05 p.m. Town Clerk Cook stated the budget is the same as the October presentation except for the General Fund the remaining DOLA grant of \$28,871.00 for the land use code update has been added along with the remaining portion of the expense of \$57,741.00, added to Systems Development; and an additional \$345.00 for USGS water testing has been added in the Water Fund.

The total budget for the General Fund is \$4,155,576.00 of which \$1,952,181.00 has been budgeted for Systems Development and includes: \$250,000.00 for Circle Park Phase II; \$240,000.00 for the sidewalk on 5<sup>th</sup> St. from Market to Circle Park; \$178,100.00 for the School Street sidewalk; \$100,00.00 for upgrades to town shop; \$61,800.00 for a new patrol vehicle and equipment; \$65,000.00 for maintenance and carpeting the 3<sup>rd</sup> floor of Town Hall; \$566,040.00 transfer to the Water Fund for funds received in 2021 from the American Rescue Plan (ARP) for a water project; \$1,742,270.00 of reserves will be required to balance the General Fund.

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The total budget for the Water Fund is \$1,492,506.00 of which \$855,040.00 has been budgeted for capital improvements that include: \$566,040.00 for the water line replacement on Garfield from 3<sup>rd</sup> to School St. and is offset by the ARP Funding received in 2021; \$184,000.00 replacing 7<sup>th</sup> St. overflow line; \$30,000.00 software replacement at the Water Load out and, ongoing maintenance; \$300,466.00 of reserves will be required to balance the Water Fund.

The mill levy has been set at the full mills of 9.781 based on \$23,403,240.00 gross assessed valuation generating \$228,907.00 in property tax. The mill levy must be certified to the County and the budget adopted by the Board prior to Dec. 15<sup>th</sup>, the December meeting is scheduled for Monday, Dec. 13<sup>th</sup>.

The 2022 beginning fund balance in the General Fund is estimated at \$4,975,762.25 with the ending balance for that year estimated at \$3,122,842.25. The beginning fund balance in the Water Fund is estimated at \$884,639.38 with the ending balance for 2022 estimated at \$584,173.00.

Mayor Borchard asked for questions or comments from the public and the Board, hearing none he closed the public hearing at 7:10 p.m.

### **NEW BUSINESS**

***Consideration of Amendment to Smith Ranches Permit Agreement.*** Davie Smith approached the Board asking for their consideration for him to run 65 to 70 head of cattle on Ute Park over the next month as there is still grass available and it would help reduce any fire danger. Administrator Etheridge referred to the lease amendment in the packets stating the number of head and dates would need to be determined. Trustee Kindall stated she was not at the last meeting when the subject was discussed but said as she recalls, earlier this year the Board agreed to reduce the amount of use of the park by Smith for grazing and said that when livestock are present it is the public's perception that the park is not open for the public. Kindall went on to say there will always be forage there; she also questioned why it appears it is now the Town's obligation to grow the grass when it used to be the responsibility of the Meeker Classic. Travis Day replied the Town began irrigating the park after receiving numerous complaints about the amount of dust blowing into town from the field.

Trustee Kindall reiterated the park should be available for the people of the community and doesn't believe mitigating the grass with cows is the answer; if we need to mitigate the forage problem we could mow along the fence line but in speaking to Fire Chief Pelloni he said he was not worried about Ute Park being a fire danger. Kindall stated allowing the cows there is just something we have always done and maybe we just don't do it anymore; we have to start somewhere with improvements to the park and the connector trail is where we started.

Trustee Gutierrez stated she has the utmost respect for ranchers but that she also represents citizens who want the park property to be available all year round, grass needs no maintenance and if we ever plan for improvements we have to get the cows off; we cater to the leaseholders and I don't believe when we approve the permit agreement and then back track on it every year it is being consistent to our constituents; it would be wonderful if we had a plan and maybe someday we will, but allowing the cows in the park sends a message it is not public ground.

Trustee Day said he disagreed, as the town has more parks per capita than any town in Colorado and until we have a firm plan and the money to do it, it is still good practice to graze it off; people love seeing the cows out there; there are cows on the new hiking trail north of Rifle, and there are cows on BLM property all the time; we should inform the people it is a park, the Board gave direction for staff to green the property and I believe it is more important to graze it off.

Trustee Nielsen said he felt grazing would not hurt a bit and didn't believe the cows would bother people

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using the park. Mr. Smith stated he didn't want to graze it clear off but thought it might help clean it up a little bit; that you can find the trail in several places; but it might be overgrown with weeds; he doesn't see that many people using the trail. Trustee Day said until there is a plan set in stone we need to keep doing what we have been doing. Mayor Borchard called for a motion. Trustee Day moved to approve the amendment to the permit agreement to allow the cows over the next month. Aye: Trustees Creecy, Day, Lockwood, and Nielsen. Nay: Trustees Gutierrez and Kindall. Motion carried. Administrator Etheridge stated she would get with Mr. Smith to determine the exact dates and number of cows.

***Consideration of a Memorandum of Understanding (MOU) with Eastern Rio Blanco Metropolitan Rec. and Park District (ERBM).*** Mayor Borchard asked if there had been any changes to the MOU. Administrator Etheridge replied there had been none since it was emailed to the Board for discussion at the last meeting. Mayor Borchard asked if there were any questions or comments, hearing none he called for a motion to approve the MOU between ERBM and the Town of Meeker regarding Phase II of the Circle Park project. Moved by Trustee Lockwood. Second by Trustee Kindall. Aye: Trustees Gutierrez, Kindall, Lockwood and Nielsen. Nay: Trustees Creecy and Day. Motion carried.

***Consideration of Donation/Sponsorship request for Meeker Skijor Event.*** Diana Jones, representing the Meeker Skijor, thanked the Board and staff for their support and hard work at this year's event which was very successful even amidst the precautions taken for COVID. It attracted 303 spectators, 37 sponsors, 87 competitors and 40 volunteers who also did a live stream video that was a huge success; dates are set for February 19<sup>th</sup> and 20<sup>th</sup> for next year and she asked the Board if they would be willing to donate \$5,000 toward the purse again. Administrator Etheridge stated the donation could come from this year's budget in the same line item as last year which was Marketing and Economic Development. Trustee Lockwood asked if they had considered the status of COVID. Ms. Jones replied that they still have the guidelines from last year and are ready to respond if necessary. Mayor Borchard called for a motion to approve a \$5,000 donation to the 2022 Skijor event from the 2021 budget. Moved by Trustee Gutierrez. Second by Trustee Creecy. All ayes. Motion carried.

***Discussion regarding Meeker well water rights abandonment status.*** Administrator Etheridge addressed the Board informing them a year ago the Division Engineer from the State of Colorado Water Resources notified the Town the water rights for wells 1 through 5 were placed on the State's abandonment list. These are the Town's junior water rights that were acquired in the late '70's early '80's and fell on the abandonment list because of non-use; the water these wells currently produce are from the Town's senior rights. The Town's water attorney, Ed Olszewski, at the direction of Administrator Cook, filed a protest of the abandonment and we received the findings which is a recommendation to abandon our junior rights. The Town can protest this decision in court after the first of next year but the recommendation from Attorney Olszewski is to accept the abandonment as it would be difficult to prove we would ever use the rights. Mayor Borchard asked what would happen if we had a growth in population. Administrator Etheridge referred to page two of the State's letter and their growth projections are 1.6% annually which the Town could more than serve with our senior rights.

Superintendent Overton stated we can prove use on every well as we have meters and document the usage but can't on the junior rights. Trustee Day said it is disappointing that we are losing the junior rights but can do without them; just hope this letter doesn't come back to haunt us when we file for absolute rights on wells 7 and 8; our wells can only produce 600 gallons per minute and those are the senior rights that we have been adjudicated. Overton said under our senior rights we can pump eight million gallons per day and right now we use only two million.

## **STAFF UPDATES**

Superintendent Overton reported 12,665,000 gallons of water were pumped last month; the Public Works crew finished trimming trees; water sampling this year has averaged 100 hours per month because of our

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two new wells and we will know after the first of the year if the current testing will still be required; Christmas lights will go up next week but we haven't been able to get replacement bulbs for two years now so we will fix what we can.

Police Chief Thompson reported during the month of October there were 305 incidents, 14 summons issued and three arrests. Trustee Gutierrez asked how many trips the department has made to the Craig jail, Chief Thompson replied six and another today, but the jail wouldn't accept them because they were full. Gutierrez asked what happens then? Chief Thompson said we don't arrest them. He also reported the truck we recently ordered is waiting on the bumper and console, hopefully we can pick it up the 2<sup>nd</sup> week of December.

Town Clerk Cook reported the 2021 budget estimates are well under the budgeted amounts and it appears by the estimates very little, if any, of the reserves will be used this year.

Town Attorney Massih had nothing to report.

Town Manager Etheridge reported the Chamber has been awarded \$20,000.00 in grant funding from OEDIT and with that we have started the planning process and how to make the space ready for the Chamber to move upstairs; WREA has granted an additional \$2,500.00 and will appeal to their basin electric for an award to the Chamber to help with expenses.

### **MAYOR'S REMARKS**

None.

### **OTHER BOARD BUSINESS**

Trustee Kindall asked about the status of the Land Use Code update. Administrator Etheridge replied she had received an email the previous week from Matt Farrar who said he was putting the final touches on the entire document including the revisions and we would have it soon. Administrator Etheridge introduced Dana Hlavak, our new regional DOLA manager who was attending the meeting.

Trustee Nielsen informed the Board the Sportsman's Club new range is open and they have held sight in days which were well attended by visiting hunters; they have also been approached about representing a Colorado chapter of the Safari Club which would be similar to the Rocky Mountain Elk Foundation; the Club is considering it and we would remain as the Meeker Sportsman's - Safari Club.

### **ADJOURNMENT**

Mayor Borchard adjourned the meeting at 8:08 p.m.

  
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Kent A. Borchard, Mayor

Attest:

  
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Lisa Cook, Town Clerk