

RECORD OF PROCEEDINGS

The Regular Meeting of the Meeker Town Board was held Tuesday, January 24, 2023, at Town Hall.

Members Present

Mayor
Trustees

Borchard
Day
Gutierrez
Jehorek
Kindall
Lockwood
Nielsen

Town Staff Present

Administrator
Town Clerk
Attorney
Police Chief
Comm.Dev./Planner

Etheridge
Cook
Massih
Thompson
Thomson

Citizens Present: Mazzola, Anthony; Smith, Davie; Pelloni, Luke; Mills, Chandra; McGruder, Rhawnie; Trout, Vanessa; Halandras, Regas; McPherson, Kirstie and Cunningham, Mary (both attended by phone).

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. Administrator Etheridge stated the Library Board appointments have been postponed at the request of Rio Blanco County to allow them more time to advertise their Board positions. A motion was made by Trustee Nielsen to accept the agenda as amended. Second by Trustee Gutierrez. All ayes. Motion carried.

APPROVAL OF THE PREVIOUS MINUTES

Trustee Day clarified under Other Board Business he had asked if the Board could review the job description for the Public Works Superintendent position prior to advertising. A motion was made by Trustee Lockwood to approve the minutes of January 10, 2023, as corrected. Second by Trustee Day. All ayes. Motion carried.

APPROVAL OF MONTHLY DISBURSEMENTS

A motion was made by Trustee Jehorek to approve the disbursements dated January 24, 2023. Second by Trustee Nielsen. All ayes. Motion carried.

PUBLIC PARTICIPATION

Annual report from Eastern RBC 911 Emergency Telephone Service Board. RBC Communications Center Supervisor, Rhawnie McGruder introduced Fire Chief Luke Pelloni and Sheriff Mazzola as Members of the 911 Board and presented their annual report. McGruder stated in 2022 capital expenditures included replacement of the radio consolettes in the dispatch center at a cost of \$45,000, there are no capital projects budgeted as yet for 2023 but the County is currently using Swift 911 for the emergency notifications, Swift has changed their guidelines and no longer fits Rio Blanco County's needs, so they are working on changing that system over to another provider once we find one that best fits the needs of our communities. McGruder said the 911 Board does plan to set aside \$50,000 in a CD to plan for replacement of the radios in the dispatch center which are quickly becoming obsolete.

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Sheriff Mazzola informed the Board the Dispatch Center's Staff had received the 2022 Communication Center of the Year award from APPCO and NEENA who set the standards for all communication centers and stated the Town and Fire District's support of the Center had helped make the award possible.

PUBLIC HEARINGS

Consideration of new tavern liquor license for Blanco Cellars Wine & Whiskey Bar LLC. Mayor Borchard opened the public hearing at 7:14 p.m. Town Clerk Cook provided the staff report as follows: the application is for a new Tavern Liquor license at 317 E. Market St., Suite 3A by Blanco Cellars Wine and Whiskey Bar LLC, the owner is Kirstie McPherson who is on the phone, the registered manager is Vanessa Trout who is present; the application is complete and fees paid; the public hearing was published in the RB Herald Times and the property posted; the proposed business is not in violation of any zoning or other applicable Town ordinances or any rules or laws of the State of Colorado, the building is not within 500 feet from any public or parochial school or principal campus of any college, university or seminary; written advisement of the public hearing procedures and the investigative results were mailed to the applicant on Jan. 18th; the applicant will have legal possession of the premises beginning Feb. 1st by way of a lease purchase agreement; there has been no denial of an application by the Town Board or the State of Colorado licensing authority for a new Tavern license at this location for the reason that the reasonable requirements of the neighborhood and desires of the adult inhabitants were satisfied by the existing outlets; within the designated neighborhood there are the following existing outlets: 3 Tavern licenses, 3 Hotel/Restaurant licenses, 3 Retail Fermented Malt Beverage off premise licenses, 2 Retail Liquor Store licenses and 1 Brew Pub; there have been no petitions, comments or letters filed with the Town in regard to the application in support or opposition of the application; once the application is approved by the State the current licenses held by Blanco Cellars and Glou Glou will be surrendered and it is staff's recommendation to approve the application.

Mayor Borchard asked the applicants if they had anything to add. Ms. McPherson stated they have worked very hard to assure the community they will receive the same service as Blanco Cellars and Glou Glou provided and are excited to offer a modern-western feel as well as the option to hold a private event such as engagement or birthday parties.

Mayor Borchard asked if there was anyone from the public or the Board who wished to comment, hearing no comments he closed the public hearing at 7:18 p.m. and called for a motion to approve the Tavern Liquor License application for Blanco Cellars Wine and Whiskey Bar, LLC. Moved by Trustee Lockwood. Second by Trustee Jehorek. All ayes. Motion carried.

Consideration of Special Review Use Permit for Chandra Mills at 8 E Main Street. Planner Thomson introduced the applicant, Chandra Mills, and presented the staff report: the request is for a Special Review Use Permit to operate a licensed childcare facility in the home; the property is located in the R-1A district at 8 East Main Street, there is a single-family residence at the property and childcare facilities are listed as a special review use in the R1-A district of our code; the childcare facility would have a maximum of eight children, six children less than school age plus two school aged children; the hours of operation would be Monday through Thursday, 7:00 am to 5:00 pm.; the applicant proposes to utilize the home for the requested special use and is also proposing to utilize their personal driveway as drop-off and pick-up points for children; due to the small outside play area on the side yard the applicant proposes to use local parks, however at times the side yard will be used; the hours of operation should not conflict with the function of

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the standard traffic flow; Chandra will be the only employee for the childcare facility and we do not expect the facility to add any traffic to the area. Thomson stated since receiving the application, staff has received no negative comments or inquiries from the public, staff recommends approval of the Special Review Use contingent on receiving Colorado State Licensing to run the childcare facility at this location and on January 23rd the Planning Commission recommended approval of the application referencing the need for Childcare Facilities as stated in the Community Master Plan.

Mayor Borchard asked for comments from the applicant. Mrs. Mills said she cannot obtain her State License until approved by the Town as the State requires me to be zoned by the Town. Trustee Gutierrez thanked Mrs. Mills for her service adding we need more people like you doing childcare. Trustee Lockwood asked if there were any requirements regarding the perimeter of an outside area. Mrs. Mills replied there are no State requirements but because it is a small area, we will be frequenting Meeker's wonderful parks.

Hearing no further questions, Mayor Borchard closed the public hearing at 7:24 p.m. and called for a motion to approve the Special Review Use Permit for Chandra Mills at 8 East Main Street. Moved by Trustee Nielsen. Second by Trustee Gutierrez. Ayes: Trustees Gutierrez, Jehorek, Kindall, Lockwood and Nielsen. Trustee Day abstained as he is a neighbor to the facility. Motion carried.

NEW BUSINESS

Consideration of joint appointment to the Library Board. – postponed to the next meeting.

Consideration of Ute Park permit for Meeker Classic. Administrator Etheridge stated she had spoken with both Regas Halandras and Mary Cunningham about the agreement which is similar to the previous permits except for changing the dates to reflect this year's trials. Mayor Borchard asked if there were any questions, upon hearing none called for a motion to approve the Ute Park permit for the Meeker Classic. Moved by Trustee Nielsen. Second by Trustee Lockwood. All ayes. Motion carried.

Consideration of Ute Park permit for David Smith Ranches. Trustee Kindall made a motion to table the discussion until more information could be gathered stating she doesn't believe the Town and the people of Meeker are being adequately compensated for the livestock use and hay production as proposed in this agreement, every town in western Colorado is seeking economic development and this current agreement ties up the land from February 20th through August 15th which is 6 months of the year, on August 1st the Meeker Classic gets to use the property until September 25th and leaves no other window for other use and we are trying to develop a multiple use park; Trustee Kindall stated she understood that staff had been previously instructed to develop water out there but I believe that was for dust abatement and not hay production; she had contacted Regas Halandras regarding past history and how he used to try and get a little green out there, he said he would have preferred good grass, however Kindall stated she doesn't believe that means we need to generate approximately 17.6 tons of hay north of the ditch and those numbers are coming from John Etchart who is a hay producer and broker, these are low estimates and would cost the public \$225 a ton. Kindall said the other problem she has with the agreement is it allows an unlimited number of cows and calves in the spring which for a lot of land managers is the most damaging time for a field, the other thing that has happened recently is that we tabled SkiJor based on the conditions of the hay meadow and we have also tabled further discussion on the Meeker Classic's structure that Regas has talked to us about, partly because we don't have a plan; because this agreement states time is of the essence maybe we need to take a little different look at it. Mayor Borchard stated we have a motion to table the agenda

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item, do we have a definite date? Trustee Kindall said she hoped that the next meeting on Feb. 7th would give adequate time to the permittee who is requesting use by February 20th. Kindall also stated that she didn't have information on private land leases that is one of the phone calls she is waiting on to give us another number, and another factor that we green it up for the Meeker Classic is an excuse for allowing our staff to go out there and produce hay and not just a little bit of green grass which is what is needed for the Meeker Classic. Mayor Borchard repeated, we have a motion to table this agenda item until the February 7th meeting. Trustee Gutierrez seconded the motion. Mayor Borchard asked for further discussion.

Regas Halandras stated he used to pump, using the David Smith Ranch pump, for the Meeker Classic in the meantime the Town put in a much larger system that operates completely out of the ditch without having any of their own water rights, the water runs through and irrigates the field in the course of bringing the water to their lower property, yes the property was greened up mainly as dust abatement, but it does look better. Halandras said he is a Ute Park and multi-use advocate, there are a lot of things that go on at the park that require the multi-use, barring Smith Ranches the Town has no water there, Meeker Classic can operate under dusty conditions, needless to say he thinks part of the Board's consideration in all of this is the fact that there is water available and that water use is a big deal; the Town priced a water line several years ago and at that point was one million dollars, the only reason it grows hay is because of the amount of water Russell has been putting on it. Mayor Borchard repeated the motion is simply to table the item until February 7th.

David Smith stated Mr. Halandras has brought up good points, we don't have to hay it, you can run enough water to make it green, it doesn't bother me but if you are going to have a parking lot there you are going to have to water it and dress up some ruts, whatever you decide to do there it would be my recommendation to at least keep it green, I don't know what the water situation is going to be as we have a call on the river and we don't know where that is going. Smith said we want use of the park for calving and we need to know before the end of February, I am available and will come to the next meeting and there are a whole lot of figures on the price of hay, that is after you fertilize and irrigate and run your machinery, hay doesn't just grow and get baled for free, there is a lot of cost; the piece above the ditch I am not that interested in but I am trying to cooperate and it helps to keep it green, we hay it for the Sheepdog Trials but you would still have grass that can become a fire hazard, you have a lot of things to look at.

Mayor Borchard requested Mr. Smith return on the 7th and have information in response to some of the issues Trustee Kindall brought up and asked if there was any further discussion. Trustee Day commented that he had a ton of stuff to add. Trustee Lockwood asked what would occur between now and the tabled meeting. Mayor Borchard replied he heard Trustee Kindall say she is gathering information she wants to present and asked if she needed staff to do any further research on this. Trustee Kindall replied, no. Administrator Etheridge requested all questions, thoughts, and concerns about the permit, or the use of Ute Park be directed to her so she could gather information from the Town's perspective and share with everyone on the Board so that we can be better prepared on the Feb. 7th meeting. Mayor Borchard requested Superintendent Overton be present on the 7th. Trustee Gutierrez stated she felt water was the biggest issue and whether David would be willing to sell water back to the Town to keep it green even without the cows on the property and again back to the Classic if the Town ends up watering at a cost would they be willing to help shoulder some of that cost. Mayor Borchard repeated there is a motion to table the discussion until the February 7th meeting, all in favor state aye, any opposed, there were none opposed. Motion carried.

STAFF UPDATES

Administrator Etheridge stated over nine million gallons of water was pumped during the month of December and most of Public Work's time has been spent keeping the streets clear of snow.

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Police Chief Thompson reported during the month of December there were 233 incidents, two trips to Craig and three citations issued; yearly stats include 1042 incidents, 28 arrests and 80 citations; he also stated the patrol room is coming along and the new furniture looks great.

Community Development/Planner Thomson referred to a flyer in the Board packets for the Land Use Code update advertising regular office hours for the public to come and learn about the update and the regulations as well, to ask questions and provide feedback, the updates were emailed to the Board today. Thomson also referred to the 2022 Year Review she prepared for the Board with a yearly review of Town stats.

Town Clerk Cook gave the financial report for the 4th quarter ending December 31, 2022, stating reserves totaled \$8,683,102.48 at the end of the year, all departments had come in under budget, and no reserves were used. Cook added, the figures are unaudited and there will be yearend adjustments made after the audit is completed later in the spring. Cook also reported on HB 21-1162 the Plastic Bag Pollution Reduction Act stating beginning January 1, 2023 stores are required to charge ten cents per single-use plastic carryout or recycled paper bag used at the point of sale, certain retail food establishments and small stores that operate solely in Colorado with three or fewer locations and not part of a franchise are exempt from this regulation, locally Family Dollar, Napa and Samuelson's are the only stores affected with Napa and Samuelson's planning to phase out use of the bags. Six cents from every bag sold will be remitted to the Town beginning end of the first quarter in 2024.

Administrator Etheridge reported the invitation to bid for the Shaman Trail Water Valve was released last Thursday and advertised on the Town's website, the Herald Times and directly solicited to several contractors. In order to get this bid awarded before March 7th, she recommended calling a special public meeting for the bids to be opened at the time they are due at 3:00 p.m. on February 14th, this would be published like any other public meeting, any/all members of the Board are encouraged to attend, but for certain there would be Chris Hale, Supt. Overton, and myself present, it will be held in the Board room and will be recorded, this is a procedure that is specified in our purchasing policy regarding Bid Requirements and will allow for bid tabulation to occur prior to a bid award at the February 21st meeting. Trustee Lockwood asked what the hurry was. Etheridge replied it benefits the Town to have a better bid process and allows the contractors to schedule jobs now for this summer. Attorney Massih stated the Town's purchasing policy states the bids will be opened at a public meeting, not necessarily a Board meeting, there was discussion regarding revisiting the purchasing policy to allow staff to open bids and bring them to the Board for award which will cut time off the bidding process. The Board agreed to hold the Special Meeting on February 14th as three or more of them could attend.

Administrator Etheridge stated she had received the latest updated plans from SWCA which represent at least a 30% design completion, if not a little more, the plan is to encourage public engagement through advertisement in the paper and the website, as well as direct solicitation from stakeholders and of course, the Boards, we will wait to receive notification of the permit status and estimated construction costs before having a formal discussion regarding next steps, in the meantime, the initial concept for the GOCO grant request is due February 1st (next week) and if we are invited to apply for the grant, that will be due in mid-March, so February will be a crucial month for finalizing permits, determining potential project budget, and most importantly narrowing down the project scope of work and design. Mayor Borchard asked if we should have a joint meeting with the ERBM Board. Trustee Day stated as far as the plans are concerned nothing has changed since meeting with them last and mentioned it seems we are now behind schedule and we need the costs in order to submit our grant application. Etheridge replied hopefully we will get the update by Friday and will know how we can move forward. Mayor Borchard asked again if the ERBM Board should be included. Trustee Day replied if the numbers come in good it's not a big deal, but if they don't, we will need to meet with them.

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Administrator Etheridge stated the Meeker Project 45 group is going through a rebranding with the Main Street Program and the next project they are working on is an over-highway banner-style welcome sign, which will be funded in part by the Main Street grant. Etheridge asked for the Board's blessing to apply for an AGNC technical assistance grant for the maximum amount of \$5,000 adding that the Town has used this grant in the past to help pay for engineering, wayfinding signs, light pole painting, downtown sound system, and replacing the HS track. Etheridge asked the Board if they would be willing to match the AGNC grant with \$5,000 from the Marketing budget in Systems Development to make a full \$10,000 contribution to the project. Etheridge informed the Board that CDOT now allows the signage over the highway, Stephanie is looking at an easy to use pully system that will raise the banner so it can be offered to any of the events who would like to purchase a banner. Trustee Lockwood stated he was in favor of the Town funding \$5,000 from the Marketing line item in Systems Development. There was discussion about the Chamber being the operator of the signage and how they may need assistance from Town Public Works.

Town Attorney Massih had nothing to report.

MAYOR'S REMARKS

None

OTHER BOARD BUSINESS

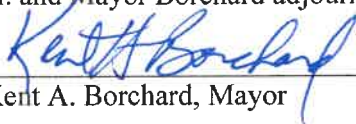
Trustee Day asked if staff knew whether ERBM Rec. and Park District had been working on water rights for Circle Park Pond and if they have any idea whether they are secured or not. Attorney Massih stated she will discuss this with her partner Ed Olszewski who is the water attorney.

EXECUTIVE SESSION

At 8:18 p.m. Mayor Borchard called for a motion to move into Executive Session pursuant to CRS 24-6-402(4)(b), conferences with an attorney for the purposes of receiving legal advice on specific legal questions. Moved by Trustee Nielsen. Second by Trustee Lockwood. All ayes. Motion carried.

ADJOURNMENT

The Board reconvened from Executive Session at 9:16 p.m. and Mayor Borchard adjourned the meeting.



Kent A. Borchard, Mayor

Attest: 

Lisa Cook, Town Clerk