

The Regular Meeting of the Meeker Town Board was held Tuesday, February 7, 2023 at Town Hall.

Members Present	Mayor	Borchard
	Trustees	Day
		Gutierrez
		Jehorek
		Kindall
		Nielsen
		Lockwood

Town Staff Present	Administrator	Etheridge
	Town Clerk	Cook
	Admin Asst	Pakuer
	Attorney	Massih (phone)
	PW Superintendent	Overton
	Comm Dev/Planner	Thomson

Citizens Present: Joy, Leif; Franks, Matt; Smith: David, Laura, Brittany; Etchart: John, Sheryl; Taylor: John, Mary; Franklin, Ann; Chintala, Mike; Rogers, Ben; Urista, Janelle; Jones, Diana; Brennan, Kari; Murray, Sabina; Plumb, Alex; Vroman, Kelcee; Burri, Nick; Halandras, Regas.

Citizens Present by Phone: Gates, Rachel.

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 Lockwood to accept the agenda as submitted. Second by Trustee Jehorek. All ayes. Motion carried.

APPROVAL OF THE PREVIOUS MINUTES

A motion was made by Trustee Nielsen to approve the minutes of January 24, 2023 as submitted. Second by Trustee Gutierrez. All ayes. Motion carried.

APPROVAL OF MONTHLY DISBURSEMENTS

A motion was made by Trustee Day to approve the disbursements dated January 31, 2023. Second by Trustee Jehorek. All ayes. Motion carried.

PUBLIC PARTICIPATION

None.

OLD BUSINESS

Consideration of Ute Park permit for David Smith Ranches. Administrator Etheridge stated she had visited with Mayor Borchard regarding the verbiage used in the Ute Park Permit Agreement, as well as Attorney Massih regarding the language, and Mr. David Smith making sure he agreed with the following changes:

- Page 1 item 1.A to state: From February 20, 2023 through May 25, 2023.
- Page 1 item C to be deleted from the agreement.
- Page 1 item 2 shall read: The Permit payment shall be as follows: ONE THOUSAND, THREE HUNDRED AND FORTY DOLLARS (\$1,340) to be paid in full concurrently with the approval of

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this Permit by the Town Board.

- Page 2 item 5 shall read: Between the dates of February 20, 2023 and May 25, 2023, Permittee will be using the Premises for calving purposes for no more than one hundred fifty (150) pairs. Permittee shall not cause livestock of any kind to remain on the Premises after May 25, 2023, except as otherwise provided in paragraph 1 above.
- Page 3 paragraph 2 is a duplicate paragraph and will be deleted.

Mr. Smith stated he did send the agreement to his attorney Mr. Matt Smith; the attorney said the revised agreement looked good and he will be in contact with Mayor Borchard. Trustee Jehorek made a motion to accept the amended Ute Park Permit Agreement to include the adjustments stated above. Second by Trustee Lockwood. Public Works Superintendent Overton stated he wanted to clarify that what the Town of Meeker does at Ute Park is strictly improvements for land. The irrigation system is to help maintain the overgrowth of the weeds and cheatgrass, which is a highly invasive species of grass, in addition to help with dust control. Overton stressed the Town's maintenance on the property does not involve any other entity. Trustee Jehorek suggested holding workshops for all the organizations, public and any other users of the park.

Mayor Borchard asked for comments from the public:

- Mr. David Smith stated the Smith Ranches feed the pairs hay during the time allotted on this agreement, they are not there for the pasture or grazing. The Ranch gets the livestock water from the Town of Meeker at double the rate because it is outside town limits in addition to paying for electricity to the stock tanks to keep the water from freezing.
- Mr. Regas Halandras stated Ute Park is a front door to Meeker. He urged people to go to the RBC website and look at the photo there of Ute Park, it is not a recent photo, then do a comparison of past conditions to present. Mr. Halandras feels that Smith Ranches is a benefit and a good fit.
- Mrs. Kari Brennan stated Meeker has been an agriculturally based community for a long time. Having Smith Ranches on the property with cattle does benefit the land by fertilizing the land from the cattle and it helps with fire mitigation and quality for grass. Mrs. Brennan concluded by saying it is a benefit for the community to continue keeping the property with an agricultural base.
- Mrs. Kelcee Vroman had a question for Trustee Jehorek about how the grass will be maintained on the park if there is not grazing permitted. The grass will be overgrown hence the Sheep Dog Trials will not be visible for the public to watch and cyclists won't be able to ride. Therefore, the Town will be looking at costs to cut weeds and grass.
- Mrs. Ann Franklin pointed out Smith Ranches own the water rights being used to keep Ute Park looking nice, Franklin feels there needs to be some respect for those rights.
- Mr. Ben Rogers directed his comment towards Trustee Gutierrez stating he feels Gutierrez is trying to split agriculture off from the town. Rogers affirmed agriculture is also a part of Meeker and this community, stating that agricultural people are also a part of Ute Park, they go to Skijor and Sheep Dog Trails. This agreement is only for a couple months, and the support here tonight to keep Smith Ranches on Ute Park shows it. Mr. Rogers said he is not throwing stones at the BOT, however they do need to know where all this stands.
- Mr. Mike Chintala stated one thing that definitely needs to be looked at is fire mitigation. Chintala pointed out the potential for waist deep grasses due to lack of grazing, and Meeker could end up like Boulder with a community destroyed by fire.

Mayor Borchard asked the Board if they had any further comments to make.

- Trustee Kindall stated her appreciation of the public involvement however, she feels there needs to be more investigation and research on Ute Park; there needs to be workshops scheduled in the near future. Trustee Kindall agrees with the motion currently on the table.
- Trustee Day specified that back in November the Board had a discussion regarding Ute Park. At that time all the Trustees agreed to wait until the Circle Park project was completed before undertaking the Ute Park project. Day was taken aback that the Ute Park project was even an issue at this current time.

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- Trustee Nielsen stated that Trustee Day is correct. Nielsen feels there needs to be a comprehensive plan on Ute Park; he does approve of the usage the park is currently receiving and does not want to make any drastic changes without a specific plan moving forward.
- Mayor Borchard agreed with Trustees Nielsen and Day. This has been an issue for years and he does not see any reason to put a rushed decision on this and have it back-to-back with other projects currently being addressed.
- Trustee Gutierrez stated for the record, she does not hate agriculture or cattle and she does not have a personal vendetta against anybody having cattle. Gutierrez said she was elected by the people of the Town of Meeker not Rio Blanco County and her stand is that by putting the cattle on the field this limits the use of the park for the public due to the danger of cows protecting calves; putting cattle on the grounds sends a message to the citizens that this is private ground; this property should be available to the two thousand people who live in the town. The Master Plan reflects the possibility of leaving the middle part of the park as it is but putting trails around the outer edges. Trustee Gutierrez wanted the public to know she does not have an anti-ag mind set, she just does not believe the Town's Ute Park is a place for grazing cattle.
- Trustee Lockwood suggested lengthening the name of Ute Park to Ute Park Multiuse Open Space and suggested the option of putting up an electric fence to keep cattle on the field during events. Lockwood agrees to the amended agreement, stating he would rather see the grass green not brown.
- Trustee Jehorek agrees with Trustee Lockwood. Jehorek reassured the present public that grazing will definitely come into play and having the workshops will help determine how to utilize the park for all the various uses. Jehorek encouraged everyone to come to the workshops.

PW Superintendent Overton said he spoke to two women that come to Meeker every year from Arizona to watch the cows having their calves.

Mayor Borchard called for further questions or concerns, hearing none he reminded the Board there is a motion on the table to accept the amended Ute Park Permit Agreement to include the adjustments stated above. Motion made by Trustee Jehorek. Second by Trustee Lockwood. Rollcall: Trustee Jehorek-aye; Trustee Kindall-aye; Trustee Day-aye; Trustee Lockwood-aye; Trustee Gutierrez-aye; Trustee Nielsen-aye. Motion carried.

Mayor Borchard thanked the public for participating and asked them to leave their email addresses on the sign-up sheet so they can be contacted for upcoming workshops.

Review of Source Water Protection Area permitting fee. Administrator Etheridge stated she wanted to update the Board on the research that has been done recently. Included in the Board packet is a memo from Melody regarding the Town's Ordinance 08-2015 establishing our Watershed Protection District (WPD). The memo summarizes the purpose and use of the ordinance and references the State Statutes that guide such regulations. This includes five examples of other Colorado Municipalities' ordinance information for reference: City of Rifle, City of Grand Junction; City of Steamboat; Town of Crested Butte and City of Victor. Etheridge also stated that Leif Joy and Matt Franks both of Rio Blanco County were present and that she met with them last week and confirmed their support for our WPD. It was verified that the WPD is mapped out in the county's GIS and will come up when searched and that the Town is a referral agency for any subdivision in Eastern RBC and that any permitting within the district would be triggered. Etheridge was also in contact with Chuck Coucino representative with Colorado Department of Health and Environment (CDPHE) and Onsite Wastewater Treatment System (OWTS) coordinator who confirmed (Reg 43) state standards for OWTS and provided some examples of what other municipalities like JeffCo and Crested Butte have done to protect watershed including nitrogen loading studies and tiered treatment level requirements depending on location and system engineering. Administrator Etheridge drafted a letter to BOCC requesting official action to establish clear lines of communication between RBC Planning/Building Departments and the Town. Etheridge requested more

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time to research permit fees for other towns with Watershed Protection Ordinances and put something together for the Board regarding the fees to be charged for permits. Etheridge also would like to visit with John Duggan, CDPHE Source Water Protection Coordinator. Etheridge would bring a suggestion to the Board at the next meeting. Attorney Massih reminded the Board it is the landowner's responsibility to review the title work determining if their property would be in a Water Protection District. Mayor Borchard asked Etheridge if she had any recommendations for the fee to be charged. Etheridge said there is a broad range from .00-\$500, suggesting the fee schedule needs to be changed from Septic System Permit Fee to strictly a Permit Fee making it more of a blanket fee for anything that happens in the WPD. After a lengthy discussion the Board instructed Etheridge to proceed forward with a change to the WPD permit fee to \$200 and a resolution to be discussed at the next meeting. The Board approved the draft letter to the RBC Commissioners and gave Etheridge the go ahead to send to BOCC.

NEW BUSINESS

Opening of Bids for Police Department Vehicle. Mayor Borchard stated there is one sealed bid submitted. The bid is from Victory Motors of Craig in the amount of \$38,100.00 for a 2023 Dodge Ram 1500 SSV Crew Cab 4x4. The Ram Box was not available at the time of bid.

Consideration of Letter of Support for State Historic Fund Grant. Administrator Etheridge directed the Board to the letter of support in their packets. The Yellow Creek Schoolhouse is located south of Highway 64 on BLM land it holds historical significance in Rio Blanco County and Northwest Colorado. The BLM is working with RBC Historical Society and now has funding set aside to begin restoring the roof and foundation with an historic architecture contractor HistoriCorps. This additional funding would allow for completions of exterior restoration, as well as fund the full interior restoration of the schoolhouse. The Yellow Creek Schoolhouse was recently listed in the Colorado State Register of Historic Properties and therefore now qualifies for a State Historic Fund (SHF) grant. Mayor Borchard called for a motion to approve the letter of support for restoration project at the Yellow Creek Schoolhouse. Moved by Trustee Lockwood. Second by Trustee Day. All ayes. Motion carried.

Consideration of Draft RFP for Housing Assessment and Action Plan. Community Development/Planner Thomson reminded the Board of the Innovative Housing (IHOP) Grant that was awarded for forty-five thousand dollars, along with the Colorado Housing and Finance Authority (CHFA) Grant of fifteen thousand dollars, equaling a total of sixty thousand dollars.

Goals for the housing needs assessment and action plan:

- Understand the current market context, jobs, housing and commuting
- Identify needs and gaps in the current market and looking out over the next five years
- Set the stage for community/municipal planning

Thomson stated Rachel Gates was on the phone representing Pioneer Medical Center. Thomson and Gates through the NW Colorado Development Counsel discovered they would both be doing similar work at the same time, therefore they would like to work cohesively with each other. Possibly draft a request for proposal (RFP) together, providing both entities could get what they need without having two different consultants. Gates stated PMC is exploring an assisted living facility on campus's northside on land owned by the hospital. Preliminary costs are looking to be between thirty or forty million with ten to fifteen units. Gates stated PMC is looking forward to working with the Town and that there will likely be a lot of overlap in the information that both entities are looking at. Trustee Day asked if one unit will house one resident, Gates replied that initially they are looking at that scenario however they are in the very preliminary phases and that could change. The thirty-to-forty-million-dollar cost projection is based off of one resident per unit, this estimate includes walking trails, landscaping, and an entire community with in itself. Mayor Borchard inquired if the goal is to have one consultant for both entities, Thomson replied the initial goal is to hopefully hire one consultant. Gates commented that there could be times with the grant process that it

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will have to reflect a stand alone for which ever entity is requesting, each grant process is different. Thomson stated they will proceed forward with an MOU between the two entities.

TOWN MANAGER’S REPORT

- Administrator Etheridge stated the Colorado Rural Water Association is seeking nominations for candidates for their Board of Directors. Etheridge recommended nominating Trustee Day as a candidate for the 3-year term “At-Large” Director seat. Mayor Borchard called for a motion to nominate Trustee Day as candidate for the 3-year term on the Colorado Rural Water Board. Moved by Trustee Jehorek. Second by Trustee Nielsen. All ayes. Motion carried.
- Etheridge reminded the Board of the bid opening for the Shaman Trail Water Valve Replacement project Tuesday February 14th at 3:00 pm.

MAYOR’S REMARKS

None

OTHER BOARD BUSINESS

Trustee Day asked PW Superintendent Overton if he had figured what it would cost the Town of Meeker a month if they had to pay for water at Ute Park. Overton reported that the usage is ten million eight hundred thousand gallons per month which at the town rate comes to a \$27,000 per month cost. Trustee Kindall stressed the urgency of getting a plan together as there are a lot more public wanting to use the park. Overton reported that Skijor needs be more organized about getting the prep work done to prevent damage to the ground. Administrator Etheridge stated Boyd Richardson at the RBC Fairgrounds is waiting for the ground to be approachable before removing the buildings left at the park from Skijor. The Board instructed Etheridge to set up the workshops for Ute Park as early as April. Trustee Lockwood suggested the Board review events wanting to use Ute Park at least four months in advance.

ADJOURNMENT

Mayor Borchard asked for any further comments or questions. Hearing none the meeting was adjourned at 8:33 p.m.

Kent A. Borchard, Mayor

Attest:

Lisa Pakuer, Admin. Assistant