

# RECORD OF PROCEEDINGS

The Regular Meeting of the Meeker Town Board was held Tuesday, July 18, 2023, at Town Hall.

## Members Present

Mayor  
Trustees

Borchard  
Day  
Gutierrez  
Jehorek  
Kindall  
Nielsen

## Town Staff Present

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

Etheridge  
Cook  
Massih  
Thompson  
Thomson

## 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 Lockwood.

## APPROVAL OF THE AGENDA

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

## APPROVAL OF THE PREVIOUS MINUTES

Trustee Nielsen made a motion to approve the minutes of June 20, 2023, as submitted. Second by Trustee Gutierrez. Aye: Day, Gutierrez, Kindall and Nielsen. Trustee Jehorek abstained due to her absence. Motion carried.

## APPROVAL OF MONTHLY DISBURSEMENTS

Trustee Kindall made a motion to approve the disbursements dated June 30, 2023. Second by Trustee Gutierrez. All ayes. Motion carried. Trustee Nielsen made a motion to approve the disbursements dated July 18, 2023. Second by Trustee Jehorek. All ayes. Motion carried.

## PUBLIC PARTICIPATION

Annie Long of 236 Water St. addressed the Board regarding Sulphur Creek ditch wanting to know who owns it because it is a mess, full of trash, it smells and stated the Town must do a better job of keeping up with it. Trustee Gutierrez said that Ms. Long was not exaggerating, the mud on their end is deep and it has branches, trees and trash, while further north the ditch is dry the end by Ms. Long's property has stinky mud; Gutierrez stated she felt the Town needed to address it soon and try to find a way to prevent this from happening. Administrator Etheridge said the Public Works staff had cleaned out the trash and cleared weeds from the ditch last year and removed what mud they could. Ms. Long said if the ditch was cleaned every year, it would not be a problem and suggested putting up cattle panels at the bridge on Market Street to keep the trash from coming down and going all the way to the river. Mayor Borchard requested Superintendent Overton to be at the next meeting if something is not done by then.

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presented the audit stating she was giving the Town an unqualified opinion and explained the process of the audit and how those processes were tested. Ms. Coates stated there were no issues of being over budget, everything is flowing through smoothly and stated because of the size of staff, the Town is not able to separate all accounting duties, although there is good division; she encouraged the Board to stay involved and ask questions. Ms. Coates also noted the audit included adjustments for the year but nothing out of the ordinary and no issues were encountered during the audit. Mayor Borchard asked for questions or comments; hearing none called for a motion to accept the 2022 Financial Audit. Moved by Trustee Day. Second by Trustee Gutierrez. All ayes. Motion carried.

## **PUBLIC HEARINGS**

### *Consideration of request for transfer of Tavern Liquor License to Caroline's Louisiana Kitchen LLC.*

Mayor Borchard opened the public hearing at 7:20 p.m. Clerk Cook presented the staff report: Caroline's Louisiana Kitchen LLC filed a request for transfer of Back Door Bar and Grill's Tavern Liquor license located at 723 Market Street on June 1, 2023, and has been issued a temporary license. Mr. Donald Lima, owner of Caroline's is present by phone.

There has not been a denial of an application by the Town Board of Trustees, or the State of Colorado licensing authority for a new Tavern License application at the location for which application is made for the reason that the reasonable requirements of the neighborhood and desires of the adult inhabitants were satisfied by the existing outlet.

It appears from the evidence submitted that the applicant is entitled to possession of the premises by way of a Lease dated May 23, 2023, indicating Caroline's Louisiana Kitchen LLC has legal possession of the property.

Selling alcohol in the manner proposed is not in violation of the zoning or other applicable Town ordinances or any rules or laws of the State of Colorado.

The proposed building does not appear to be within five (500') hundred feet from any public or parochial school or the principal campus of any college, university, or seminary.

Within the designated neighborhood there are the following existing other outlets: 3 – Tavern Licenses; 3 – Hotel and Restaurant Licenses; 3 – Retail Fermented Malt Beverage off/premise Licenses; 2 – Retail Liquor Store Licenses; and 1 – Brew Pub

There were no petitions filed with the Town by the applicant nor any petitions filed, or letters submitted either in support of or opposition of the application by another party.

The application is complete, and fees paid. Each person who has filed to be an interested party in the license has completed an Individual History record and has undergone fingerprinting and a background check.

Based on the above findings it is the staff's recommendation to approve the Transfer Application for Caroline's Louisiana Kitchen LLC. Mayor Borchard asked for comments from the applicant, public and Board, and upon hearing none closed the public hearing at 7:23 p.m. and called for a

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motion to approve the Tavern Liquor License transfer to Caroline's Louisiana Kitchen LLC. Moved by Trustee Nielsen. Second by Trustee Day. All ayes. Motion carried.

Consideration of request for transfer of Retail Liquor Store License to SKT Jehorek LLC dba White River Liquor.

Mayor Borchard opened the public hearing at 7:24 p.m. Clerk Cook presented the staff report: SKT Jehorek LLC filed a request for transfer of GJMCK LLC, dba White River Liquor's Retail Liquor Store license located at 606 Market Street on June 1, 2023, and is presently operating under a temporary license. Mr. Stephen Jehorek, partner and co-owner of SKT Jehorek, is present by phone.

There has not been a denial of an application by the Town Board of Trustees, or the State of Colorado licensing authority for a new Retail Liquor Store application at the location for which application is made for the reason that the reasonable requirements of the neighborhood and desires of the adult inhabitants were satisfied by the existing outlet.

It appears from the evidence submitted that the applicant is entitled to possession of the premises by way of a lease dated June 1, 2023, indicating SKT Jehorek LLC has legal possession of the property.

Selling alcohol in the manner proposed is not in violation of the zoning or other applicable Town ordinances or any rules or laws of the State of Colorado.

The proposed building does not appear to be within five (500') hundred feet from any public or parochial school or the principal campus of any college, university, or seminary.

Within the designated neighborhood there are the following existing other outlets: 4 – Tavern Licenses; 3 – Hotel and Restaurant Licenses; 3 – Retail Fermented Malt Beverage off/premise Licenses; 1 – Retail Liquor Store Licenses; and 1 – Brew Pub.

There were no petitions filed with the Town by the applicant nor any petitions filed, or letters submitted either in support or opposition of the application by another party. The application is complete, and fees paid. Each person who has filed to be an interested party in the license has completed an Individual History record and has undergone fingerprinting and a background check. The public hearing was advertised, and property posted at least 10 days prior to the hearing.

Based on the above findings it is staff's recommendation to approve the Retail Liquor Store License Transfer Application for SKT Jehorek, LLC dba White River Liquor. Mayor Borchard asked for any comments from the public, applicant, or Board, and upon hearing none closed the public hearing at 7:28 p.m. and called for a motion to approve the Retail Liquor Store License transfer for SKT Jehorek LLC dba White River Liquor. Moved by Trustee Kindall. Second by Trustee Nielsen. All ayes. Motion carried.

Consideration of request from RBC Fair Board for a Special Events Liquor Permit for the Junior Livestock Sale on August 5<sup>th</sup> at the 4H Building.

Mayor Borchard opened the public hearing at 7:28 p.m. Clerk Cook presented the staff report: Clint Shults, representing the applicant and the Event Manager was present; the license is from

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12:00 p.m. to 6:00 p.m. on August 5<sup>th</sup> with the licensed area being the 4-H Building only; IDs will be checked by the servers and underage patrons will be stamped; permission has been received by the County for use of the property, the public hearing advertised, property posted, fees paid and it is staff's recommendation to approve the application contingent upon receipt of their Certificate of Insurance. Mayor Borchard asked for any comments, and upon hearing none closed the public hearing at 7:30 p.m. and called for a motion to approve the Special Events Liquor Permit for the Junior Livestock Sale. Moved by Trustee Gutierrez. Second by Trustee Nielsen. All ayes. Motion carried.

## NEW BUSINESS

Consideration of Resolution #04-2023 appointing Amanda Smith to the Planning Commission.  
Administrator Etheridge stated at the last meeting the Board accepted Ms. Smith's application and had directed staff to prepare the resolution to appoint her to the Planning Commission to fill the vacancy left by Jim Hanks. Mayor Borchard asked for comments, and upon hearing none called for a motion to approve Resolution #04-20023 appointing Ms. Smith to the Planning Commission. Moved by Trustee Day. Second by Trustee Jehorek. All ayes. Motion carried.

Consideration of Resolution #05-2023 amending the Town of Meeker Fee Schedule.  
Administrator Etheridge stated amending the fee schedule was necessitated by the adoption of the Land Use Code back in May and instead of only changing or adding a few items, staff reviewed all fees and has made recommendations to increase several items as it had been nearly ten years since most fees were updated. Trustee Day asked if staff had calculated how much the new fees would increase a building permit. Etheridge replied that when a building permit application is completed the fee is calculated based on the value of the building so the fees represented here are an estimation and staff will reevaluate this at the end of the year.

Hearing no further discussion, Mayor Borchard called for a motion to adopt Resolution #05-2023 approving amendments to the Town of Meeker Fee Schedule. Moved by Trustee Nielsen. Second by Trustee Gutierrez. All ayes. Motion carried.

Consideration of AGNC Grant proposal for nuclear feasibility study.  
Administrator Etheridge informed the Board that at the June 15<sup>th</sup> NWCDC meeting a proposal was presented by AGNC and the NW Energy Initiative to apply for \$80,000 of OJT grant funds for a feasibility study to further investigate an energy replacement solution for NW Colorado through nuclear energy. Etheridge stated that because any OJT grant request requires approval from the entire region, she needed the Board's recommendation on how to vote on this item, but that the vote is no longer on the agenda for Thursday's meeting. However, AGNC still plans to attend the meeting and ask NWCDC members whether their communities would support a study on nuclear energy.

Trustee Jehorek stated she was not opposed to nuclear power but wondered why are they asking for \$80,000 of OJT money to study feasibility of a project that will most likely never happen, there are plans and studies throughout America regarding nuclear energy and nothing has been built for decades. Mayor Borchard conducted a roll call vote: Nay: Trustee Jehorek, Aye: Trustee Day, because it also states they will look at other energy sources; Kindall, Gutierrez and Nielsen. The Board concurred to support the request.

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## STAFF UPDATES

Public Works Superintendent Overton was not present.

Police Chief Thomson reported during the month of June there were 219 incidents resulting in five citations and two arrests and the Range Call Celebration went smoothly. Trustee Gutierrez commented on the speed of law enforcement traveling down Market Street to an accident out of town over the weekend and felt one of our officers and other law enforcement were traveling far too fast.

Community Dev./Planner Thomson referred to the Department Update included in the Board packets and reported there were a lot of projects keeping staff busy. Thomson also referred to a Building & Real Estate Update for the second quarter that she had prepared that shows Building Permits issued during that quarter and a comparison of permits issued in 2022 vs. 2023 as well as real estate transactions during that time. Thomson reported she had attended a Housing Colorado workshop in Grand Junction regarding Proposition 123 with recommendations coming at a later date and invited the Board to attend the Housing Workshop with Ayres Associates on Thursday.

Town Clerk Cook said she had nothing out of the ordinary to report.

Town Attorney Massih commented that it appeared there would not be court again this month, things have been pretty quiet.

Town Administrator Etheridge reported:

The Town is currently soliciting for interest on the Housing Authority where we have two vacancies. This is a Town appointed Board for a 5-year term so if you know of anyone who is looking to volunteer or make an impact in the community, steer them to the application on our website or at Town Hall.

The walk-through for Circle Park Riverfront project was last Friday and hosted one contractor representative from Frontier Environmental Service. They are based out of Arvada but have several mobile crews that work all over the western states on similar projects. The proposal due date is still August 1<sup>st</sup> and if we receive a proposal from Frontier, we can take it into consideration and decide how to move forward at that time. I would ask that you tentatively hold Tuesday, August 8<sup>th</sup> as a joint meeting with the Rec District and if we have a proposal can discuss it at that time.

Pre-Con for the paving project was yesterday, United plans to mobilize on July 25<sup>th</sup> and get the cement valley pans on Market Street complete before starting on 11<sup>th</sup> and 12<sup>th</sup> Streets. The completion date is tentatively August 22<sup>nd</sup>, neighborhood notices will go out next week sometime.

Attending the Infrastructure Summit in Rifle tomorrow sponsored by AGNC to discuss the upcoming federal grant opportunities and how they might apply to any of our projects. Also planning to attend a DOLA-sponsored water infrastructure meeting, also in Rifle on August 9<sup>th</sup> to get more information and perspective on the Bipartisan Infrastructure Legislation.

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Working to associate some costs to your capital prioritizations for the 2024 budget, will try to plan for another workshop in August and will likely tack on prior to the August 15<sup>th</sup> meeting. The next meeting is Tuesday, August 1<sup>st</sup> which is also National Night Out, Officer Hetzel has been working hard on this event along with other law enforcement, included this year is a basketball tournament for ages 13 to 18.

## **MAYOR'S REMARKS**

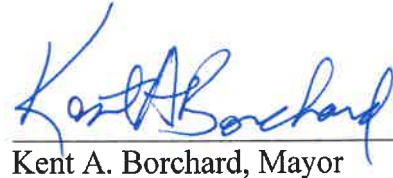
Mayor Borchard stated he and Administrator Etheridge had attended an Agency meeting that day where the Wolf Creek Reservoir project was reviewed.

## **OTHER BOARD BUSINESS**

None.

## **ADJOURNMENT**

Mayor Borchard adjourned the meeting at 8:04 p.m.



Kent A. Borchard, Mayor

Attest:



Lisa Cook, Town Clerk