

RECORD OF PROCEEDINGS

The Regular Meeting of the Meeker Town Board was held Tuesday, September 5, 2023 at Town Hall.

Members Present

Mayor
Trustees

Borchard
Day
Gutierrez
Jehorek
Kindall
Lockwood
Nielsen

Town Staff Present

Administrator
Town Clerk
Admin Asst
Comm. Dev./Planner
Attorney Massih

Etheridge
Cook
Pakuer
Thomson
(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. A motion was made by Trustee Nielsen to accept the agenda as submitted. Second by Trustee Gutierrez. All ayes. Motion carried.

APPROVAL OF THE PREVIOUS MINUTES

A motion was made by Trustee Jehorek to approve the minutes of August 15, 2023, as submitted. Second by Trustee Nielsen. All ayes. Motion carried.

APPROVAL OF MONTHLY DISBURSEMENTS

A motion was made by Trustee Kindall to approve the disbursements dated August 15, 2023. Second by Trustee Jehorek. Ayes: Gutierrez, Jehorek, Kindall, Lockwood, Nielsen. Trustee Day abstained due to his interest on Garfield water line project. Motion carried.

PUBLIC PARTICIPATION

None.

PUBLIC HEARINGS

Consideration of Ordinance #02-2023 Overton-Grant Re-Subdivision. Mayor Borchard opened the public hearing at 7:04 pm. Administrator Etheridge asked the Board if there were any disclosures regarding the property and the application. Trustee Jehorek re-stated that she could still be fair and impartial in the Public Hearing. Etheridge thanked applicant Lee Overton for being present. Etheridge pointed out that Ordinance #02-2023 contains the final plat and Subdivision Improvement Agreement (SIA) for final approval, making it a recorded document to go with the property. Attorney Massih voiced concern regarding confusion of the terms of agreement that was sent out earlier. Instead of doing an SIA, Massih suggested possibly doing an attachment with

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conditions of approval to the original subdivision agreement. Mayor Borchard stated the SIA is not appropriate under these circumstances. Borchard agrees with Attorney Massih to continue the Public Hearing for a better approach. Trustee Day agreed and stated he does not think Overton and Grant should be responsible for all the improvements on these lots and that the Board needs to take more time and look at different options. Trustee Nielsen stated he thinks it needs to be a special tax district for that area, improving the value of the lots. After a lengthy discussion Mayor Borchard called for a motion to continue the Public Hearing to October 3rd at 7:00pm. Moved by Trustee Lockwood. Second by Trustee Jehorek. All ayes. Motion carried.

NEW BUSINESS

Consideration of permit agreement with MAMBA for construction of bike track at Ute Park.

Administrator Etheridge welcomed Regas Halandras, Alex Gardner, and Carly Anderson who were present representing MAMBA. Etheridge stated this agreement is not a termed agreement and referred to the following points in the agreement:

- Section 4 – this provision outlines access for the construction of the track by MAMBA volunteers and allows for a secondary lock to be used.
- Section 7 – Second ¶ defines the deadline for the replacement of the fence on the east boundary of the park as December 1st 2023 and references Exhibit A.
- Section 9 - All construction and ongoing maintenance of the Premises is to be the sole responsibility of MAMBA, including but not limited to clearing, grading, and mowing.
- Section 11 – This provision refers to Liability Insurance Coverage. This is typically required of any permittee for use of the park, but MAMBA does not currently hold that level of coverage. The language in the Agreement is a compromise that requires liability insurance coverage only during construction of the track and Etheridge confirmed with the Board that once construction was complete, the responsibility of liability coverage would fall back onto the Town.

Trustee Kindall was concerned about the current parking asking MAMBA if there was any consideration to expand, to avoid possible parking in residential areas. Mr. Halandras stated there will not be any expansion of parking on MAMBA's part, and Etheridge added that the Town could consider taking on that project in the future. Trustee Gutierrez asked to make the agreement reflect an annual review. [Trustee Lockwood stepped out into the public seating to interact with MAMBA representatives and several side conversations occurred so minutes do not reflect discussions that took place during that specific time.] Attorney Massih asked about concerns with special events, geographically. Mr. Halandras stated MAMBA has no desire to hold a special event during the Sheepdog Trails as there are too many variables of accidental intermingling between the special event and Sheepdog competition. The BOT instructed Administrator Etheridge to change the agreement to include a clause regarding event management and to make the agreement annually reviewable. Etheridge will meet with PW Superintendent to discuss the best option for MAMBA in terms of having water during construction. Mayor Borchard called for a motion to approve the Ute Park Permit Agreement for MAMBA with the inclusion of a clause regarding event management and making the agreement annually reviewable. Moved by Trustee Lockwood. Second by Trustee Nielsen. All ayes. Motion carried.

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Consideration of draft revision for Ordinance #03-2023 Tree City Designation. Administrator Etheridge stated she has worked on revising the language of the Meeker Municipal Code 12.06 Tree City Designation as directed by the Board to make it more advisory and educational and less punitive. Etheridge asked the Board for direction on the following changes:

- **Section 2. Creation and Establishment of a Town Tree Board** Etheridge asked if the Board would like to maintain the strictness of the Tree Board appointment qualifications. Board concurred that language should reflect a preference for certain representations but not a requirement.
- **Section 11. Tree Topping** Etheridge stated concern over the use of “It shall be unlawful...” when there is not enforcement capability in the Ordinance.

Discussion then opened with Trustee Gutierrez stating that there are already boards in existence within the community that do not have enough members and cannot find people to fill those positions. Gutierrez feels that adding another board to the community would be in vain and suggested that the Tree City Designation be reconsidered. After some discussion the Board directed Etheridge to research Tree City USA and revisit the topic with more information.

TOWN MANAGER’S REPORT

Administrator Etheridge reported the following:

- AGNC has submitted the final draft of their position statement regarding the GEMM Phase 2 regulations and the negative effects it will have on Natural Soda. AGNC is encouraging elected officials to register for public comment at the AQC Commission hearing during their monthly meeting on September 20th -22nd. The Deadline to register is September 13th 2023.
- PW Superintendent position has been released in the following sectors: CML, CO Rural Water Association, Rocky Mtn. American Water Works Association, Post Independent (Glenwood, Rifle, Steamboat, Craig, online), Daily Sentinel (Grand Junction), Herald Times.
- Chief Thompson reported Victory Motors in Craig said the town’s Police vehicle is scheduled to be shipped on September 9th, however it will then require being outfitted with the necessary electronics.
- Inspector Padilla has been asked to involve the high school’s Mechanical Career Clusters class with the inspection process on Steve & Jayne Coley’s lot at the corner of Cleveland and 3rd.
- The Planning Commission meeting will be next Monday night September 11th at 7:00pm for a variance request and a special review use.
- The BLM public Situation Assessment meeting in Meeker is next Tuesday, September 12th at 5:30 at the Fairfield Center.
- CML District meeting on Wednesday September 13th from 4:00pm-7:30pm in Craig. Trustees Kindall, Day, and Gutierrez responded that they would like to attend.
- The Town should be under contract with CDOT for the \$150K grant for the Downtown streetlights by the end of this month, procurement is scheduled for October.
- The update on the housing study is that Ayres has received over 200 responses from the survey and we are still on track for an Assessment Report and Action Plan in October.

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TOWN CLERK'S REPORT

Town Clerk Cook reported the Town received \$1,089,655 in Mineral Lease and \$426,820 in Mineral Severance payments, which was approximately double what the town had budgeted for in revenue for 2023.

MAYOR'S REMARKS

Mayor Borchard reported that he and Administrator Etheridge attended the Wolf Creek project meeting. Borchard reviewed the 500-page Analysis of the Management Situation document and will submit comments by the end of the week.

OTHER BOARD BUSINESS

Trustee Day reported some concerns regarding the parking from Caroline's Louisiana Kitchen. Business patronage is taking up parking spaces that EMS personnel use when there is an emergency call and there is nowhere for personnel to park close by to get to their emergency vehicles. Day was inquiring if the Town should put up some no parking signage from Market Street to the alley on 7th street. After some discussion it was decided Administrator Etheridge would talk to Chief Thompson and try to find a solution.


Trustee Lockwood asked when the patching would take place for holes created by TDA on 6th Street and 3rd Street. Administrator Etheridge responded that TDA is working to get completion of the Garfield Street project as well as several excavation permits, which will include 6th and 3rd streets. Lockwood also asked if it is legal to approve lot line adjustments in Sage Hills. Attorney Massih stated she will look at the covenants for Sage Hills. Planner Thomson stated there is nothing preventing lot line adjustment from land coming into Sage Hills, however the covenants do not allow property to be taken out of Sage Hills that is covered by the covenants.

Trustee Jehorek inquired about whether the house being built on Sanderson and Greta Circle is going to use Sanderson to back out of their driveway. Administrator Etheridge stated the owner was made aware when they started building that their access must be off of Greta Circle and not Sanderson.

Administrator Etheridge also shared with the Board an announcement from the Rio Blanco Water Conservancy District that the CCITF funds received last year by the District would not be affected by the theft of funds from COLOTRUST.


ADJOURNMENT

Mayor Borchard adjourned the meeting at 9:00 p.m.



Kent A. Borchard, Mayor

Attest:



Lisa Pakuer, Admin. Assistant