

# RECORD OF PROCEEDINGS

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The Regular Meeting of the Meeker Town Board was held Tuesday, October 3, 2023 at Town Hall.

## Members Present

Mayor  
Trustees

Borchard  
Day  
Gutierrez  
Jehorek  
Kindall  
Lockwood  
Nielsen

## Town Staff Present

Administrator  
Town Clerk  
Admin Assistant  
Comm. Dev./Planner  
Attorney Massih  
Police Chief  
Officer

Etheridge  
Cook  
Pakuer  
Thomson  
(attended by phone)  
Thompson  
Hetzel

## 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 Frank Maestas was present for Black Sulphur Tavern LLC. Etheridge requested moving New Business item (d) Consideration of liquor license application for Black Sulphur Tavern LLC and request to set the public hearing to line item to (a). A motion was made by Trustee Gutierrez to accept the agenda as revised. 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 September 19, 2023 as submitted. Second by Trustee Gutierrez. All ayes. Motion carried. Trustee Kindall and Trustee Jehorek both abstained due to their absence.

## APPROVAL OF MONTHLY DISBURSEMENTS

A motion was made by Trustee Jehorek to approve the disbursements dated September 30, 2023. Second by Trustee Kindall. All ayes. Motion carried.

## PUBLIC PARTICIPATION

None.

## PUBLIC HEARINGS

*Consideration of Ordinance #02-2023 Overton-Grant 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 she resides at 1365 Robert Street and that she could

# RECORD OF PROCEEDINGS

*Regular Meeting of the Town of Meeker – October 3, 2023*

still be fair and impartial in the Public Hearing. Administrator Etheridge stated Betty Kracht was present as the applicant's representative. Etheridge reminded the Board that the Consideration of Ordinance #02-2023 Overton-Grant Subdivision is a continuance of the Public Hearing opened on September 5<sup>th</sup>, and is for consideration of the final plat of the Re-subdivision; August 7<sup>th</sup> the Planning Commission unanimously recommended to approve the re-subdivision as presented because it meets the conditions of Meeker Municipal Code 17.1.109(b), however they recommended the following conditions:

- Town Planner verifies the final plat meets the dimensional requirements of the Meeker Municipal Code; and
- The applicants and Town enter into a reasonable Subdivision Improvement Agreement (SIA) prior to signing the final plat.

On August 15, 2023 the Board of Trustees moved to approve the re-subdivision with the same conditions; The final plat is presented as a pdf to be printed on a full-size mylar for recordation once approved with any final changes. One change being recommended is to replace the Town Planning Department signature line with Town of Meeker signature line; At the opening of this public hearing on September 5<sup>th</sup> the SIA proposed was discussed and determined by both the Board and the applicant to be unreasonable and it was suggested that other options to be considered; the revised Ordinance now has additional language as Condition 1 under exhibit C that clarifies the suggested "triggers" for improvements to the subdivision that the SIA was intended to define.

Trustee Day expressed concerns about conditions being met regarding the August 5<sup>th</sup> approval of the re-subdivision. After a lengthy discussion it was determined the Board has legally done what they can, with Trustee Gutierrez stating it was senseless to go backwards and it is owed to the property owners to move forward. Mayor Borchard asked for other questions or concerns from the public and Board, upon hearing none he closed the public hearing at 7:19 pm and called for a motion. Trustee Nielsen made a motion to approve Consideration of Ordinance #02-2023 Overton-Grant Re-Subdivision. Second by Trustee Gutierrez. Ayes: Gutierrez, Lockwood, Nielsen, Kindall, Jehorek. Opposed: Day. Motion carried.

## **NEW BUSINESS**

***Consideration of liquor license application for Black Sulphur Tavern LLC and request to set the public hearing.*** Town Clerk Cook welcomed Frank Maestas and Partick Maestas, both are co-owners of Black Sulphur Tavern LLC (BST). Cook stated BST will be located at 364 7<sup>th</sup> Street in Meeker. Frank Maestas informed the Board this will be a tavern sports bar with food, drinks, TVs, and arcade games. Maestas stated they are looking forward to being part of the community. Town Clerk Cook requested a public hearing be set for November 17<sup>th</sup> at 7:15 pm to consider the liquor license application. Mayor Borchard called for a motion to accept the liquor license application for Black Sulphur Tavern LLC and schedule the public hearing for November 7<sup>th</sup> at 7:15 pm. Moved by Trustee Lockwood. Seconded by Trustee Kindall. All ayes. Motion carried.

***Presentation of public draft of the Town of Meeker Proposed 2024 Budget and scheduling a public hearing.*** Town Clerk Cook stated the proposed budget for 2024 is based on the discussion from our previous meetings. Sales tax continues to do well although a conservative approach has been budgeted for it and all other revenue.

Salaries were calculated with an increase of 5% totaling \$53,798.10 and then averaged over all employees resulting in a \$2989 increase for each employee. Most department totals are similar to the 2023 budget except for increases in the following items: 5% increase in health insurance, liability insurance, postage, natural gas, and fuel as well as snow removal, and the upcoming spring election. Legal and professional fees were increased in Community Development in anticipation of a PUD application; Chief Thompson

# RECORD OF PROCEEDINGS

*Regular Meeting of the Town of Meeker – October 3, 2023*

negotiated a reduction by nearly half for dispatch fees, additions to that department include on-call pay, a K-9 program expense of \$5,000, an additional \$13,000 for employee recruitment, and an officer wellness program for \$5,000. An additional \$19,550 was added to the Chamber of Commerce line item in Systems Development for health insurance coverage.

Since the draft was presented on September 19<sup>th</sup> the following changes have been made: \$800 was added to revenue in the Animal Shelter Donation line item as well as the expense for this in the Police Department for a grant that is being applied for; adjustments were made in the Circle Park Match line item in Systems Development to accurately reflect the current status (this will be updated again prior to the public hearing for invoices paid between now and then); USGS Water Testing line item increased for 2024 by \$932; ARP Grant in the Water Systems Development was adjusted to accurately reflect the remaining funds for that grant after all invoices were paid for the Garfield Water Line project, the \$95,162 that remains has been budgeted for next year; as discussed at the Sept. meeting, \$1,500,000 was removed for the Garfield St. Water Line and replaced with \$200,000 to use for engineering or to explore funding sources for the water line replacement projects.

The draft as prepared includes a total of \$2,790,995 for systems development in the General Fund and will require \$1,345,985 of reserves to balance. The Water Fund systems development totals \$670,162 and will require \$538,067 of reserves to balance that fund. Current undesignated reserves in the Water Fund as of August 31<sup>st</sup> are \$779,371.89.

Town Clerk Cook said a motion will be needed to accept the proposed budget and schedule the public hearing for November 21<sup>st</sup>. Mayor Borchard called for a motion to approve the draft of the Town of Meeker Proposed 2024 Budget and schedule the public hearing for November 21<sup>st</sup>. Moved by Trustee Kindall. Seconded by Trustee Jehorek. All ayes. Motion carried.

***Bid opening for Downtown Streetlights.*** Administrator Etheridge handed Mayor Borchard four unopened bids for Downtown Streetlights. Mayor Borchard opened the bids as follows:

- Western United Electric in Boulder CO.
  - o #1 - \$138,450.00
  - o #2 - \$203,590.73
  - o #3 - \$50,257.35
  - o #4 - \$144,680.25
- Border States in Commerce City CO
  - o \$292,328.66
- Ducey's Electric in Meeker CO
  - o #1 - \$164,970.00
  - o #2 - \$96,460.00
- LOGIQ in Denver CO
  - o \$133,006.94

Staff will review the bids and bring back consolidated tabulation to the board next meeting.

***Consideration of Resolution #06-2023 Appointment to Housing Authority.*** Administrator Etheridge informed the Board at the last meeting that the Board accepted Mr. Ashley Lee Smith and Ms. Kate McCaffery's applications for two vacancies on the Housing Authority Board. Staff has prepared Resolution #06-2023 to appoint both applicants. Hearing no further comments or concerns Mayor Borchard called for a motion to approve Resolution #06-2023 Appointment to Housing Authority. Moved by Trustee Day. Second by Trustee Gutierrez. All ayes. Motion carried.

# RECORD OF PROCEEDINGS

*Regular Meeting of the Town of Meeker – October 3, 2023*

**Consideration of extraterritorial water tap agreement.** Administrator Etheridge informed the board that the Agreement for Extension of Extraterritorial Water Service and Water Tap Purchase between the Town of Meeker and William McCullough has been completed and the six thousand dollars tap fee has been paid. This property is located at 398 County Rd 8, Mr. McCullough has been granted permission to physically connect to an 8” water main owned by Rural Coz Housing Company LLC (RCHC). The Board approved the RCHC water agreement to service Trail and Hitch RV Park at the March 15, 2022 meeting. Mr. McCullough will be purchasing a one-inch (1”) water tap from the Town. The RCHC water line will be going through Mr. McCullough property, he has requested tapping into this private water line and being able to receive Town water for his single-family residence. Administrator Etheridge requested and received a written document from RCHC giving Mr. McCullough permission to tap into the water line. Mayor Borchard had some concerns regarding Mr. McCullough having the proper permission and documentation to cross neighboring properties. Etheridge pointed out (6) of the agreement stating:

- Owner acknowledges that between the water tap, which is to be provided by the Agreement, and the Subject Property, there may exist certain real property, the title to which is not held by the parties hereto. Owners acknowledge that it may be necessary for Owners to obtain an easement, right-of-way, or permit for the installation and maintenance of the Owners’ water service line across or through said real property.

Mayor Borchard pointed out at the March 15, 2022 meeting the approved Consideration of extraterritorial water agreement for Trail & Hitch does not provide anything about going under County Road 8. Mayor Borchard pointed out that neighboring property owner Kevin Borchard is paying to run the water line from the pump house under County Road 8 and terminating at a hydrant on his property. After a lengthy discussion it was decided to table consideration of the agreement until Administrator Etheridge can confirm more pertinent information. A motion was made by Trustee Jehorek to table consideration of extraterritorial water tap agreement. Second by Trustee Lockwood. All ayes. Motion carried.

**Presentation of Prop-123 housing baseline. Proposition 123.** Community Dev./Planner Thomson informed the board of the following information regarding Proposition 123 housing baseline:

- Voters approved in 2022 to establish a State Affordable Housing Fund.
- Funds will be distributed by the Colorado Department of Housing and Colorado Office of Economic Development and International Trade.
- The goal of Prop123 is to increase affordable housing by 3% each year based on the local government’s baseline (or 9% over a 3-year cycle)
- To be eligible to receive Prop123 funds local governments must file their baseline and commitment by November 1, 2023.
- The State has provided two baseline options but there is the option to petition for a different baseline.

## Town of Meeker Baselines

- American Community Survey (Census) Baseline is 13 affordable housing units annually or 37 over 3 years.
- The Comprehensive Housing Affordability Strategies (HUD) Baseline is 26 affordable housing units annually or 76 over 3 years.

The State also has an interactive tool, and by using their parameters we were able to get our baseline lowered to 10 affordable housing units annually, however based on local knowledge and data this baseline is still too high.

# RECORD OF PROCEEDINGS

*Regular Meeting of the Town of Meeker – October 3, 2023*

- Based on local data (specifically historical data of building permits and sales from Rio Blanco County Assessor) we intend to petition for a lower commitment
- Annual commitment of 5 affordable housing units, 3-year commitment of 15
- State Median Income (\$82,254 median income)

By using the State Median Income this allows the Max Affordable for Sale Price to be higher

## 2022

- 50 units sold at State Median Income
- 32 units sold at Area Median Income
- Average price of residential units sold = \$237,667

## 2023

- 24 units sold at State Median Income
- 18 units sold at Area Median Income
- Average price of residential units sold = \$245,163

Thomson stated that the annual commitment is 5%, which is the lowest reasonable rate. Thomson also informed the Board that staff engaged in technical assistance with Colorado State Department of Housing and state consultant Logan Simpson to utilize the Baseline Assistance Tool. However, during follow-up conversations with the Housing Needs Assessment partner Ayers Associates it was agreed that the baseline was still not reflective of the Meeker market. Therefore, staff will petition for a lower baseline (annual goal of 5, 3-year goal of 15) based on historical data and market conditions. As well staff will petition to use State Median Income level because it is more reflective of area market conditions.

Trustee Nielsen asked what the consequences are if the goals are not achieved. Thomson said if goals are not met then the Town will have to sit out of DOH funding opportunities for one year. Trustee Lockwood was concerned about the staff time this would require. Hearing no further concerns Mayor Borchard instructed Thomson to move forward with filing a lower affordable housing unit baseline.

## **MANAGER'S REPORT**

Administrator Etheridge reported:

- There are seven candidates for PW Superintendent position. Preliminary interviews are scheduled for October 6<sup>th</sup> with the intention of pulling the top candidates in for a second round of interviews the week of October 16<sup>th</sup>.
- Included in the packet are 2 emails for the Board: one from Congressional candidate Jeff Hurd thanking the Board for an audience; the other from Crystal Armendariz the CDOT liaison.
- Ride the Rockies is planning to pass through Meeker, from Craig to Rangely in June 2024. This event will bring approximately 1,500 riders and their support staff. The Ride the Rockies coordinator will be coming through Meeker next week to meet with Town Administrator Etheridge and Chamber of Commerce Executive Director Kobald to begin the planning.
- Streamline Realty released an upcoming coffee talk scheduled for Friday, December 1<sup>st</sup>. They will have Ed Olszewski and Melody Massih discussing roles and responsibilities of being a public Board/Committee member.

## **MAYOR'S REMARKS**

None.

# RECORD OF PROCEEDINGS

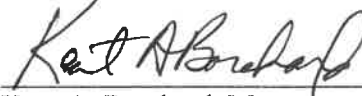
*Regular Meeting of the Town of Meeker – October 3, 2023*

## OTHER BOARD BUSINESS

- Trustee Jehorek asked Chief Thompson what transpired with the homeless man that was living on the corner of 812 Market Street. Thompson reported that there are laws regarding trespassing, harassment, and public indecency, but that there is little the PD can do about vagrancy and the homeless man is no longer in Meeker.
- Trustee Lockwood inquired about holding an executive session to discuss the PW superintendent applicants. Administrator Etheridge stated she will not discuss the applicants on public record. After some discussion the majority of the BOT decided it was not the position of the Board to be involved and instructed the staff to proceed.
- Trustee Day gave an update on the planning advisory committee measuring irrigation ditches and testing how fast the ditch water comes back to the White River; Day attended the Basin Round Table meeting involving the US Forest Service, State Forest Service and Bureau of Land Management; he suggested the Board put the Watershed Protection signs to an official vote, it was determined Administrator Etheridge should talk to Rio Blanco County before further action is taken. Finally, after some discussion regarding parking for the emergency personnel. It was decided to put this topic on the agenda for October 17<sup>th</sup> and invite effected business members and Emergency Responder/Fire District personnel to attend for discussion.
- Trustee Jehorek expressed some concerns about potential safety issues from the dirt road that has been developed on the Town right of way from the Overton-Grant Subdivision. Board asked Administrator Etheridge to have PW Superintendent Overton investigate this.

## ADJOURNMENT

Mayor Borchard adjourned the meeting at 8:53 pm.

  
\_\_\_\_\_  
Kent A. Borchard, Mayor

Attest:

  
\_\_\_\_\_  
Lisa Pakuer, Admin. Assistant