

The Regular Meeting of the Meeker Town Board was held Tuesday, February 16, 2010 at Town Hall.

Members Present	Mayor	Etheridge
Trustees		Cook
		Gerloff
		Halandras
		Mills
		Omer
		Strate
Town Staff Present	Town Administrator	Day
	Town Planner	Smith
	Town Clerk	Cook
	Town Attorney	Viscardi
	Liquor Clerk	Sizemore
	Admin. Assist.	Niemi
Citizens Present	Nikki Turner	RB Herald Times
	Rich Sales	University of Colorado
	Joy Allen	Meeker Lions Club Rep.
	Shonda Otwell	Meeker Chamber Dir.
	Pat Hooker	RBC Administrator
	Kia Turner	RBC Commissioner
	Wendy Gutierrez	Brian Conrado
	Margie Joy	Sparky Pappas

#### **CALL TO ORDER**

Mayor Etheridge called the meeting to order at 7:00 p.m.

#### **ROLL CALL**

All Trustees present.

#### **APPROVAL OF THE AGENDA**

Mayor Etheridge asked if there were any changes to the agenda with none noted.

A motion was made by Trustee Omer to approve the agenda, seconded by Trustee Cook. All ayes, motion carried.

#### **APPROVAL OF THE PREVIOUS MINUTES**

Mayor Etheridge asked for changes or revisions to the minutes of February 2, 2010 with none noted.

A motion was made by Trustee Mills to approve the February 2, 2010 minutes seconded by Trustee Strate. Aye: Trustees Cook, Omer, Mills, Strate and Gerloff. Abstained: Trustee Halandras. Motion carried.

#### **APPROVAL OF VOUCHERS**

Mayor Etheridge asked for questions or comments regarding the revised vouchers dated February 16, 2010. She inquired about Item #19 under the Water Fund ó Leavenworth & Karp ó Diligence and Deed Work and what it was for? Administrator Day explained it was the due diligence/water rights work as discussed at the previous meeting and deed work that needed to be completed after Well #6 was drilled. Trustee Halandras inquired about Item #6 under the Water Fund; One Source Lighting ó Retrofit Kits with Bulbs and Ballast/Town Shop; if it was an upgrade and where One Source Lighting was from. Day replied it was an upgrade for the Town shop with high efficiency materials and Staff did the work. Town Clerk Lisa Cook added One Source Lighting was located in Grand Junction. Day added the retrofit work was done as Staff had been working in the ceiling (insulation) and was easier to do now. Trustee Gerloff inquired how often the Town reviewed fuel prices, and if there was a cheaper option? Clerk Cook stated the Town currently pays \$2.10 a gallon for fuel and \$2.22 a gallon for diesel.

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Trustee Gerloff inquired about Item #32 under the General Fund ó JSC, Inc. Laying out Roundabout in Ute Park, GPS and Staking, asking if it was known it would be that expensive? Day stated JSC used GPS and staked the roundabout out to ensure it was accurate, but the amount was minimal as opposed to building the roundabout wrong and having to correct it.

A motion was made by Trustee Gerloff to approve the revised vouchers dated February 16, 2010, seconded by Trustee Strate. All ayes, motion carried.

***Consideration of approval of the Supplemental agreement to the Subdivision and Security Agreement for the Escondido Subdivision regarding the time limits for the construction of the public improvements and private improvements, replacement of the security guarantee for construction of subdivision public improvements and private improvements and for the extension of the Owners'/Subdividers' vested property rights (3 years).***

Trustee Halandras left the room due to conflict of interest. Attorney Viscardi stated the proposed supplemental agreement modified the original subdivision and security agreement for the Escondido Subdivision. He stated a couple of provisions had been amended and were: 1) provide a continuous Letter of Credit, explaining the current letter of credit was set to expire soon and the proposed supplemental agreement allowed the owners/developers (Regas and Pegge Marie Halandras) to not replace the letter of credit, adding the letter of credit must be replaced on or before February 2011. He went on to say: 2) the proposed agreement amends the provisions regarding the construction of improvements, explaining the original agreement had provided a two year period where the improvements had to be constructed by February 2011, with the proposed agreement extending the time period for an additional year (February 2012) and the vested property rights for an additional year (February 2013). Attorney Viscardi added the basis of the agreement was due to the current economic crisis affecting the local real estate market conditions and the owners/subdividers had asked the Board to consider a delay of improvements on the subdivision until the economy becomes better. Attorney Viscardi went on to say the agreement stated no work could commence until the Letter of Credit was reinstated and provided for a Public Notice (referring to Exhibit A) to be recorded as a separate document; showing the agreement exists and informs the public of pertinent provisions within the agreement. Mayor Etheridge asked for questions or comments with none noted. She thanked Attorney Viscardi for putting together the Supplemental Agreement.

A motion was made by Trustee Gerloff to approve the Supplemental Agreement to the Subdivision and Security Agreement for the Escondido Subdivision, seconded by Trustee Omer. All ayes, motion carried. Trustee Halandras returned to the meeting after the motion was voted on.

***Discussion concerning Wells Fargo Investor's recommendation regarding the Meeker Hospital Fund.***

Mayor Etheridge stated the Board had received the investment information/recommendation from Mr. Parsonø of Wells Fargo and inquired as to what they would like to do. Mayor Etheridge read a paragraph from Mr. Parsonø's letter, stating it summed up what the Board needed to decide on; whether it would be an immediate or systematic implementation of the proposal and if the Board gives Mr. Parsonø the investment authority as described or leave things as they are. Trustee Strate stated Mr. Parsonø had previously recommended a systematic implementation and they should go with that recommendation. Trustee Omer stated the approach would be fine as long as the Board receives quarterly reports so it can be monitored.

A motion was made by Trustee Mills to allow Mr. Parsonø of Wells Fargo, the Townø's Investment Manager, to systematically work through the proposed changes as proposed in his letter (dated February 8, 2010) and to give Mr. Parsonø the investment authority inside the range of balanced income, seconded by Trustee Halandras. All ayes, motion carried.

**NEW BUSINESS**

***Public Hearings beginning at 7:15 p.m.***

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***Request from Meeker Lions Club for special events liquor permits for three events being held from 6:00 p.m. to 11 p.m.***

***A. Meeker Volunteer Fire & Rescue Banquet, March 12, 2010.***

***B. Rocky Mountain Elk Foundation Annual Dinner, April 3, 2010.***

***C. Pioneers Medical Center Fundraiser, May 15, 2010.***

Mayor Etheridge opened the Public Hearing at 7:16 p.m. Liquor Clerk Sizemore stated there were three requests for Special Events Liquor permits by the Meeker Lions Club. She stated Anthony Mazzola is the president and Joy Allen was present as his representative from the Lions Club. She stated all three events would take place at the Fairfield Center, from 6:00 p.m. to 11:00 p.m. Event 1: The Meeker Volunteer Fire and Rescue Banquet to be held March 12, 2010; Chris Borchard is the event manager. Event 2: The Rocky Mountain Elk Foundation Annual Dinner to be held April 3, 2010; Tom Allen is the event manager. Event 3: The Pioneers Medical Center Fundraiser to be held May 15, 2010; Margie Joy is the event manager. She added the paper work was complete; fees paid; the property had been posted for the three events and Staff recommended approval. Mayor Etheridge asked for comments or questions with Ms. Allen stating all monies raised at the events benefited the community and they would be attending the upcoming alcohol training class on February 18, 2010.

A motion was made by Trustee Mills to approve the request from the Meeker Lions Club for the special events liquor permits for the Meeker Volunteer Fire & Rescue Banquet to be held on March 12, 2010, the Rocky Mountain Elk Foundation Annual Dinner, April 3, 2010 and the Pioneers Medical Center Fundraiser, May 15, 2010, seconded by Trustee Halandras. All ayes, motion carried.

Liquor Clerk Sizemore added a liquor training class would be held Thursday February 18, 2010 from 1:00 p.m. to 5:00 p.m. at Town Hall, with the State Liquor Dept. conducting the training to approximately 30 people (employees at licensed business in Meeker).

***Consideration of Ordinance 2, Series 2010, an ordinance approving the petition for annexation submitted by the Town of Meeker for the annexation of certain parcels of real property to the Town of Meeker and designating the zoning for said real property and bringing said parcels under the Town's Zoning Ordinance and map.***

Attorney Viscardi stated the proposed Ordinance would approve the petition for annexation submitted by the Town for two parcels of land adjacent to the Escondido and Sage Hills Subdivisions. He referred the Board to the plat map (in their packet), stating the two parcels (Parcels 1 and 2) had Town water facilities located on them. He explained that the larger parcel had not been contiguous to Town Boundaries prior to the Escondido annexation, but was now contiguous on 3 sides which met the 1/6 contiguity requirement and that the small parcel adjacent to the Sage Hills subdivision previously was not annexed due to lack of contiguity, but now had 100% contiguity due to the Escondido annexation. He said that the statutes allow an expedited process as long as the parcels are owned 100% by the annexing municipality and the land is not a public street or right of way, which is being utilized for this annexation. He stated an advertisement had been placed in the Rio Blanco Herald Times regarding tonight's public hearing. He further explained the Town Board approved Resolution 1, Series 2010 at the January 19, 2010 meeting recognizing the validity of the Town of Meeker annexation petition and scheduling the public hearing for February 16, 2010 and referred the zoning portion to Planner Smith who provided the following report:

The Town's two water storage tank sites are located in the NW¼SW¼ of Sec 14, T1N, R94W. The Town of Meeker is requesting to assign the Open zoning district to two parcels located adjacent to the Sage Hills and Escondido subdivisions. The Town-owned parcels, 1.0 acre and 1.32 acre in size are the sites of existing Town water storage tanks. These sites will be annexed into Town limits and designated Open by the adoption of Town Board Ordinance No. 2, Series 2010.

M.M.C. 18.1.125 outlines that the Open district shall provide for sites for parks; open space; community centers;

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park and recreation facilities; water storage, treatment, and distribution; governmental buildings and facilities; and other public and private uses which may be suitable in areas of Town where limitations upon building may be required, for the following reasons: flood, fire protection, or extreme topography. Grazing and other agricultural uses shall be permitted in this district.

In accordance with M.M.C. 18.1.148(C), the request has been advertised in the paper, a sign has been posted on the site, and letters were mailed to all property owners within 300 feet. At this time, the Town has received one letter from an adjacent land owner, the US Department of the Interior, Bureau of Land Management, who did not oppose the annexation and re-zoning requests.

**Recommendation:** Staff recommends approval of the request to zone the Town's water storage tank sites (1.0 acre and 1.32 acre in size) to Open and to amend the Town's Zoning Map. On February 8, 2010, the Planning Commission concurred with Staff's recommendation and recommended the Board of Trustees grant approval of the Town's request to assign the Open zoning district to Town-owned water storage tank sites, which are 1.0 acre and 1.32 acre in size, located west of the Sage Hills Subdivision and to amend the Town's Zoning Map. Mayor Etheridge asked for additional comments or questions with none noted.

A motion was made by Trustee Strate to approve Ordinance 2, Series 2010, an Ordinance approving the petition for annexation submitted by the Town of Meeker for the annexation of certain parcels of real property to the Town of Meeker and designating the zoning for said real property and bringing said parcels under the Town's Zoning Ordinance and Map, seconded by Trustee Gerloff. All ayes, motion carried.

***Consideration of Ordinance 3, Series 2010, an ordinance approving the rezoning of a certain parcel of land owned by the Town of Meeker, described as Parcel B of the Escondido Subdivision.***

Planner Smith provided the following report: A 3.72-acre parcel of land located in the NW ¼ of Sec 14, T1N, R94W. The property is located immediately adjacent to Town-owned property and residential lots in the Sage Hills and Escondido subdivisions.

The Town of Meeker is requesting to rezone Parcel B, a 3.72-acre tract of land in the Escondido Subdivision, from RR 6 Rural Residential to O 6 Open. Parcel B, which was dedicated to the Town in the approval of the Escondido Subdivision (Final Plat recorded March 4, 2009), is located adjacent to existing Town-owned lands west of the Sage Hills Subdivision. The Town proposes to use Parcel B as additional open space for the protection of the adjacent water storage tanks. This site will be rezoned Open by the adoption of Town Board Ordinance No. 3, Series 2010.

M.M.C. 18.1.125 outlines that the Open district shall provide for sites for parks; open space; community centers; park and recreation facilities; water storage, treatment, and distribution; governmental buildings and facilities; and other public and private uses which may be suitable in areas of Town where limitations upon building may be required, for the following reasons: flood, fire protection, or extreme topography. Grazing and other agricultural uses shall be permitted in this district.

In accordance with M.M.C. 18.1.148(C), the request has been advertised in the paper, a sign has been posted on the site, and letters were mailed to all property owners within 300 feet. At this time, the Town has received one letter from an adjacent land owner, the US Department of the Interior, Bureau of Land Management who is not opposing the request.

**Recommendation:** Staff recommends approval of the request to rezone Parcel B from RR to Open and to amend the Town's Zoning Map. On February 8, 2010, the Planning Commission concurred with Staff's recommendation and recommended the Board of Trustees grant approval of the Town's request to rezone Parcel B, a 3.72-acre tract of land in the Escondido Subdivision, from RR 6 Rural Residential to O 6 Open and to amend the Town's

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Zoning Map. Mayor Etheridge asked for questions or comments, with none noted.

A motion was made by Trustee Omer to approve Ordinance 3, Series 2010, an Ordinance approving the rezoning of a certain parcel of land owned by the Town of Meeker, described as Parcel B, a 3.72-acre tract of land in the Escondido Subdivision, from RR-Rural Residential to O-Open and to amend the Town's Zoning Map, seconded by Trustee Cook. All ayes, motion carried. Mayor Etheridge closed the Public Hearings at 7:31 P.M.

**MAYOR'S REPORTS**

None

**MANAGER'S REPORTS**

**Girl Scout Proclamation:** Day stated a letter was received from the Girl Scouts asking Mayor Etheridge to declare the week of March 7<sup>th</sup> to March 13<sup>th</sup> as Girl Scouts week with a proclamation. The Board concurred to have Mayor Etheridge sign the proclamation.

**ATTORNEY'S REPORTS**

None

**OTHER TOWN BOARD BUSINESS**

Trustee Cook stated Public Participation was not on the agenda. Mayor Etheridge inquired if anyone was present for Public Participation, with none noted.

Trustee Gerloff inquired about the previous day's water problem with Day stating it was due to an electronic failure. She added it was corrected quickly and Staff had discussed how it could be avoided in the future. She noted that a staff member would be checking the water system daily 7 days a week from now on. Trustee Mills inquired as to where the failure occurred, with Day stating the electronics didn't turn the pumps on when it was supposed to. Trustee Mills inquired if it was the system on 7<sup>th</sup> Street with Day stating no; it was at the well field where the pumps didn't come on and the alarm system didn't go off at 7<sup>th</sup> Street. She added the alarm system may have been a human error as Timberline had worked on the system last week and may have disabled the system and not turned it back on, and she was not sure what happened at the well field. Discussion focused on having some type of back up system and notifying property owners that are affected as well as the Sheriff's office. Administrator Day explained that the incident was taken very seriously and she would look into it further.

**ADJOURNMENT**

Mayor Etheridge adjourned the meeting at 7:35 p.m.

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Mandi Etheridge, Mayor

Attest:

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Lisa Cook, Town Clerk