

The Regular Meeting of the Meeker Town Board was held Tuesday, August 3, 2010 at Town Hall.

Members Present	Mayor	Etheridge
Trustees		Gerloff
		Halandras
		Cook
		Conrado
		Omer
Trustees Absent		Strate
Town Staff Present	Town Administrator	Day
	Town Planner	Smith
	Town Clerk	Cook
	Town Attorney	Viscardi
	Liquor Clerk	Sizemore
	Admin. Assist.	Niemi
Citizens Present	John Brooks	ERB Health Services District
	Ken Huey	ERB Health Services District
	Henry Arcolesse Ma Famiglia (Owner)	

CALL TO ORDER

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

ROLL CALL

All Trustees present except Trustee Strate.

APPROVAL OF THE AGENDA

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

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

APPROVAL OF THE PREVIOUS MINUTES

Mayor Etheridge asked for comments or questions regarding the minutes of July 20, 2010 with none noted.

A motion was made by Trustee Conrado to approve the July 20, 2010 minutes seconded by Trustee Cook. Ayes ó Trustees Cook, Conrado, Halandras and Gerloff. Trustee Omer abstained. Motion carried.

APPROVAL OF VOUCHERS

Mayor Etheridge asked for questions or comments regarding the revised set of vouchers dated July 30, 2010. Administrator Day stated the voucher for Grand River Construction for the paving work at Sanderson Hills needed to be added and the amount was \$390,845.48 with the total amount for the General Fund to be \$789,186.44 and the new total for all bills would be \$1,022,320.39. She added the Board would also be approving payments for the entire water tank painting project, the inspections, as well as another progress payment to Martinez Western Contractors. Trustee Cook inquired what the payment for Grand River Construction was for, with Day replying for the paving done in Sanderson Hills. Day stated there was one change order on the paving project in the amount of \$8,844.00 primarily due to excavation work on 3rd Street because of poor soils.

Trustee Halandras inquired as to what was going on with Ute Road, regarding all the digging? Day stated the good news was the Town finally had a solid road and explained the first process to meet compaction of the road hadn't worked, so all the fabric and other materials were removed, the site over excavated and used different geo

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grid (fabric) as well as recycled concrete and road base in lifts, which made the road really solid; and the cost was approximately \$95,000.00 for the extra work. Day added that she was thankful that Meeker Sand and Gravel was able to provide recycled concrete. Trustee Halandras inquired about Item #65 under the General Fund ó Western Bailing Wire ó Wire/Recycle, asking if it was for wire to put on the bales of recycled materials and how long did it last? Day stated she thought the Town ordered the wire about once a year or longer. Trustee Conrado inquired about Item #44 ó Samuelson's True Value ó Employee Payment, asking what was it for? Day stated it was a personnel matter. Trustee Omer inquired as to what percent of construction progress was completed on Ute Road? Day stated about two-thirds of the work was completed. She added the contractor requested additional time, adding the Town should grant it. She went on to explain the contractor had requested to have the time extended until August 28, 2010 to complete the project. Day stated the goal was to have Ute Road paved by August 12th and sidewalks to the bridge installed by August 23, 2010. She stated there would be some sidewalks to install for the Rec. District (who is reimbursing the Town) to be completed by August 28, 2010. Trustee Halandras inquired if the project was shutting down for the fair with Day replying no, they were doing projects that wouldn't be in the way of those attending the fair. Day stated she needed to ask the Board regarding a colored border along the sidewalks on Ute Road, which staff thought was in the original plans. However, it was recently discovered that the Ute Road sidewalk plans included a green space between the street and the sidewalk and not the colored sidewalk as on Sulphur Creek Road. She stated the concern is that if there is a green space that it will be difficult to maintain as well as creating a potentially muddy area for elementary children along the sidewalk. She stated it would be about \$25,000.00 more to add the colored concrete border to the area, and Staff recommended approval of the change order. She added the budget for the project was in good shape and could accommodate the additional work as \$1.6 million was budgeted and with the change orders the cost of the Martinez contract is currently approximately \$1,057,000.00 and there is enough funding left in the budget to do the additional work. Discussion focused on exactly where the additional concrete work would be and why a separation was recommended.

Trustee Gerloff inquired if the total budget for the project was \$1.6 million and how much had been spent? Day stated \$1.6 million was the total budget and approximately \$633,000.00 had been spent to date including all the engineering and testing work. Trustee Gerloff inquired if Day could estimate how many change orders had come through, with Day stating three. She stated the excavation and reconstruction of Ute Road and the area on Sulphur Creek Road was the largest change order expense due to having to excavate twice on Ute road and a larger area on Sulphur Creek Road. Day stated the company had done a good job regarding staying within budget and presenting the Town with invoices that include each quantity and she also maintains a spreadsheet of unit prices and quantities for all projects. She said that there are always unforeseen issues that arise during a project, particularly one of this magnitude. Trustee Gerloff stated he would like to express a concern that the Town accepted the lowest bid and now the cost has increased. Day stated she understood Trustee Gerloff's concerns and explained the bid request included a unit cost with estimated quantities for each line item and quantities have changed. She stated none of the change orders have been due to the contractor, but rather the scope of the work. Discussion focused on if the Town could have picked up on the changes/costs, testing, and other issues, the soils issues taking up most of the additional expenses with Day explaining she felt that all the professionals involved in preparing the specifications and quantities had done a very good job, but that there were some unforeseen circumstances that have arisen.

Trustee Gerloff inquired if the lighting for Sulphur Creek Road would come out of the Town's budget? Day stated the Town had not included lighting along Sulphur Creek Road in this bid, just conduit along the sidewalk on Sulphur Creek for future lighting as it was more economical install the conduit during this project, than later. She added White River Electric would be installing and providing the lighting on Ute Road at their expense. Trustee Halandras stated during the tour he noticed where people's yards had been cut into for the sidewalk and asked if the Town should consider doing something such as a retaining wall in those areas. Day stated the contractor had told the Town they would be able to slope the areas from the yards to the sidewalks, but if that doesn't work out the Town could look at doing something different. Mayor Etheridge stated this was the largest

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voucher list approval this year and included many worthwhile projects the public can see and appreciate. She stated the best thing the Board can do is to ensure the vouchers are closely monitored and to ask questions so they have the knowledge of what is taking place if the public inquires. Day added the records were open to the public and she welcomes Board members and others to come in and take a look. Trustee Omer inquired about the additional voucher for Grand River Construction, asking if it was a progress payment? Day stated it was the total payment and the Town had budgeted \$500,000.00 and spent approximately \$435,000.00 which included engineering, bidding and testing costs. She went on to say the water tanks project also came in under budget and included the testing, tank painting and the cost to specifications. Administrator Day and Trustee Gerloff left the room due to a potential conflict of interest. Mayor Etheridge asked for additional questions or comments, with none noted.

A motion was made by Trustee Halandras to approve the revised set of vouchers dated July 30, 2010, with the addition of a voucher for Grand River Construction under the General Fund for the amount of \$390,845.48, seconded by Trustee Omer. All ayes, motion carried.

Administrator Day and Trustee Gerloff returned to the meeting.

PUBLIC PARTICIPATION

None

NEW BUSINESS

Request from HASK Inc/dba/Ma Famiglia, 410 Market Street for Hotel and Restaurant Liquor License renewal.

Liquor Clerk Kathy Sizemore stated the renewal request was for Ma Famiglia's Hotel and Restaurant Liquor License and Henry Arcolesse (owner) was present. She stated all paperwork was complete, fees paid and there were four calls for service to the address with none related to alcohol and Staff recommended approval. Mayor Etheridge asked for questions or comments with Trustee Conrado stating he understood the State mandated the fees but did the Town receive a percentage? Liquor Clerk Sizemore stated the Town has a set fee for each license, and the amount for Ma Famiglia's renewal was set by the State. Day added the Town doesn't receive any of the funds set by the State, only its local fee (not included on the renewal before the Board).

A motion was made by Trustee Conrado to approve the request from HASK Inc./dba Ma Famiglia for renewal of the Hotel and Restaurant Liquor License, seconded by Trustee Halandras. All ayes, motion carried.

Consideration of approval of Ute Park Permit between the Town and John Purkey for lease of pasture in "Ute Park Triangle" located between Highway 13 and Main Street.

Administrator Day stated John Purkey had signed the permit and provided the Town with proof of insurance, naming the Town as an additional insurer. She added there were no changes regarding the permit as discussed at the previous meeting. Mayor Etheridge asked for questions or comments with none noted.

A motion was made by Trustee Omer to approve the Ute Park Permit between the Town of Meeker and John Purkey for lease of the pasture in the "Ute Park Triangle" located between Highway 13 and Main Street, seconded by Trustee Gerloff. All ayes, motion carried.

Consideration of approval of Memorandum of Understanding between the Eastern Rio Blanco County Health Service District and the Town of Meeker to address the Walbridge Wing real property and improvements and the Meeker Hospital Fund.

Attorney Viscardi stated John Brooks, (Attorney) and Ken Huey (Interim Administrator) from the Eastern Rio Blanco County Health Service District were present. He stated the Board had a copy of the Memorandum of Understanding (MOU), which had been signed by Mr. Huey and given to Administrator Day prior to the meeting

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and all the changes discussed at the previous meeting had been incorporated. Attorney Viscardi stated the MOU provided for an election after the matter goes to the District Court for judgment concerning the Walbridge Wing transfer of funds and the real property and improvements to the Eastern Rio Blanco County Health Service District from the Town of Meeker, as also discussed previously. He stated the MOU set out the costs of an election which would be shared by the Health District and the Town of Meeker and each party would pay the respective attorney fees for the Declaratory Judgment. Mr. Brooks added the "first right of refusal" had been removed per the Town's request. Mayor Etheridge thanked both attorneys for their work and asked if there were any additional comments or questions with none noted.

A motion was made by Trustee Gerloff to approve Resolution 10, Series 2010, a Resolution authorizing the Mayor and Town Clerk to execute the Memorandum of Understanding with the Eastern Rio Blanco County Health Services District concerning the Walbridge Memorial Convalescent Wing and the Meeker Hospital Fund, seconded by Trustee Cook. All ayes, motion carried.

MAYOR'S REPORTS

None

MANAGER'S REPORTS

Ute Park Memorial Sign – Day stated Stephanie Kobald was working on some designs for a sign at Ute Park as the Town had agreed to do when the land was purchased, and should have something for the Board to review soon. Day added Ms. Kobald had a copy of the requirements included in the deed.

Big Horn Mechanical Engineering Update – Day stated she had spoken with the engineer from Big Horn who provided some recommendations (after his tour of the building) and stated the system was very old and in order for the building to be comfortable and the Town obtain energy savings, substantial work needed to be done to the system. She shared some of the engineer's comments from an email she had received and explained the estimated fee, included in the email between 9-10 percent of the cost of the project, the boiler would be cheaper than previously estimated, the air handling units needed to be replaced and would be more expensive than originally estimated. She added the engineer had provided very rough estimates as he wanted to get something to the Board for discussion. Trustee Halandras inquired about the estimated cost of the engineering work with Day stating it was about (\$13,500) for the heating and air conditioning system. Mayor Etheridge stated if the Town went with an individual engineer, they wouldn't have to do the entire project at once. Day stated Trustee Halandras had previously suggested purchasing the materials for the lighting in 2010, complete the engineering work as well as film on the windows and if the heating and cooling work was too expensive, it could be rolled over to 2011. Trustee Halandras stated the engineering work needed to be done regardless and the rest of the work should be completed in phases. Day relayed she had inquired about heat pumps, stating the engineer said it is more expensive, but may be cost effective for this building. She added the engineer had said he would propose three options/systems for the Town including estimated energy savings for each system. Trustee Gerloff stated the person who designed the project should be engineering the phases of the work to ensure it is done in the correct stages. Trustee Omer asked Day if the Town were to move forward with more engineering review, would it be specific to each of the major projects within the total scope of work? He added to say it was approximately 10 percent of the total project seemed open ended and should be broken down.

Day inquired if the Board wanted to move forward with the engineer? Mayor Etheridge inquired if Day needed Board approval to move forward, with Day stating yes. Day inquired of the Board if the Town could purchase the bulbs and ballasts for the lights change out? The Board concurred.

ATTORNEY'S REPORTS

Attorney Viscardi stated he wanted to re-address the conversation regarding change orders. He stated all change orders are done based the contract, which had a great deal of information in it with what the Town had

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incorporated as well as information from the CDOT Highway Manual. Day added Mr. Overton also goes out and checks all quantities and other information prior to any change order or invoice approval.

OTHER TOWN BOARD BUSINESS

Meeker Elementary School Workshop ó Trustee Omer stated he had received a message about an upcoming meeting/workshop for reviewing the elementary school site plans, asking when it would take place? Day stated it was scheduled on Thursday August 5, 2010 at 6:30 p.m. at Town Hall. She added Mr. Sales would be present to facilitate the workshop/meeting. Trustee Omer relayed he would not be able to attend and inquired if there would be notes taken for review later? Day stated the workshop/meeting could be recorded and she would get the materials (if any) to him afterwards.

Trustee Gerloff said he had attended his son's Army induction ceremony in Denver earlier in the day and was impressed by the quality of the young men and women who had volunteered to be inducted and what they had been willing to do, prior to induction, to prepare themselves to serve their county. He recommended that the Board add the Pledge of Allegiance to its regular agendas and recognize those in the military for their contributions (when, for instance, there is a news story). He said that it was important for the community to not forget those who serve our country.

ADJOURNMENT

Mayor Etheridge adjourned the meeting at 7:55 p.m.

ATTEST:

Mandi Etheridge, Mayor

Lisa Cook, Town Clerk