



**TOWN BOARD REGULAR MEETING
224 First Street, Eaton, CO
Thursday, April 21, 2022, 7:00 P.M.**

**MINUTES
Existing Board**

I. CALL TO ORDER

Mayor Moser called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

II. ROLL CALL

PRESENT

Mayor Scott Moser

Trustee Coby Gentry

Trustee Glenn Ledall

Trustee Karla Winter

Trustee/Mayor Pro Tem Lanie Isbell

Trustee Liz Heid

Trustee Nina Lewis

Staff present: Interim Town Administrator Wesley LaVanchy, Town Attorney Avi Rocklin, Chief Sturch, Assistant Administrator Greg Brinck, Baseline Planner Vince Harris, and Brad Curtis, Northern Engineer.

III. AGENDA APPROVAL/AMENDMENTS

Motion made by Trustee/MPT Isbell, seconded by Trustee Heid to approve the agenda. Motion carried 6-0.

IV. CONSENT AGENDA

Motion made by Trustee/MPT Isbell, seconded by Trustee Lewis to approve the Consent Agenda. Motion carried 6-0.

1. Minutes – March 17, 2022, Regular Meeting & March 29, 2022, Special Meeting
2. Second Reading - Ordinance No. 622 – PUD Final Development Plan for Brown Farm – Attorney Rocklin
3. Resolution No. 2022-09 – Independent Financial Bank – Attorney Rocklin
4. Employment Agreement for Interim Town Administrator – Attorney Rocklin

V. OLD BUSINESS & COUNCIL REPORTS (FROM March 17th MEETING)

1. Weld County (WC) Truck Route IGA – ITA LaVanchy – Staff recommends approving the IGA with WC on the truck route and WC will make road improvements to the route in the sum of \$783,430 and Eaton will reimburse WC \$125,000 for these improvements and WC will complete in the summer of 2022. Motion made by Trustee Lewis, seconded by Trustee Winter to approve the IGA between WC and Town of Eaton for a Truck Route on WC Roads 76 and 33. Motion carried 6-0.
2. Planning Commission Meeting – Report by Trustee Winter
3. Hometown Revitalization Committee – Report by Trustee/MPO Isbell
4. Great Western Trail/Park

VI. COUNCIL REPORT

1. Northern Front Range – MPO Report by Trustee/MPO Isbell

VII. SPECIAL PRESENTATIONS

1. Proclamation Recognizing and Honoring Trustee/Mayor Pro Tem Lanie Isbell – Mayor Moser

VIII. ADJOURN

Mayor Moser adjourned the first part of the meeting at 7:15 pm.

New Board

IX. SWEARING IN OF NEW BOARD

Town Clerk Winter certified the Oath of Office for each elected Trustee.

Swearing in of newly elected board members: Glenn Ledall, Lee Griffith, and Coby Gentry

X. APPOINTMENT OF OFFICERS

Trustee Winter moved to appoint Town Staff, seconded by Trustee Gentry. Motion carried 6-0.
Trustee Ledall moved to appoint Liz Heid as Mayor Pro-Tem, seconded by Trustee Gentry. Motion carried 6-0.
Mayor Moser moved to appoint Liz Heid as MPO, seconded by Trustee Lewis. Motion carried 6-0.
Mayor Moser moved to appoint Lee Griffith to GWT, seconded by Trustee/MPT Heid. Motion carried 6-0.

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| Interim Town Administrator – Wesley LaVanchy | Treasurer – Faith Smith |
| Town Clerk – Jane Winter | Town Attorney – Avi Rocklin |
| Municipal Judge – Ms. Teresa Ablao | Mayor Pro-Tem – Liz Heid |
| Board Member to North Front Range MPO – Liz Heid | Great Western Trail – Lee Griffith |

XI. SPECIAL PRESENTATION

1. 2022 Holocaust Memorial Observances Proclamation – Nomi Johnson, Representative for Holocaust Memorial Group & Brenda Carns, Eaton Library Director – The Board of Trustees read aloud the proclamation and Mayor Moser proclaimed the week of April 24-29, 2022, as Holocaust Memorial Observances.
2. United Way – Verniece Thomas – Unable to attend presentation.
3. EPL Art Task Force – Requesting funds from Shelton Fund – Nomie Ketterling, Library Board Trustee & Brenda Carns, Eaton Library Director – The Library Board of Trustees began discussions in 2020 about acquiring a significant and important art piece for outdoor placement and display at the Eaton Library. The art piece is a bronze statue of a young boy which will cost approximately \$30,000 and the \$10,000 request from the Shelton Fund is to secure the contract and instruct the artist, Daniel Borup, to begin his work. Trustee Lewis moved to approve and grant \$10,000 dollars from the Shelton Fund as requested, seconded by Trustee Ledall. Motion carried 6-0.

XII. PUBLIC COMMENT*

Mayor Moser gave direction that this public comment will be for all other comments and there will be public comment time for the non-potable service after the non-potable discussion.

Steve Poortinga, 1782 Pioneer Pl, concerned about CO Parkway speed sign says 30 mph when on CO Parkway in Maplewood Estates the speed sign says 25 mph and requesting a speed sign at Pioneer Place leading to the school at the green belt. The signs need to be uniform and remember, there are many kids in the area.

Kevin Ross, 1500 Falcon Ridge Rd, thanked Trustee/MPT Isbell for all her service and welcome the newest Trustee Lee Griffith. Congratulations to Trustee Gentry and Ledall and Heid for being Mayor Pro Tem and MPO Representative. MPO works on the infrastructure between the towns in Weld County area.

Mike Thornton, 313 Park Avenue, discussed alleys, proper grading, packed down and maintained. Would like the board to budget for this.

XIII. NEW BUSINESS

1. Governor's Ranch/Aspen Meadows Non-Potable System – ATA Brinck – The main irrigation pump has been upsized with a new pump and upsizing the VFD and the electrical system. With unexpected delays for the project based on supply chain issues and labor shortages the Town is hopeful that the pump will be running by the second week of May. Staff recommended that the Board table discussion of rebates until the May regular board meeting when the full impact of the pump replacement is known. Mayor Moser then opened the floor for public comment at 8:00 pm. The following residents spoke about their dissatisfaction about the non-potable system: Jim Moore, 40 Westward Way; Dale Henrichs, 47 S Mountain View Dr; Leon Kuhn, 1336 Cimarron Circle; Steve Poortinga, 1782 Pioneer Place; Dan Cooch, 1371 Ridge Court; Bill Hudson, 144 Ridge Road; Dave Eckhardt, 706 Singletree Lane; Nancy Margheim, 1323 Sage Drive; and Gordon Margheim, 1323 Sage Drive. Mayor Moser closed the public comments at 8:30 p.m.

Mayor Moser called for a short break beginning at 8:30 p.m., reconvened at 8:38 p.m.

XIV. EXECUTIVE SESSION – Moved up on agenda due to the time, 8:38 pm.

1. An executive session to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) concerning the outstanding litigation, Public Service Company of Colorado vs. Town of Eaton and Eaton Board of Trustees, Case #2022CV30229.

XIV. EXECUTIVE SESSION – Continued

Motion made by Trustee Lewis, seconded by Trustee Winter to convene into Executive Session for the purpose to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) concerning the outstanding litigation, Public Service Company of Colorado vs. Town of Eaton and Eaton Board of Trustees, Case #2022CV30229 at 8:38 p.m.
Motion carried 6-0. At 9:35 p.m., Trustee Gentry made a motion to move out of the Executive Session, seconded by Trustee Winter. Motion carried 6-0. Mayor Moser reconvened the regular meeting and stated that the only item discussed was the executive session motion.

XIII. NEW BUSINESS - Continued

2. Resolution No. 2022-10 - Adopting Criminal Justice Records Retrieval Fees – Chief Sturch & Attorney Rocklin – Staff is recommending setting police department fees for record and background checks and criminal justice records retrieval. Motion made by Trustee Winter, seconded by Trustee/MPT Heid to approve Resolution No. 2022-10, a Resolution Adopting Criminal Justice Records Retrieval Fees. Motion carried 6-0.
3. Resolution No. 2022-11- Adopting Amend to the Town’s Personnel Policy – ATA Brinck & Attorney Rocklin – Staff has re-evaluated the benefits offered by the Town to ensure that the Town is a competitive employer in the Northern Colorado job market and recommends two half-holiday benefits and increase annual vacation time for full-time employees. Motion made by Trustee/MPT Heid, seconded by Trustee Lewis to approve Resolution No. 2022-11, a Resolution Modifying the Town of Eaton Employee Handbook concerning Holiday and Vacation Benefits. Motion carried 6-0.
4. Pavement Management Plan – Brad Curtis, Northern Engineering Services, Inc – Staff provided an overview/update regarding the importance of Pavement Management Plan to establish an annual roadway maintenance budget which includes asphalt preventive maintenance. Staff recommended to obtain the services of Infrastructure Management Services (IMS) to perform the work, which includes review of the pavement and asset data collection for approximately \$50,000, which is already in the Town budget. The work will begin in May 2022 with a final report in November 2022.

XV. STAFF REPORT

1. Town Administrator – Monthly Report & Paid off loan for the property of Town Square.
2. Assistant Administrator – Monday, C-Dot will determine and release their grant decision.
3. Police Chief – March 2022 Report & Police Progress and Statistical Summary.
4. Town Clerk – Liquor License Renewal for Steven’s Grill submitted to State of CO and new hire in office.
5. Town Attorney – The court ordered a Certification of Record by May 13th, for Public Service Company litigation, all materials relating to the applicant shall be directed to the lawyer managing the case by April 29th.
6. Finance Director - February 2022 Financials
7. Town Engineer – Roundabout is on schedule, approaching the contingency number, curb & gutter in the next couple of weeks. There will be a standing monthly report until finished.

XVI. COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS

1. Planning Commission Meeting
2. Hometown Revitalization Committee
3. Great Western Trail/Park
4. Northern Front Range-MPO

XVII. MAYOR’S COMMENTS-None

XVIII. ADJOURN

Mayor Moser moved to adjourn at 10:13 p.m.

Margaret Jane Winter, Town Clerk