



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

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**MINUTES**

**CALL TO ORDER**

Mayor Pro Tem Heid called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

**PRESENT**

Mayor Pro Tem Liz Heid  
Trustee Nina Lewis

Trustee Coby Gentry  
Trustee Karla Winter

Trustee Lee Griffith

**ABSENT**

Mayor Scott Moser

Trustee Glenn Ledall

**STAFF PRESENT:** Interim Town Administrator Wesley LaVanchy, Town Attorney Avi Rocklin, Assistant Administrator Greg Brinck, Chief Sturch, Brad Curtis, Northern Engineering and Lauren Richardson and Vince Harris, Baseline Corp.

**AGENDA APPROVAL**

Motion made by Trustee Griffith, seconded by Trustee Gentry to approve the Board Agenda. Motion carried unanimously.

**CONSENT AGENDA**

Motion made by Trustee Griffith, seconded by Trustee Lewis to approve the Consent Agenda. Motion carried unanimously.

1. Minutes – June 16, 2022, Regular Board Meeting
2. CPS HR Consulting (CPS HR) Professional Services Agreement & First Amendment – Compensation Study
3. Resolution 2022-16 – Amending the Hometown Revitalization Committee Rules & Regulations

**SPECIAL PRESENTATIONS**

1. Well Update – State Requirements on Current Wells – Steve Nguyen, Clear Water Solutions – The Town Board heard a presentation on the Eaton Wells. The State Engineer's Office has been investigating the wells for several years. The State has determined the following:

Maplewood Well, #13080 - originally decreed as non-tributary, located over two hundred feet from its decreed location, pumping from Well #13080 will require augmentation due to incorrect location.

Original Well, #9685-F – located on 5<sup>th</sup> Street, abandoned, early 1990's filed with Water Court for approval of moving the rights to two other Town of Eaton Wells: Well, #42584-F Eaton Elementary School and Well, #42585-F Centennial Park and apply the two wells to be included in the Weld County Underground Water Users Association (WCWUA) to be augmented, cases were filed but no response to the Summary of Consultation was completed, resulting the cases to be stalled in Water Court and now WCWUA is not accepting applications for wells to join.

Current options for the board to consider:

Maplewood Well, #13080 – Re-locate within decreed location by re-drilling which may be \$200k to \$300k or augment the well which will include metering the water, water attorney, engineering, and water court.

Elementary School Well, #42584-F & Centennial Park Well, #42585-F – Meet with ditch company to purchase water to augment the wells for the short-term plan and to allow time to work on a long-term plan. The State's option may be a cease-and-desist order.

2. Water/Sewer Master Plan Studies – Brad Curtis, Northern Engineering – Presented to the Town Board an Executive Summary of the Town of Eaton's Water Master Plan and Wastewater Master Plan with the purpose, scope, and recommendations as the Town plans for growth and development through 2040.

### **SPECIAL PRESENTATIONS CONTINUED**

3. 2021 Financial Statements Audit Report (DRAFT) – Alan Homberg, Anderson/Whitney – The Town Board received a draft of the Financial Statements, Year End December 31, 2021, which provides financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information. Alan presented the highlights and responded to questions regarding the 2021 Audit for the Town and Eaton Housing Authority.

### **PUBLIC COMMENT\***

Mayor Pro Tem Heid opened and closed the floor at 8:17 p.m. for public comment, as there was no public comment.

### **OLD BUSINESS**

1. Magellan Survey Proposal (DRAFT) – ITA LaVanchy and Ryan Winger, Magellan Strategies – Ryan presented a survey draft of questions for discussion. Magellan will launch this survey in the first part of August by a text message to Eaton residents.

### **NEW BUSINESS**

1. Colorado FAMLI Program Report – Lorna Younger, HR Consultant – Lorna began her report by stating that CO Voters approved Proposition 118 in November of 2020 for a state-ran Paid Family and Medical Leave Insurance (FAMLI) program. The benefits of the program are not effective until January 2024, the Town Board of Trustees will need to decide whether Eaton will participate in the program no later than December 31, 2022. Municipalities have the option of participating or opting out. If the municipality chooses to opt out, their employee(s) may still voluntarily participate at the same premium rate as if the municipality were participating. If a municipality opted out, it could opt in in any future year, but if the opt out decision lasts eight (8) years, the municipality must renew its decision by notifying the FAMLI Division. Town staff recommends that the Town of Eaton opts out of the program currently.

a. Resolution No. 2022-15 Declining to Participate in the CO Paid Medical Leave Insurance Program – Motion was made by Trustee Winter to approve Resolution No. 2022-15 Declining to Participate in the CO Paid Medical Leave Insurance Program, seconded by Trustee Gentry. Motion carried unanimously.

2. Space Planning/Facilities Master Plans – ATA Brinck addressed the Town Board about the need for a Facility Master Plan to address current and future needs of Town owned facilities. The recently added new positions in Administration, the Police Department and Public Works to meet the growing needs of the community have affected the current configurations of the Town Hall and Police Department with inadequate space for all employees to work efficiently. The Town would get bids and receive proposals from qualified contractors to complete the Facility Master Plan. The estimated amount for this project is \$75,000 and the Town would apply for grant funding to defray a portion of the cost. The Board of Trustees would approve the contract and the division of impact fees will be across multiple funds. Staff recommends the Board authorize staff to issue an RFP for a Facility Master Plan. Town Board gave direction to get RFP's.

3. Modular Building/Public Works – ATA Brinck addressed the Town Board about the need for a central location that accommodates all the Public Works department with break room, locker room, offices, and a meeting room facility. There is an opportunity for an inexpensive short term (up to 10 years) solution with the purchase of the 4-plex modular unit that is currently located at EES. The Wastewater Treatment Plant property is where the foreseen location is for the modular. The expected project total cost should be \$100,000 or less, which includes the purchase price, cost of transportation, cost of installation, new utilities, and remodel cost. The division of the project impact fee will be across multiple funds. Staff recommends the Board authorize staff to complete the project with a budget not to exceed \$100,000. Motion made by Trustee Lewis to move forward with the repurposing of the modulars that the School District has for the Town of Eaton for the purpose of a Public Works Facility and the budget does not exceed \$100,000.00, seconded by Trustee Winter. Motion carried unanimously.

4. High Plains Library District Nomination Committee Selection – Mayor Pro Tem Heid requested a volunteer to serve on a committee to interview and select the new Board members on October 14<sup>th</sup> from 1:00 p.m. to 3:00 p.m. Karla Winter volunteered unless the absentee board member would like to volunteer.

### **STAFF REPORT(S)**

1. Interim Town Administrator – Monthly Report
  - a. Memo: Employee Mid-Year, One-Time Pay Adjustment for Impacts from Inflation. Town Board was in agreeance to move forward with this Inflation One-Time Pay Adjustment in August.
2. Assistant Town Administrator – Public Works software is closer to being implemented and it will have a citizen portal workflow.
3. Police Chief – June 2022 Report & Police Progress and Statistical Summary, End of Summer Bash on Saturday, August 27<sup>th</sup>, and Story with Chief at the Library on August 10<sup>th</sup>.
4. Town Clerk
5. Town Attorney – Ordinance No. (DRAFT) – Amending Section 2-2-2 of Eaton Municipal Code Concerning Meeting Procedures. Town Board was in agreeance to move forward with this Ordinance in August.
6. Finance Director – The Town has made full payment on Town Square leases this year. Filing for an extension for EHA. Budget time for staff will start in August. EHA with SHO contract required a transfer of \$100,000.00, along with security deposits for the EHA expenses.
7. Town Engineer – Roundabout Report – Schedule for opening is August 19<sup>th</sup>.

### **COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS**

1. Planning Commission Meeting – Met in July, working on P&Z Code Update.
2. Hometown Revitalization Committee
3. Great Western Trail/Park – Trustee Griffith reported the count per day is fifty-six walkers/bikes for the month of June.
4. Northern Front Range/MPO
5. Eaton Area & Park District – The District Board has chosen a finalist, for the Director Position.

### **EXECUTIVE SESSION**

Trustee Winter moved to convene into executive session, to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) concerning Public Service Company of CO v. Town of Eaton and Eaton Board of Trustees, Case No. 2022CV30229, and In The Matter of the Application of Public Service Company of CO Concerning an Appeal of a Local Governmental Land Use Decision Issued by the Town of Eaton, Proceeding No. 22A-0322E and second item to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) concerning the 3<sup>rd</sup> Street water main break that occurred on April 29, 2021, seconded by Trustee Lewis at 9:28 p.m., followed by a five (5) minute break. Motion carried unanimously.

1. An executive session to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) concerning Public Service Company of CO v. Town of Eaton and Eaton Board of Trustees, Case No. 2022CV30229, and In the Matter of the Application of Public Service Company of CO Concerning an Appeal of a Local Governmental Land Use Decision Issued by the Town of Eaton, Proceeding No. 22A-0322E.

2. An executive session to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) relating to the 3<sup>rd</sup> Street water main break that occurred on April 29, 2021.

Trustee Winter made a motion to exit executive session, seconded by Trustee Griffith at 10:01 p.m. Motion carried unanimously.

Mayor Pro Tem Heid reconvened the regular meeting at 10:02 p.m. and stated that the board made no decisions.

### **ADJOURN**

Mayor Pro Tem Heid moved to adjourn at 10:02 p.m.

*Margaret Jane Winter, Town Clerk*