



TOWN BOARD REGULAR MEETING
224 First Street, Eaton, CO
Thursday, March 17, 2022, 7:00 P.M.

MINUTES

I. CALL TO ORDER

Mayor Moser called the meeting to order at 7:00 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 Planners Vince Harris, and Lauren Richardson.

III. AGENDA APPROVAL/AMENDMENTS

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

IV. SPECIAL PRESENTATION

1. Eaton Public Library – 2021 Year in Review – Brenda Carnes, Library Director

The presentation reviewed the year 2021 on what was accomplished, such as, remodel, outreach with community and provided in-person and virtual programs that appeal to a wide range of audiences. The strategic plan for 2022-2025 was discussed with goals and objectives for the success of the Eaton Public Library.

V. CONSENT AGENDA

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

1. Minutes – February 17, 2022
2. Second Reading - Ordinance No. 621 – Setting Compensation for the Mayor and Members of the Board of Trustees- Attorney Rocklin
3. metroDPA – Resolution 2022-07 – Approving Eaton’s Participation in the Metro Mortgage Assistance Plus Program and Delegation and Participation Agreement between Eaton and metroDPA
4. Weld County Truck Route IGA – ITA LaVanchy

VI. PUBLIC COMMENT

Mayor Moser opened the floor for public Comment. Mike Thornton, 313 Park Ave, appreciates the law enforcement and board of trustees and fire department but feels that the infrastructure of town is not being taken care of, such as dead trees, sidewalks and curb gutters, several areas have a lot of junk accumulated near the downtown area, as you branch out to the new subdivisions all looks good. Not sure if people can afford to repair or take care of dead trees, please, take this into consideration. Mayor Moser stated that the Town is looking into Community Development Block Grant with the county, to receive funding for such projects. As there was no other public comment, Mayor Moser closed the floor at 7:13 p.m.

VII. PUBLIC HEARING (See exhibit A)

1. Brown Farm PUD Final Development Plan – Continued from February 17, 2022, Board Meeting

A. Ordinance No. 622 – Approving PUD Final Development Plan for Brown Farm – First Reading.

Mayor Moser opened the floor for public hearing at 7:14 p.m. and stated that this is a continuation from the previous board meeting and all evidence has been received. Based upon findings and analysis presented at the previous hearing a motion was made by Trustee Winter, seconded by Trustee Ledall to approve Ordinance No. 622, Approving Planned Unit Development Final Development Plan For The Development Known As Brown Farm, Being A Replat of Outlot A

VII. PUBLIC HEARING (See exhibit A) CONTINUED

Brown Farm 2nd Subdivision And Situated In Section 1, Township 6 North, Range 66 West Of The 6th P.M., Town of Eaton, County of Weld, State of Colorado, Containing Approximately 172.60 Acres. Motion carried 6-0.

B. Subdivision Development and Improvement Agreement – Attorney Rocklin

The board heard from staff, Attorney Rocklin. The proposed Subdivision Development Agreement would apply to development within this PUD and provide guidance within all phases of PUD zoning of development and be required to construct certain Subdivision Improvements with Developer responsible for the costs and expenses and to complete the development in accordance with this agreement and the Town's ordinances, resolutions, and regulations and all other applicable laws and regulations. Staff answered board questions. Having no public comment, the mayor closed the hearing at 7:18 p.m. Based upon findings and analysis presented at this hearing, motion was made by Trustee Lewis, seconded by Trustee Heid to approve the Subdivision Development and Improvement Agreement for the Town of Eaton with Brown Farm. Motion carried 6-0.

2. Xcel Energy Transmission Line – Vince Harris and Julie Esterl, Baseline Corp.

Mayor Moser opened the floor for public hearing at 7:20 p.m. and heard from staff. The applicant, Rita Ruderman with Xcel Energy/Public Service Company of Colorado (PSCo), applied for a Special Review Use Permit for the PSCo/Xcel Energy Northern Colorado Area Plan: Ault to Cloverly Proposed Transmission Line Route. The proposed route comes from the north following HWY 85 and then heads east on CR 76 for approximately half a mile and then turns south between two farm parcels, crosses CR 74.5/E 5th Street between East Eaton and the west side of Eaton Commons over Eaton Commons Park and continues south crossing CR 74 into the Industrial area next to Harsh Road for approximately a quarter of a mile and then turns east and north to the substation land site which is north of the Eaton School District Bus Barn. The line will continue at the quarter mile next to Harsh Road going south to CR 72 and then turns west and crosses HWY 85 and continues south, outside of the Town of Eaton. This project will provide upgrades and replace the existing 44kV transmission system that is no longer able to meet the electric demands in Northern Colorado. The right-of-way for the proposed route is generally 150 feet wide with 75 feet on either side of the centerline. In January, the right-of-way adjacent to the Town's wastewater treatment plant was narrowed from 150 feet to 80 feet to avoid encroaching on the Town-owned property which would have created difficulty for future onsite treatment plant expansions. The transmission structures range in height from 80 to 160 feet and are located between 800 and 1,200 feet apart, allowing for about 6 pole structures per mile. Approximately 2 miles of new line and 16 structures are proposed within Eaton. Four of the sixteen structures are proposed within the substation site. There will not be any structures in the Eaton Commons Park. Mayor Moser called for public comment in support of the transmission line, eight people commented. Mayor Moser called for public comment in opposition to the transmission line, sixteen people commented. Mayor Moser asked for any other public comments, as there was none, public comment was closed at 9:08 pm. Xcel representatives then answered or commented to public comments. Mayor Moser called for a 10-minute recess at 9:25 p.m. and reconvened at approximately 9:38 p.m., the meeting came to order. Town Board Trustees then asked questions of the applicant and staff. Following the end of discussion, Mayor Moser closed the public hearing at 10:02 p.m. for board deliberation. During deliberation, the trustees decided that they had another question for the applicant, a motion was made by Trustee Winter, seconded by Trustee Heid to re-open the public hearing to discuss PSCo's plan with the transmission route if the board decides not to approve the Special Use Permit. Motion carried 6-0 and opened the public hearing at 10:08 p.m. The applicant stated that they would have to require an amendment of their application with Weld County or abandon the plan and start over. Julie Stencil, Assistant General Counsel for Xcel, stated what they would do next; appeal to the district court and PUC, not a preferred action or start over with routing studies which is not a quick process, two years and then create applications and take them through the town process and if approved, the build out will take two to three years. Mayor Moser closed the public hearing at 10:10 p.m. Based upon findings and analysis presented at this hearing, motion was made by Trustee Heid, seconded by Trustee Winter to approve Resolution 2022-08, a Resolution approving Public Service Company of Colorado's Application For A Special Use Permit concerning the Alignment, Construction, Operation and Maintenance of Transmission Lines for the Northern Colorado Area Plan. Motion did not carry 4-2.

Mayor Moser and Board of Trustees tabled the following: VIII. New Business, IX. Staff Reports, X. Council Reports and Request for Future Agenda Items, until April 21, 2022, Board Meeting as Old Business.

VIII. NEW BUSINESS – Tabled until April 21, 2022

1. Downtown Parklet Installation – Mayor Moser
2. Weld County Truck Route IGA – ITA LaVanchy
3. See XIII. New Business Continued

IX. OLD BUSINESS - None

X. STAFF REPORTS – Tabled until April 21, 2022

1. Interim Town Administrator – Monthly Report
2. Assistant Administrator
3. Police Chief – February 2022 Report & Police Progress and Statistical Summary
4. Town Clerk – Liquor License Renewal for Dragon Inn submitted to State of CO
5. Town Attorney
6. Finance Director – February 2022 Financial Reports
7. Other

XI. COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS – Tabled until April 21, 2022

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

XII. MAYOR’S COMMENTS-None

XIII. EXECUTIVE SESSION

1. An executive session to discuss the Interim Town Administrator’s contract pursuant to C.R.S. § 24-6-402(4)(f). Motion made by Trustee/MPO Isbell, seconded by Trustee Gentry to convene into Executive Session for the purpose of discussing the Interim Town Administrator’s contract pursuant to C.R.S. § 24-6-402(4)(f) at 10:20 p.m. Motion carried 6-0.

Mayor Moser reconvened the regular meeting at 10:41 p.m. and stated the only item discussed was what was stated in the motion.

XIV. INFORMATION ITEMS-None

XV. ADJOURN

Mayor Moser moved to adjourn at 10:42 p.m.

Margaret Jane Winter, Town Clerk