



TOWN BOARD REGULAR MEETING
224 First Street, Eaton, CO
Thursday, May 19, 2022, 7:00 P.M.

MINUTES

CALL TO ORDER

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

ROLL CALL

PRESENT

Mayor Scott Moser

Trustee/Mayor Pro Tem Liz Heid

Trustee Coby Gentry

Trustee Lee Griffith

Trustee Glenn Ledall

Trustee Nina Lewis

Trustee Karla Winter

Staff present: Interim Town Administrator Wesley LaVanchy, Town Attorney Avi Rocklin, Assistant Administrator Greg Brinck, and Brad Curtis, Northern Engineer.

AGENDA APPROVAL/AMENDMENTS

Motion made by Trustee/MPT Heid, seconded by Trustee Lewis to amend the agenda, motion carried 6-0.

1. Remove: Executive Session, Item 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.

SPECIAL PRESENTATIONS

1. Proclamation – May 2022 – Mental Health Month – Employee Roy True, Network & Communications Director from North Range Behavioral Health -The Board of Trustees read aloud the proclamation and Mayor Moser proclaimed the month of May 2022, as Mental Health Month.
2. Eaton Library Update – Brenda Carns, Director – The presentation consisted of Library Happenings; Summer Reading, MakerSpace, and updates in the Children’s, Teen, and Adult Departments. A finalist to fulfill the Director position has been selected. Director Carns will retire June 14th with a Retirement Celebration June 10th from 4 p.m. to 7 p.m.
3. Magellan Strategies CEO & Founder – David Flaherty presented an overview of his company’s services as a public opinion research firm specializing in quantifying, measuring, and understanding resident and voter opinion for local governments.

CONSENT AGENDA

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

1. Minutes – April 21, 2022, Regular Meeting
2. Eaton Area Historical Society Shelton Fund Request

PUBLIC COMMENT*

Mayor Moser opened the floor at 7:38 p.m. for all public comment that is not related to the non-potable system in Aspen Meadows and Governor’s Ranch at this time but will have public comment after ATA Brinck has given his report under New Business.

1. Andre Beasley, 203 Buckeye Ave thanked the board for the requested amenities in Maplewood Estates; painted crosswalks, doggie bag station and a playground with children’s play equipment. As there was no other public comment, Mayor Moser closed the floor at 7:40 p.m.

NEW BUSINESS

1. Governor's Ranch/Aspen Meadows Non-Potable System – Update - ATA Brinck has been working with Xcel Energy which has pulled a new service line and with our electricians to get the pump connected, along with the final piece of equipment (VFD) to be delivered and set for install on May 26th and final inspection from Xcel on May 27th. Mayor Moser opened the floor for public comment at 7:48 pm. The following residents expressed their discontentment and asked questions about the non-potable system, Steve Poortinga, 1782 Pioneer Place, Keith Lange, 1523 Sage Drive, and Dave Eckhardt, 706 Singletree Lane. No other comments, floor was closed at 8:00 pm. The Board discussed the issue, Trustee/MPT Heid moved to rebate one month of Irrigation Fee per resident/commercial in Governor's Ranch and Aspen Meadows, seconded by Trustee Lewis. Motion carried 4-0. Trustee Griffith and Trustee Ledall abstained.
2. Plant Investment Fees (PIFs) Water – Brad Curtis, Northern Engineer – discussion only, the Town requested assistance in determining how to ensure recent increases from our water supplier NWCWD on our Impact and Plant Investments Fees (PIF's) that will not affect our current residential taps, by passing these increases to new Eaton residential taps, and ensuring that Eaton continues to collect funds for other future water project investments. After review and analysis by Town staff and its consultants, staff recommends increasing the Town's Impact Fee from \$10,200 to \$13,494. No Board decision was made at this time.
3. Rental of North Poudre MU Water to NWCWD and Purchase Wholesale Water Taps – ITM LaVanchy – An annual water lease of one hundred acre-feet of the Town's North Poudre Irrigation Company water designated for municipal water use, to begin May and end in November 2022. This lease has a 2-year renewal option at the Town's discretion. In consideration of the use of the water rights, NWCWD hereby agrees to sell twenty (20) Standard Plant Investment Taps, along with the corresponding Standard Water Taps, as defined in the water agreement, the current wholesale tap at NWCWD is \$13,237.50 per tap. Motion was made by Trustee Winter, seconded by Trustee Ledall to approve this IGA Lease of NPIC to NWCWD. Motion carried 6-0.
4. Weld County IGA for WCR 33 and WCR 74 Improvement and Roundabout – ITM LaVanchy – The Town provided a financial commitment letter to Weld County's Surface Treatment Block Grant (STBG) application in 2018 in the amount of \$22,696 for the NFRMPO Fiscal Year 2022-2023 call for Projects. This partnership aided WC's STBG application in receiving \$1,091,818 in federal funding to improve the intersection. The improvements are mutually beneficial for both jurisdictions and both respective Parties agreed to contribute financial to the costs of such improvements. If approved, funding would be in the 2023 Street Fund, payment would be made in 2023. Motion was made by Trustee Lewis, seconded by Trustee/MPT Heid to approve this IGA with Weld County and contributing \$22,696 in the 2023 FY for roadway improvements to WCR 74/33 intersection. Motion carried 6-0.
5. Ordinance No. 623 Concerning Water Capacity Fees – Public Hearing opened at 8:41 pm - Attorney Rocklin – This ordinance will amend the previous ordinance that was adopted in 2001 and will eliminate the codification of amendments to the Town's water system capacity fees and to provide that water system capacity fees are to be set by resolution of the Town Board. Having no public comment, the hearing was closed at 8:44 pm. Motion was made by Trustee Winter, seconded by Trustee Griffith to approve Ordinance No. 623. Motion carried 6-0.
6. Roundabout Change Order Request – Brad Curtis, Northern Engineer – A change order request was presented to show the various items related to the construction of the roundabout and island that were not a part of the original cost, such as water service for the island, cost increase due to unforeseen issues such as additional milling on roadway pavement and unstable and/or unsuitable soil. Other additional costs are attributed to the current economy and inflation of material prices and supply chain issues along with fuel cost surcharges. Staff recommends the Board to authorize for both base bid and landscaping alternative, to the project in the amount, not to exceed, \$3,000,000. This would be a total additional expense of \$360,000 above the currently approved expenditures. Motion was made by Trustee Winter, seconded by Trustee Griffith to authorize staff to make changes and to not exceed the three million for both base bid and landscaping. Motion carried. 6-0.

STAFF REPORT

1. Interim Town Administrator – Monthly Report
2. Assistant Administrator – Awarded \$1.15 million thru CDOT Grant revitalizing main street and contracted with Brightly, a software program to create and track work orders for the public works department.
3. Police Chief – April 2022 Report & Police Progress and Statistical Summary
4. Town Clerk
5. Town Attorney – More information from Xcel Energy next month.
6. Finance Director
7. Town Engineer – Roundabout Report (discussed under New Business)

COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS

1. Planning Commission Meeting
2. Hometown Revitalization Committee – June 17th there will be a movie in the park, Zoo is the movie.
3. Great Western Trail/Park – Finalizing the last mile and half to be completed.
4. NFRMPO

EXECUTIVE SESSION

Trustee/MPT Heid moved to convene into executive session, seconded by Trustee Ledall at 9:30 p.m. Motion carried 6-0.

~~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.~~

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

Trustee/MPT Heid moved to exit executive session, seconded by Trustee Gentry at 10:05 p.m. Motion carried 6-0.

Mayor Moser reconvened the regular meeting at 10:06 p.m. and stated the only item discussed was what was stated in the motion.

ADJOURN

Mayor Moser moved to adjourn at 10:06 p.m.

Margaret Jane Winter, Town Clerk