



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

MINUTES

CALL TO ORDER

Mayor Moser called the meeting to order at 7:02 p.m. and led the Pledge of Allegiance.

ROLL CALL

BOARD PRESENT Mayor Scott Moser Mayor Pro Tem Liz Heid Trustee Lee Griffith
 Trustee Karla Winter Trustee Nina Lewis Trustee Glenn Ledall

BOARD ABSENT Trustee Coby Gentry

STAFF PRESENT: Interim Town Administrator - Wesley LaVanchy, Town Attorney - Avi Rocklin, Assistant Administrator - Greg Brinck, Financial Director - Faith Smith, Chief - Kevin Sturch, Northern Engineering - Brad Curtis

AGENDA AMENDED AND APPROVED

Motion made by Mayor Pro Tem Heid, seconded by Trustee Griffith to approve the Board Agenda with one amendment, remove the item in the Executive Session, number twenty-four (24.), concerning NISP Allotment Contract. Motion carried with a 5-0 vote.

PROCLAMATION

1. Eaton Reds High School Softball Team 2022 – The Board of Trustees and Mayor read the Proclamation that gave appreciation for their hard work and winning the Class 3A State of Colorado Softball Championship Game and proclaimed the evening as the “Night of Champions.” Coach Hughes and Student Athletes attended the meeting.

PUBLIC COMMENT*

Mayor Moser opened the floor at 7:13 p.m. for public comment, having no public comments, floor was closed at 7:13 p.m.

CONSENT AGENDA

Motion made by Trustee Lewis, seconded by Mayor Pro Tem Heid to approve the Consent Agenda. Motion carried with a 5-0 vote.

2. Minutes – October 20, 2022, Regular Board Meeting
3. Accounts Payable Invoice History Report – October 2022
4. Second Reading - Ordinance No. 626 - Adopt International Fire Code, 2018 Edition
5. Second Reading - Ordinance No. 627 - Designated Truck Route
6. Second Reading - Ordinance No. 628 - Special Review Use
7. Resolution No. 2022-26 - Adopt The Town of Eaton Employee Handbook Dated December 1, 2022
8. Resolution No. 2022-27 - 1335 2nd Street Road, Side Yard Setback Variance
9. Resolution No. 2022-28 - Ratifying Appointment of Nominees to the Board of HPLD

SPECIAL PRESENTATION

10. Eaton Library Quarterly Operations and Initiatives – Amber Greene, Library Director gave a presentation on the Library’s performance measures including computer usage, program attendees, outreach attendees and more. The presentation also included engaging community, building literacy and information on the Library’s updates to operations and their priorities moving into 2023.

NEW BUSINESS

11. ALLO Ground Lease Agreement – ITA LaVanchy stated that ALLO is requesting to lease some real property from the Town of Eaton to place a 12 x 20 building for its equipment switching station. This property is located at 5th & Elm adjacent to Highway 85. The Town will generate revenue as well as new landscape improvement for this area. Motion was made by Trustee Ledall, seconded by Mayor Pro Tem Heid to approve the Ground Lease Agreement with ALLO. Motion carried with a 5-0 vote.

12. First Amendment to TDS Broadband Franchise Agreement – ITA LaVanchy specified that the Town of Eaton has the right to increase the franchise fee from three percent of Gross Revenues to five percent, which is permitted by current federal law. During the term of this Franchise Agreement, TDS shall pay to the Town a franchise fee in an amount equal to five percent of gross revenues. These payments will be in addition to taxes and fees of general applicability owed to the Town by TDS that are not included as franchise fees under the Cable Act. This First Amendment to the Franchise Agreement shall be effective on January 1, 2023. Motion was made by Mayor Pro Tem Heid, seconded by Trustee Winter to approve the First Amendment to Cable Television Franchise Agreement between the Town of Eaton and TDS Broadband Service, LLC. Motion carried with a 5-0 vote.

13. Agreement for Shared Consultant Cost Sharing – Regional Water Treatment Plant – ITA LaVanchy detailed that this is an agreement for shared consult services, a working group that Eaton is participating with, to develop a regional treatment plant for the treatment of water other than what is currently provided by NWCWD. The recommendation by the working group is to contract under Windsor’s contract with ALLY Utility Consulting to further this goal. ALLY’s proposal is to support this effort through Program Management and will expand on the Groupe’s existing common interest to include 1) strategic location and economies of scale, 2) establishing Mission, Goals, and Bylaws, 3) leading collaborative planning of water treatment projections, water resources planning and acquisition, infrastructure sizing/sharing, and 4) developing opportunities for increased stakeholder partnerships. Following discussion, motion was made by Trustee Ledall, seconded by Trustee Griffith to approve the Agreement for Shared Consultant Cost-Sharing (Reginal Water Treatment Plant). Motion carried with a 5-0 vote.

STAFF REPORT(S)

14. Interim Town Administrator – Monthly Report

15. Assistant Town Administrator – November 26th is Small Business Saturday Fair from 1:00 p.m. to 5:00 p.m. and Town Square Tree Lighting at 5:30 p.m. Hometown Revitalization Committee will have meeting December 5th at 6:00 p.m.

16. Police Chief – Reviewed the October 2022 Report & Police Progress and Statistical Summary

17. Town Clerk – Season Liquor Renewed Liquor License

18. Town Attorney - None

19. Finance Director – Working on October 2022 Financial Statement

COUNCIL REPORTS AND REQUEST FOR FUTURE AGENDA ITEMS

20. Planning Commission Meeting – None

21. Hometown Revitalization Committee - None

22. Great Western Trail/Park – MPT Heid, GWT Authority is expanding the board, if anyone is interested.

23. Northern Front Range/MPO - None

EXECUTIVE SESSION

~~24. An executive session to obtain legal advice pursuant to C.R.S. § 24-6-402(4)(b) concerning the NISP Allotment Contract. Motion moved to delete 24. from Executive Session.~~

ADJOURN

Mayor Moser moved to adjourn at 7:45 p.m.

Margaret Jane Winter, Town Clerk