



**TOWN BOARD REGULAR MEETING**  
**224 First Street, Eaton, CO**  
**Thursday, January 18, 2024, 7:00 P.M.**

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**MINUTES**

**CALL TO ORDER**

*Mayor Moser called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance.*

**ROLL CALL**

<b>BOARD PRESENT</b>	Mayor Scott Moser	Trustee Coby Gentry	Trustee Nina Lewis
	Trustee Glenn Ledall	Mayor Pro Tem Liz Heid	Trustee Karla Winter
	Trustee Lee Griffith		

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

**AGENDA APPROVAL / AMENDMENT(S)**

*Mayor Pro Tem Heid moved to approve the agenda as is.*

Trustee Griffith seconded, and the motion passed, unanimously 6-0.

**SPECIAL PRESENTATION**

**1. Eaton Area Historic Society Annual Update**

Carolyn Prior gave an annual update of 2023 Eaton Area Historic Society with a summary of events and fundraisers throughout the year. The Eaton Museum received 356 visitors over the course of the year thanks to 37 volunteers. The Eaton Museum is open Tuesdays and Thursdays from 2-4 p.m. and Saturdays from 10 a.m. to 2 p.m. The museum is also available to host private events.

**STAFF RECOGNITION**

**2. Travis Stewart – Utilities Technician**

Juan Romero, Public Works Director introduced Travis Stewart, a Utilities Technician. Travis is an Eaton High School graduate and came to work for the Town in 2017 as a Manager for Benjamin Square. In 2023, Travis switched over to the Water and Wastewater Department. In eight months, Travis acquired his first Water Distribution Certificate. Travis is an asset to the Public Works Team.

**3. Dominic Braccio – Wastewater Operator**

Juan Romero, Public Works Director introduced Dominic Braccio, a Wastewater Operator. Dominic is a Roosevelt High School graduate and came to work for the Town in 2022 from the Town of Miliken. Dominic is an overachiever, he has obtained many State Certifications; Wastewater Collections, Industrial Wastewater Treatment, Domestic Wastewater Treatment, Water Treatment and Water Distribution. Currently, he is working on the fast track to complete the state required Operator in Reasonable Charge (ORC). Dominic also has IT skills that he shares with the team. Dominic is an asset to the Public Works Team.

**PUBLIC COMMENT**

*Mayor Moser opened the floor for public comment at 7:32 p.m.*

Michelle Lauber, 717 Apple Court, Windsor approached the board to discuss the speed limit sign on CR 35 and Benjamin Road. The transition on the speed limit signs are from 55 mph to 35 mph instead of 55 mph to 45 mph and then 35 mph. There is also a very distracting flashing light at the roundabout.

*Mayor Moser closed the floor for public comment at 7:36 p.m. as there were no other comments.*

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**CONSENT AGENDA**

**4. Minutes – December 14, 2023, BOT Regular Board Meeting**

**6. Financial Statements – November 2023**

**8. Resolution No. 2024-01, Public Posting Places 2024**

**5. A/P Invoice History Report – December 2023**

**7. Treasurer Report – November 2023**

**9. Resolution No. 2024-02, Three Mile Plan 2024**

*Mayor Pro Tem Heid moved to approve the Consent Agenda.*

Trustee Ledall seconded, and the motion passed, unanimously 6-0.

**PUBLIC HEARING**

*Mayor Moser opened the floor for the public hearing at 7:39 p.m.*

**10. Heritage Market Liquor License**

Jane Winter, Town Clerk gave a summary and key points about owners, Katherine, and John Rohn, of Heritage Market, LLC applying for a Retail Fermented Malt Beverages and Wine to their retail establishment. Their business opened in 2008 with various services and departments for the residents of Eaton and surrounding areas. The application was submitted December 8, 2023, fingerprinting and background checks were conducted and approved. The public hearing was posted at the premises on January 5, 2024 and the public hearing was published in The Herald-Voice on January 11, 2024, both following state guidelines. A residential and business petition was circulated from December 28, 2023 through January 8, 2024, for the needs and desires of the neighborhood; 43 in favor of the license, 0 opposed of the license and 1 signature incomplete. Inspection of proposed premises will be mid to late February 2024. Staff recommends approving the liquor license, based on all requirements being met and their character, record and reputation are above satisfactory to hold the license for which they have applied.

John and Katherine Rohn approached the board and stated that they have contemplated about adding this feature for the past three years and there have been many customers that inquired about having fermented beverages and wine to sell and be a one stop shop.

*Mayor Moser opened the floor to comments from parties of interest in the area of Maplewood subdivision.*

Julie Dennison of Maplewood Wine and Spirits stated that they are against this license being approved since there are already four liquor licenses in the area. If this license is approved, it will affect their business and their income. They only sell alcohol, and the other businesses have many other items to sell. The other businesses in the area that sell alcohol are having problems with theft from students and minors. Heritage Market has also had theft of their vanilla extract product for the alcohol. Julie expressed that they are the anchor of the strip mall, purchased in 2010 and do not want another liquor license in the area.

Don Dennison of Maplewood Wine and Spirits stated that the four liquor licenses is a lot for a little town and sufficient for the size of the town. Their sales representative is the person that tells them about the theft that is going on at the other liquor businesses. Heritage Market has had issues with theft. Maplewood Wine runs a tight ship and has cameras. The four businesses that sale beer and wine also sells gas, and other products such as groceries and make a great income. Maplewood only has liquor.

Jesse Dennison of Maplewood Wine and Spirits, Store Manager stated that when the liquor laws changed to allow fermented products, at the grocery stores, these changed laws were made to help protect the liquor retail stores. Commented that he hopes the application is following the rules that have been set with regard to distance rules and protection.

*Mayor Moser closed the floor to comments from parties of interest in the area of Maplewood subdivision, since there were no other parties to give comments, he closed the public hearing at 7:55 p.m.*

*Mayor Pro Tem Heid moved to approve the Retail Fermented Malt and Wine (City) Liquor License for Heritage Market, LLC based on the information presented tonight.*

Trustee Lewis seconded, and the motion passed, unanimously 6-0.

**OLD BUSINESS**

**11. Change Order for Cemetery Project**

Brad Curtis, Northern Engineering explained that in 2023, the Town Board approved Town Staff to enter into a contract with Coyote Ridge Construction for up to \$500,000 for the Cemetery Expansion. Through the budgeting process for 2024, extra improvements were discussed; second payment of the columbarium, permanent seeding options and landscaping (trees), and additional surveying to permanent markers to identify cemetery lots and construction administration. The change order

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### **11. Change Order for Cemetery Project Continued**

request allows Coyote Ridge Construction to perform the additional 2024 improvements along with other items as applicable since they are familiar with the work to date and are still waiting for spring to confirm proper start-up of the new booster station and irrigation system. The 2024 Town budget has considered \$100,000 for these next improvements. The expenditures will exceed the estimated costs prepared in 2023. Staff recommends the Town Board to authorize Coyote Ridge Construction to continue their contract, and authorize project improvements costs, including the additional expenditures for both the Change Order and other associated items, not to exceed \$125,000.

*Trustee Winter moved to approve the Change Order for the Cemetery Expansion including the additional expenditures and other associated items, not to exceed \$125,000 and utilizing Coyote Construction to complete the expansion project.*

Trustee Gentry seconded, and the motion passed, unanimously 6-0.

### **NEW BUSINESS**

#### **12. Appointment of Mark Duggan to GWTA Board as Eaton Representative**

Wesley LaVanchy, Town Administrator introduced and recommended Mark Duggan as an appointment to the GWTA Board as the Eaton Representative.

*Mayor Pro Tem Heid moved to approve Mark Duggan as the Eaton Representative for the GWTA Board.*

Trustee Griffith seconded, and the motion passed, unanimously 6-0.

#### **13. Resolution No. 2024-03, Cobb Lake Regional Water Treatment Authority Creation Agreement**

Avi Rocklin, Town Attorney stated that staff has been working on an authority agreement, known as a water authority. The Town of Eaton in conjunction with the Town of Windsor, Town of Severance, and the Fort Collins-Loveland Water District (Party) collectively established a water authority by contract to construct and operate a water treatment plant to treat the Town's NISP water. Participation in the water authority would allow the Town secondary water treatment and water supply alternatives. Key points of the agreement were discussed.

Wesley LaVanchy, Town Administrator discussed the status of Eaton's procedural negotiations with Fort Collins-Loveland Water District ("District"), to postpone expense associated with the treatment plant and the cost of the construction and the construction and installation of pipelines to deliver water. The District has an immediate need to construct the treatment plant and obtain treated water from water sources other than NISP. The Town and the District are exploring several options for the Town to defer initial capital cost in phase I. The cost and budget for the Authority's capital costs will be based on each Party's treatment capacity share and each Party would pay rates or fees for the treated water and pay a minimal amount of shared administrative cost to continue to participate, i.e., Authority Management (Director & Legal Counsel). Once the authority is established, and the board is sworn in, the board may request that we convey the property to them within thirty days, each entity will convey and no longer have an interest in the property. Recommendation is to approve the Cobb Lake Regional Water Treatment Authority Agreement.

*Trustee Griffith moved to approve Resolution No. 2024-03, a Resolution Approving the Cobb Lake Regional Water Treatment Authority Agreement and authorizing the Mayor to execute the Cobb Lake Regional Water treatment Authority Agreement.*

Trustee Winter seconded, and the motion passed, unanimously 6-0.

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

#### **14. January Staff Report**

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

**15. Planning Commission Meeting** – Trustee Winter - No meeting was held in January.

**16. Hometown Revitalization Committee** – Mayor Pro Tem Heid – Two DDA meetings in February; 2/5/24 - Coffee House 29 at 108 Oak Ave, from 8 a.m. to 10 p.m. and 2/8/24 – Pure Skin & Company at 208 First Street, from 6 p.m. to 8 p.m. These meetings are for the local businesses and Town Board.

**17. Great Western Trail/Park** – Trustee Griffith – 1) Retirement of Steve Bagley 2) Grand opening event on April 20, 2024 with a three-part race.

**18. Northern Front Range/MPO** – Mayor Pro Tem Heid reported that a decision was made that there will not be a ban on the sale of gas motored lawn mowers but will still encourage to purchase electric lawn mowers.

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**MAYOR PRO TEM COMMENTS – No Comments**

*Mayor Moser called for a break at 8:31 p.m., and upon returning, the Board will move to the Eaton Housing Authority meeting.*

*Following the 8:52 p.m. adjournment of the Eaton Housing Authority Regular Meeting, Trustee Lewis made a motion to move into an Executive Session for a performance evaluation for Wesley LaVanchy, Town Administrator, pursuant to C.R.S. § 24-6-402(4)(f), at 8:53 p.m.*

Trustee Winter seconded, and the motion passed 6-0.

**EXECUTIVE SESSION**

**19. An executive session for a performance evaluation for Wesley LaVanchy, Town Administrator, pursuant to C.R.S. § 24-6-402(4)(f).**

*Trustee Lewis moved to exit out of the executive session.*

Mayor Pro Tem Heid seconded, and the motion passed unanimously, 6-0.

*Mayor Moser stated that the board is moving out of the executive session and there were no decisions made and no other topics were discussed, 9:25 p.m.*

**ADJOURN**

Mayor Moser adjourned the January 18, 2024, Board of Trustees Regular Meeting at 9:25 p.m.

*Margaret Jane Winter Town Clerk*