# MINUTES

# SEPTEMBER 15, 2011

A regular meeting of the Town Board was held on September 15, 2011 at 7:00 p.m. in the Town Hall Auditorium.

**Item 1 – Roll call**. Those present and answering roll call: Trustees; Gustafson, Heaton, Moos, Thomas, and Mayor Moser. Trustee Truax appeared later in the meeting. Attorney Anson was also present. Absent: Trustee DeVore.

**Item 2** - **Review of the Minutes of the August 18th meeting.** TrusteeThomas moved to approve the minutes as written, seconded by Trustee Moos. Motion carried 3 -0.

**Item 3 – Public hearing and consideration of zone change request for the Anderson Annexation. (Note: Pro Pallet has decided to buy land and build their saw mill project just south of their existing location on property already zoned Industrial. The owner of the Anderson Annexation still wants to have the zoning changed on her property from Ag to Industrial).** Mayor Moser opened the public hearing for the zone change request. Gary reported the owner of the Anderson Annexation is still in favor of the zone change. No public comments or written statements have been received so the public hearing is closed. Attorney Anson reminded the board that the Planning Commission had met and voted to recommend approval of the zone change. Concluding discussion and questions Trustee Heaton moved to approve the request to change the zoning from Agriculture to Industrial, on condition of receipt of the appropriate documentation for the records showing Rachel Oliver is the managing member of the LLC, seconded by Trustee Gustafson. Roll call; Thomas-aye, Heaton-aye, Moos-aye and Gustafson-aye. Motion carried 4 – 0.

**Item 4 –** **Change of cable TV franchise ownership.** AttorneyAnson has reviewed the paperwork involved with the transfer of the cable franchise from U S Cable to Baja Broadband. There will be no interruption of services and Baja Broadband is committed to honoring the existing franchise agreement. The board must approve the transfer by a resolution before the purchase can go through. The actual closing will take place in December 2011. The franchise agreement was just renewed for a ten year period in 2010. Concluding discussion Trustee Gustafson moved to approve Resolution No. 2011-05, approving the transfer from U S Cable to Baja Broadband, seconded by Trustee Thomas. Roll call; Gustafson-aye, Moos-aye, Heaton-aye, Truax-aye and Thomas-aye. Motion carried 5 – 0.

**Item 5 –** **Museum parking request.** NancyDonahoo, current president of the Eaton Historical Society, appeared before the board to discuss an issue with parking in front of the Museum. Ruth Ann Ledall, current vice president and Roger Jordan, 2012 president were also in attendance. The members of the Society would like signs placed in front of the Museum that say “Museum Parking Only Tues, Thurs. and Sat. 1:30 to 4:30 p.m. Concluding a lengthy discussion, Trustee Thomas moved to approve the restricted parking and extend it to the corner of Second Street and Elm Avenue, seconded by Trustee Truax. Motion carried 4 – 1(Moos).

**Item 6 – Eaton Liquor license renewal.** Attorney Anson reported all paper work appeared to be in order. Chief Jacobsen has no objection for renewing the license. Trustee Moos moved to approve the renewal, seconded by Trustee Thomas. Motion carried 5 – 0.

**Item 7 – High Plains Library Nominating Committee appointment.** High Plains Library District has requested a representative be appointed from the governing body to serve on the nominating committee, which will vote to fill the three expiring positions on their Board of Trustees. Mayor Moser will volunteer to represent Eaton.

**Item 8 – Service line warranty program.** Don Cadwallader reported the Town has been approached the National League of Cities to participate in a service line warranty program. The program allows people to buy insurance for the portion of their water/sewer service line that is not the Town’s responsibility (from the meter to the house). The cost is about $4.00 per month and residential only. The Town would have to agree with the program and they would come and do the marketing. Discussion will continue to the October meeting in order to give the members time to review the information received.

**Item 9 –** **Comments/Questions.** None.

**Item 10 - Reports.** Gary reported he has been contacted by the East Eaton Water & Sanitation District requesting that their water and wastewater system be transferred to the Town. North Weld County Water District currently services East Eaton and is willing to give up their system along with the water rights that go with it. The negotiation process will be started.

**Item 11 - Adjourn.** Asthere was no further business the meeting was adjourned at 8:25 p.m.

 Erika C. Bagley, Town Clerk