# MINUTES

# FEBRUARY 21, 2013

A regular meeting of the Town Board was held on February 21, 2013 at 7:00 p.m. in the Town Hall Auditorium.

**Item 1 – Roll call**. Those present and answering roll call: Trustees; Daniels, Heaton, Rohn, Ross, and Truax and Mayor Moser. Absent: Trustee Moos and Attorney Anson. Mayor Moser announced an addition of 8a to the agenda regarding the East Eaton Dissolution.

**Item 2** - **Review of the Minutes of the January 17th meeting.** TrusteeRoss moved to approve the January 17th minutes as written, seconded by Trustee Truax. Motion carried 5-0.

**Item 3 – Special Use Permit – SRC Renfroe wells**. Gary announced that a group is proposing to drill oil and gas wells on the town’s southern boundary, known as the Brown Annexation. Gary had supplied the board with copies of Chapter 7 of the Oil and Gas Ordinance for their review in order to complete the process that needs to be followed. Ethan of Baseline introduced himself to the board and gave a synopsis of what is being proposed. Baseline is working with Synergy Resources on this project. Ethan stated the wells will be on two parcels, one is eighty acres and the other is 100 acres, located along Weld County Road 74 and 37. There will be six horizontal wells about seven to eight thousand feet deep. Craig Rasmussen of Synergy Resources also spoke to the board and answered questions. There will be a sign posted on site with contact information and noise and safety issues are being addressed. Concluding review and discussion Trustee Ross moved to approve the special use permit for Synergy Resource’s subject to following Chapter 7 of the Oil and Gas Ordinance, seconded by Trustee Truax. Motion carried 5 – 0.

**Item 4 –** **Resolution No. 2013-02: Opposition to setback rules.** Trustee Ross gave a draft copy of this resolution to Sean Conway to present to the Governor, along with similar resolutions from eight other communities, at his meeting held right before the voting at the Oil and Gas Commission. Trustee Ross moved to adopt Resolution No. 2013-02 opposing the proposed new setback rules for oil and gas, seconded by Trustee Rohn. Motion carried 5 – 0.

**Item 5 –Discussion of proposed Police/Fire training center.**  Gary announced he has met several times with Chief Hugh Kane and Captain Jarrod Kilber of the Eaton Fire Protection District regarding the existing training facility located on the town’s property. Currently the two houses being used for training are located on Collins Street and will be moved north to East Fourth Street and be upgraded and fenced off so they won’t be an eyesore to the area. The new site will continue to be owned by the town. Captain Kilber and Chief Kane provided the board with the proposed ideas for use at the training center. Fire and Police presence in the new area would be advantageous. Concluding the questions and discussion Trustee Daniels moved to approve the concept of the proposed joint training center pending an intergovernmental agreement, seconded by Trustee Ross. Motion carried 5 – 0.

**Item 6 – Ordinance No. 552 regarding marijuana – 2nd reading.** This ordinance prohibits marijuana cultivation facilities, testing facilities, product manufacturing facilities and retail marijuana stores within the Town. Concluding the second reading Trustee Truax moved to approve the ordinance, seconded by Trustee Daniels. Motion carried 5 – 0.

**Item 7 – Liquor license renewals: Dragon Inn and Steven’s Grill.** All paperwork appeared to be in order for both license renewals and Chief Mueller reported no problems with either establishments. Trustee Ross moved to approve the renewal request for Dragon Inn, seconded by Trustee Truax. Motion carried 5 – 0. Trustee Ross moved to approve the renewal request for Steven’s Grill, seconded by Trustee Rohn. Motion carried 5 – 0.

**Item 8 – Discussion on potential sale of sugar factory site.** Gary explained that he has been working with Terry Peterson, president of Omaha Track Material from Omaha, Nebraska for some time regarding the sugar factory site which his company is very interested in purchasing and being the developer. The company has requested a letter of intent for the property. There is a possibility of a trans load facility as part of the development. Approval from the board is required before moving forward. Included in the letter of intent is the town’s willingness to sell the property to Omaha Track Material. Prior to completing sale of the property the Town is completing demolition of the sugar beet factory, leveling and grading the property and relocating two structures offsite. Site preparation is estimated for completion by May 1, 2013. Completion of the sale is contingent upon determining site-prep costs, negotiating terms and approving a final sales price acceptable to all parties concerned. Gary has gotten two letters of credit regarding Omaha Track Material and appears to be very sound financially and a company in good standing. Concluding discussion, Trustee Ross moved to authorize the letter of intent, seconded by Trustee Rohn. Motion carried 4 – 1. Trustee Truax voted nay.

**Minutes – February 21, 2013, page 2**

**Item 8a – East Eaton Dissolution.** Gary stated the agreement and plan for dissolution has to be agreed upon between the Town of Eaton and the East Eaton Water and Sanitation District. As part of the dissolution, because the town has taken over the water and sewer service, part of the process includes East Eaton to sign an agreement with the Town. During the installation of water meters only forty-four taps were installed and the town started billing the residents effective November 1, 2013. The town paid off a loan for the district, which will be reimbursed at the rate of an $8.00 per month, per residence surcharge until the debt is repaid. Concluding discussion and questions Trustee Daniels moved to approve the agreement, seconded by Trustee Truax. Motion carried 5 – 0.

**Item 9 - Citizen comments/Questions.** Carolyn Mogus, resident at 1005 Fifth Street, appeared before the Board to ask for a status update on the flooding issues on Fifth Street. Gary informed her of current activities.

**Item 10 – Reports.** Gary reported that Karla Winter’s, Commissioner of the Planning Commission, term has expired and expressed interest in staying on. Mayor Moser recommended re-appointment of Karla Winter to the Planning Commission for another term. All members of the board are in approval of the re-appointment.

Trustee Ross provided an update of the NFRMPO activities.

Gary reported he has met with CDOT regarding a pedestrian crossing with blinking lights at Fifth Street and Highway 85 and was told that anything over $10,000.00 will be covered by CDOT.

Chief Mueller of the police department gave the board an update of the recent activities in town.

**Item 11 – Adjourn.** As there was no further business the meeting was adjourned at 8:50 p.m.

 Erika C. Bagley, Town Clerk