# MINUTES

# JANUARY 19, 2017

A regular meeting of the Town Board was held on January 19, 2017 at 7:00 p.m. in the Town Hall Auditorium.

**Item 1 – Roll call**. Those present and answering roll call: Trustees; Heid, Daniels, Isbell, Moos, Rohn, Winter and Mayor Ross. Attorney Rocklin also present.

**Item 2** - **Review of the Minutes of the December 15th meeting.** TrusteeMoos moved to approve the December 15th minutes as written, seconded by Trustee Daniels. Motion carried 6-0.

**Item 3 – Public hearing on proposed 156 acre Fagerberg Annexation: Ordinance No. 581-Annexation and Ordinance No. 582-Zoning.** Mayor Ross opened the public hearing for comments from the public regarding the proposed request for annexation received from Lynn & Leslie Fagerberg. Ryan Fagerberg attended the meeting representing Lynn and Leslie Fagerberg with some questions regarding the development agreement and stated they weren’t quite ready to move forward until reviewing documents further and getting some answers and requested the matter be tabled. The Planning Commission met on January 5, 2017 and reviewed the proposed annexation that includes approximately 156 acres and is located south of Maplewood Estates and is bordered by Highway 85 on the east, Weld County Rd. 72 on the south and Weld County Rd. 37 (South Cheyenne Avenue) on the west. Lynn and Leslie Fagerberg have no plans to develop this property in the near future. They simply wish to include this farm within the Eaton Town limits to increase its value. Because of its location and adjacent land uses it is anticipated that when this area is developed it will include both residential and commercial uses. When that time comes all applicable development ordinances will apply. The proposed annexation does not include any Weld County Roads and will be zoned as A1 – Agriculture until time of development. Concluding the commissioners review they unanimously voted to recommend the town board approve the annexation. As there were no comments from the public Mayor Ross closed the hearing. Concluding questions and discussion Trustee Isbell moved to table the ordinances on the annexation and continue the public hearing for a later date to give the Fagerberg’s more time to get further information, seconded by Trustee Daniels. Motion carried 6-0. Mr. Fagerberg will contact Attorney Rocklin to review the development agreement.

**Item 4 – Resolutions: 2017-01: Designation of Public Places for Posting Notices; 2017-02: Regarding CBT Water Rights Conversions.** Gary explained that every year we are required by state statue to pass a resolution designating places for posting notices. Trustee Daniels moved to adopt Resolution No. 2017-01, seconded by Trustee Winter. Motion carried 6-0.

**Resolution No.** **2017-02** – To apply and contract for beneficial use of water on behalf of the Town of Eaton, and authorize the execution of an application for an allocation of the right to use 29 acre-feet of Colorado-Big Thompson Project Water by Northern Colorado Water Conservancy District on an annually renewable basis by contract. Trustee Rohn moved to adopt the resolution, seconded by Trustee Isbell. Motion carried 6-0.

**Item 5** – **Joint** **agreement on water engineering study.** Gary explained there are four members of the group consisting of Windsor, Town of Eaton, Town of Severance and the Fort Collins-Loveland Water District who wish to study in more detail the feasibility of a water treatment plant to serve those four entities to receive important questions on how the process will work. The cost of the study will be split evenly between the four entities. Windsor and Severance have already approved the agreement. The completion date of the study is projected for July or August of 2017. Concluding discussion and questions Trustee Moos moved to approve the memorandum of agreement for participation in the 2017 water treatment plant conceptual design engineering study, seconded by Trustee Winter. Motion carried 6-0.

**Item 6 – Citizen comments/questions.** Bryce Jacobson, residing at 200 S. Maple Avenue in Eaton appeared before the board to provide background information regarding his dissatisfaction with the treatment of his son by the police department personnel. Mr. Jacobson is requesting that the town pay for his attorney fees dealing with the situation and would like an apology to be made to his son Payton. A meeting will be scheduled at a later date to address the issue.

# JANUARY 19, 2017, page 2

Nina Lewis, president of the Eaton Area Recreation District, appeared before the board to receive approval from the Town to apply for Conservation Trust Funds for the district. The board is unanimously in favor of the Recreation District applying for the funds. Ms. Lewis also expressed appreciation and thanks for all of the assistance the police department, town staff and board have provided to make the project move forward. Attorney Rocklin discussed with the board for

future reference, to consider the possibility of any future annexations being required to become a part of the Recreation District. The board requested Attorney Rocklin draft something for their review and consideration.

 Jeanine Huckaby, president of the library board and Brenda Carns, library director introduced themselves to the board. They will be attending future meetings to discover what is going on in town so they can become familiar with any upcoming issues.

**Item 7 –** **Reports.**

* Chief Mueller provided an update of activities in the police department. Chief Mueller introduced the newly hired full time police officer, Josh Carroll, to the board. Chief Mueller also reported he had received a letter of commendation from City of Greeley Police Chief Jerry Garner, recognizing Sergeant Suter and Officer Shippy for their assistance in a situation they were dispatched too. Mayor Ross extended congratulations to both officers for their commendation.
* Jeff reported he has been working with the State of Colorado on updating the town’s website. The state has a program at no cost to the town and will also maintain it.
* Attorney Rocklin provided an update of the Library litigation.
* Gary announced that Omaha Track is currently building 3 spur tracks south of East Collins Street between Weld County Road 74 and Weld County Road 72. Liberty Sand Operation has gotten very big and will probably be moving their frack sand tanks to the south part because there is a lot more room, which will free the north part up for a nice manufacturing pad site with rail access. Omaha has written a letter to Union Pacific requesting the crossing at Weld County Rd. 72 be closed primarily for safety reasons due to heavy truck traffic which may happen this summer.

Gary also reported he met with developers and Russ Leffler, who are talking about building town homes and apartments as well as a convenience store on the corner of Weld County Rd. 35 and Weld County Rd. 74.

* Mayor Ross provided a Highway 85 Coalition update. The MPO did not meet due to hazardous weather. Mayor Ross also reported on the Weld County Rd. 29 meeting.

**Item 8 – Adjourn.** As there was no further business the meeting was adjourned at 8:02 p.m.

 Erika C. Bagley, Town Clerk