

**Town of Pierce  
Regular Meeting  
August 14, 2023  
7:00 P.M.**

The Board of Trustees of the Town of Pierce, County of Weld, State of Colorado, met in regular session in the Pierce Town Hall, 144 Main, Pierce Colorado at the hour of 7:00 PM, August 14, 2023.

Mayor Julie Lukela called the meeting to order at 7:00 PM. Based on the roll call, the following Trustees comprising a quorum attended:

Mayor Julie Lukela

Trustees	Others Present:
Connie Schwindt	Heather Rospierski Deputy Town Clerk II
Todd Blehm	Brad Curtis, Town Engineer
M. Sue Spurgeon-Paris-late	James Godbold, Town Attorney
Mary Heberlee	Kristina Duran, Town Clerk
Geoffery Broughton	
Doug Herrick	

**1. Approval of Minutes:** Mayor Lukela said that Donna Oconnors name was spelled incorrectly in the minutes from July 10, 2023. Motion made by Trustee Broughton to approve minutes with the correction. Second by Schwindt. All “AYES”, motion passed. Motion made by Trustee Heberlee to approve minutes from July 20, 2023. Second by Broughton. All “AYES”, motion passed.

**2. Approval of Agenda:** Motion made by Trustee Broughton to move item #10 to after item #4. Second by Herrick. All “AYES”, motion passed. Motion made by Trustee Schwindt to approve amended agenda. Second by Heberlee. All “AYES”, motion passed.

**3. Public Comment:** Amy Junge said there is weeds on the town side of the fence that runs along an ag property on 3<sup>rd</sup>. She wanted to know why her friend was given notice that if she didn't take care of her weeds that the Town would do it and charge \$150.00 and hour. Clerk Duran told her that ag property doesn't follow the same rules regarding weeds. And the weeds she was referring to along the fence is not the Towns responsibility, they mow a strip along the road just to keep things looking nice. Junge wants to know if the property can be rezoned so she doesn't have to look at the weeds. William Greer spent \$13000.00 to repair a crushed sewer line that was crushed by Town trees that are in an easement that is along his property. He wants the Town to give him the property instead of reimbursing him for the cost of the sewer line.

**4. Alternative Landscapes- Bob VanDop:** Bob is a landscape architect and would like to assist in the Town setting up a training garden. It would reduce water use. Northern Water has a grant program that the Town or HOA can go through that requires matching funds. More information

is available on Northern Water website. Individual homeowners can contact Bob directly for recommendations on how to conserve water.

**5. Temporary Goats- Nick Muller:** Nick would like to get goats temporarily so they can eat the grass on his property. Motion made by Trustee Broughton to waive the \$50.00 animal permit fee. Motion made by Trustee Paris to allow up to 15 goats temporarily. Second by Schwindt. All “AYES”, motion passed.

**6. Status of Mowing Weeds on Town Side/ Stray Dogs- Nick Muller:** Nick said there are stray dogs everywhere. There are also weeds overgrown that block intersections. Kids are riding minibikes and 4-wheelers on his road. There are also abandoned vehicles everywhere.

**7. Question for Town Attorney Regarding Town Employees and Board Members- Donna O'Connor:** Donna asked the Attorney Godbold the process for getting new office staff. O'Connor said, “Say Tina and Heather”. He said the process is different for different employees. Section 2-3-10 Town Code. Godbold said Heather is an at will employee and Tina is appointed so it would require a hearing. Clerk Duran asked O'Connor why she wants new office staff and O'Connor said she was just asking. Duran responded that she was clearly asking for a reason, and that enough is enough. All of this has gotten completely out of control. Duran said she is tired of being harassed, defamation of character. The lies that the public has been told about the office staff not doing their jobs is not true. She let them know that she will be contacting an attorney for harassment, defamation, and hostile work environment. Trustee Schwindt said that people are bullying the Town staff.

**8. General Questions Regarding the Town's Future- Marie Hargreaves:** She would like the Board members who are being recalled summarizing what they want to see for the future of Pierce. Trustee Heberlee said safe water, drivable roads, dependable sewer, emergency response when needed. Trustee Paris said ability to keep the Town moving and to keep citizens safe, Trustee Schwindt said roads, police presence in Town with rising crime rate, purchase more water to bring in business to get revenue for the Town.

**9. IT Services- Trustee Doug Herrick:** Trustee Herrick would like to know what services that Matt provides for the Town. Matt said he provides networking, security, upgrades, patching, software changeover. Herrick asked about management of the website. Matt does not currently do this but can. The Town has Go Daddy so options are limited. Trustees would like senior resources added to the website. Matt will also look into having the Board meetings available online, and cameras in more locations.

**10. C&H Aggregates- Trustee Doug Herrick:** Kenny with C&H would be willing to donate road base materials, but the Town would be responsible to pay for the trucks to come on and put down the material. Trustee Herrick will work with Public Works Director Lester to get a list of roads that are problem areas.

**11. Recall Petition and Certificate of Sufficiency of Sufficiency for Recall Election for Mayor Julie Lukela/ Schedule Recall Election:** There were questions to the legality of the recall petition since all the names were written by one person. Attorney Godbold said they weren't signatures, but that the protest period is over. Motion made by Trustee Herrick to

schedule recall election for November 14, 2023. Second by Broughton. Three “AYES”, one “NAYE” by Lukela. Paris, Heberlee and Schwindt were recused from voting. Motion fails. Motion made by Trustee Herrick to table to next meeting. Second by Blehm. All “AYES”, motion passed. Attorney Godbold says in reading the statutes, that it looks like the election official can schedule the election. Waiting for confirmation from an election specialist. If that is the case, it will be scheduled for November 14, 2023.

**12. Code Enforcement- Mayor Lukela:** Mayor Lukela said she isn't sure what to do but code enforcement isn't working. Enforcement Officer Shippy said he will do whatever the Board wants but they need to decide. Some of the codes also need to be rewritten so they can be enforced in a court of law. Shippy was told that code enforcement was not going to be a priority when new some. board members came in. Lukela said she didn't say that. Lukela also asked if he was on Town time when he was at the pancake breakfast because he was clocked in. He stated that he forgot to clock out but would amend his time. People also need to follow the process when complaining about dogs at large, weeds, etc. Motion made by Herrick to have Ryan report to the Board until next election. Second by Blehm. All “AYES”, motion passed.

**13. Police Contract:** The police contract is up at the end of the year so need to start working on this and negotiating. Nunn is still struggling to have their PD so that is not an option. Motion made by Trustee Broughton to allow Mayor Lukela to start speaking to the Chief to get something together to bring to the Board for review. Second by Heberlee. All “AYES”, motion passed.

**14. Old Business:** None.

**15. Staff Report:**

**(A). Mayor Report:** None.

**(B) Public Works:** Report provided. The Board need to look into having the ditches cleaned. They would like Lester to get bids.

**(C) Planning Commission:** There was a meeting last month, two Weld County referrals, 1 garage postponed to next meeting.

**(D). Town Attorney:** The election official can set the date for the recall election.

**(E) Town Engineer:** Main needs a complete rebuild. Since this is a budgeted item, to make the process quicker, the Board can give authority to accept the bid to Engineer Curtis. Motion made by Trustee Schwindt to give Curtis the authority to accept the bid. Second by Broughton. All “AYES”, motion passed.

**(F) Town Clerk:**

**1. Request to Pay Bills:** Motion made by Trustee Paris to pay bills. Second by Schwindt. All “AYES”, motion passed.

**2. Caselle Training:** Caselle is offering training in Cheyenne, Clerk Duran wants to know if the Board would allow Heather or herself to attend. Motion made by Trustee Paris to allow Tina to go. Second by Schwindt. All “AYES”, motion passed.

**3. Employee Questions:** Heather Asked Donna O’Connor who told her why she needed an emotional support animal because it was not disclosed in the last meeting. Lukela and members of the public said Trustee Schwindt said why in the last meeting. Heather listened to the recording from the last meeting, and it was specifically said that the Board was not going to disclose that.

**4. Comment Box:** Clerk Duran reminded everyone that there is a comment/complaint/suggestion box. Nothing can be submitted anonymously. Comments from Richard Wuehler were read aloud by the Mayor.

Clerk Duran reminded the Board that Safebuilt is having the appreciation BBQ in September. Motion made to close Town Hall so staff can go to the BBQ made by Trustee Paris. Second by Schwindt. All “AYES”, motion passed.

## **16. Department Reports:**

**(A). Water/Sewer - Trustee Blehm:** Water rates need to be reviewed. Blehm does not believe the pump for the non-potable system should have been paid for by the Town, he thinks the HOA should have been required to pay the bill.

**(B). Streets & Drainage – Trustee Herrick:** Working on drainage with Blehm.

**(C). Utilities & Energy - Trustee Heberlee:** Fees need to be reviewed periodically. Pump house and WWTP need to be kept warm. Are we really charging enough for Town Services.

**(D). Buildings – Trustee Schwindt:** Would like staff to get the mold testing scheduled.

**(E). Parks - Trustee Broughton:** Asked about the GoCo grant/ wanted to know if the money put aside for that can be used for other projects.

**(F). Growth & Revenue - Trustee Spurgeon-Paris:** Would like to know if Don Juans is moving forward. Engineer Curtis has been working with them to get everything he needs for review.

**17. Board Communications:** Schedule work session for budget on September 11, 2023, at 6:00 P.M.

**Adjournment:** 10:24 P.M.

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Kristina Duran  
Town Clerk  
Town of Pierce