

**Town of Pierce  
Regular Meeting  
December 13<sup>th</sup>, 2021  
7:00 P.M.**

The Board of Trustees of the Town of Pierce, County of Weld, State of Colorado, met in regular session at Pierce Town Hall 144 Main Street, Pierce Colorado at the hour of 7:00 P.M., December 13<sup>th</sup>, 2021.

Mayor Nansi Crom called the meeting to order at 7:00 P.M. Based on the roll call, the following Trustees comprising a quorum attended:

Mayor Nansi Crom

Trustees	Others Present:
Connie Schwindt	Kristina Duran, Town Clerk
Jody Ruppel	Heather Rospierski, Deputy Town Clerk II
Pat Anderson	Brad Curtis, Town Engineer
Carol Wirkus	James Godbold, Town Attorney
Doc Wirkus	

**1. Approval of Minutes:** Motion made by Trustee Schwindt to approve minutes from November 8<sup>th</sup>, 2021 Work Session and November 8<sup>th</sup>, 2021 Board Minutes. Second by Ruppel. All “AYES”, motion passed.

**2. Approval of Agenda:** Motion made by Trustee Ruppel to approve agenda. Second by Carol Wirkus. All “AYES”, motion passed.

**3. Public Invited to be Heard:** Ralph Sauter said he was talking to the Ault Police Department and wants to know why the Board has restrictions for them to not be able to write citations for missing license plates on the front of vehicles, on public or private property. He asked why they can't follow State Law. Town Clerk Duran said our court is not a criminal court, but we can pass the information to Code Enforcement for him to look into further.

**4. Questions about 631 W Park Ave-Dale Souther:** Austin & Austin real estate listing agent Dale Souther was present, stating he has had a lot of interest in this property but potential buyers are wanting livestock. This is a 3-acre property and per Town Code you have to have 5 acres to be allowed to have livestock. Town Attorney James Godbold said the potential buyers can start the process for a use by special review application, or the current owner can start this process as well. This is a case by case basis and there is no guarantee for approval.

**5. Business License Application for 309 and 311 W Main Ave- KP Squared:** Motion made by Trustee Spurgeon-Paris to approve new business license application. Second by Schwindt. All “AYES”, motion passed.

**6. 1020 3<sup>rd</sup> Street- Ana & Fabian Delgado:** Residents were not present. Russ Weber and Rob Godin from Safebuilt were present and explained to the board what has been going on with the building permit the residents pulled on April 10, 2020. The permit was for a small transitional addition to attach garage to house, and to remodel the existing garage for additional living space. Rob stated that back in August, Heather Rospierski from the town, and him-self were invited in to see the work completed. This was not a scheduled, formal inspection, just a quick look around to assess how the work was progressing. On the interior, the work was very near complete, and they have a fully working kitchen and bathroom. It was suggested by Rob to schedule an inspection as soon as possible, as he wanted to see the bathroom electric work done asap. It was communicated that pass or fail, this inspection it would provide an automatic 180-day extension on the permit, giving the homeowners time to complete the remaining work. Rob was hoping the residents would call within 5 days for this inspection, as Safebuilt has not heard from them. They are in violation and the permit is now expired. Safebuilt will be issuing a violation warning to the resident. The Board determined to reactivate their permit they would have to pay the 50% of the building permit fee. The resident also needs to submit for a building permit for the carport they have on their property, that is already constructed.

**7. Rental of 6 CBT Units for Carryover:** Rental fee is \$500 for carryover. Motion made by Trustee Spurgeon-Paris, to approve. Second by Anderson, “All AYES”, motion passed.

**8. Draft RFP for Trash Collection Service:** Town trash contract expires April 22, 2022. Board had a few changes to the draft. Changes will be made, and it will be put on the November Board agenda.

**9. Consider Resolution 2021-05 Approving Participation in Colorado Opioids Settlement MOU- Attorney James Godbold:** 10 days ago most municipalities received notice about Colorado Opioid Settlement. Rough estimate is 300-400 million in compensation- 20% to local government, 3% to Weld County. The Town of Pierce would receive .09%. Funds should be released in June 2022. The application deadline is November 5<sup>th</sup> 2021. The town would have to use funds for education, information for help, brochures, etc. Roll call vote was taken. “All AYES”, motion passed.

**10. Presentation of the 2022 Preliminary Budget:** Asyst is not processing entries correctly , Deputy Town Clerk Pat Larson is working on moving things. Town Clerk Duran wants to schedule another budget work session, the Board agreed for it to be held Monday, October 25<sup>th</sup> ,2021.

## **11. Old Business**

1. **Double J Water-** Attorney James Godbold has been talking with Double J attorney Sara Irby, should have information for November’s meeting. Also wants to know what their usage has been for the year.
2. **Truck Ordinance Revision Suggestions:** Board chose to go with draft 1, no exemptions. Signage language will be adjusted.

3. **Noise Ordinance Revision Suggestions:** Changed midnight to 10:00 P.M. and removed Friday and Saturday. Someone could apply for a special permit for events, so they would not be in violation. Roll call vote was taken. “All AYES”, motion passed.

## **12. Staff Reports**

(A) **Mayor Report:** None

(B) **Public Works:** Report was provided. Mike is to make contact with the HOA for a turn off date for the non-potable water. Mike will make sure Atmos goes back and refills holes, and will talk with the HOA about the non-potable water issue.

(C) **Planning Commission:** The Planning Commission had a meeting last month. First they assigned an address of 416 Cave Ave. to parcel #055326200011. Plans were submitted to consider a double wide mobile home at that property. Half of the property is in the floodway and half is in the flood zone. The Planning Commission approved the plans for the double wide with contingency it meets the 2018 International Building Code. There were two Weld County Referrals. One was for a gravel pit east of town. The Planning Committee had concerns, so a letter was sent to the County addressing the concerns; they responded to Planning Chairman Crom and referral was approved. The second referral was for a transmission line from Ault to the substation out west. That referral was approved. Planning Chairman Crom would like the time frame of approval on a building permit to be addressed.

(D) **Town Attorney:** None

(E) **Town Engineer:** Sending draft letter to Rimrock, regarding a piece of CR 90 between 5<sup>th</sup> and 85 that allegedly was not annexed, and have been confirmed by the County. There is a fee to run through the process. Brad Curtis Town Engineer has been in contact with the City of Fort Collins, email was provided, regarding NEWT III transmission pipeline and critical infrastructure required to manage future growth within the district. The North Weld County Water District board has issued a temporary moratorium on all tap sales and plant investment sales effective from September 30<sup>th</sup> through October 25<sup>th</sup>, while these discussions unfold. They will hold a Special Meeting October 25<sup>th</sup>, 2021, to discuss the moratorium. The Town needs to be careful with anything new coming into the town.

(F) **Town Clerk:**

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

3. **Employee Insurance Renewal/Group Life, Disability Insurance Addition Option:** Town Clerk Duran reported on an anticipated 5% increase for medical and Gap coverage. Recommendation for dental and vision is to switch to Beam. Motion by Trustee Doc Wirkus to approve. Second by Schwindt, all “AYES”, motion passed. Clerk Duran provided information regarding adding life and disability insurance. Motion made by Schwindt to approve addition of life and disability insurance. Second by Trustee Spurgeon-Paris. Five “AYES” Two “NAYS” by Trustee Ruppel and Mayor Crom, motion passed.
4. **Deputy Town Clerk- Pat Larson asked the Board to consider a stipend-** Pat Larson asked the Board if they would consider paying her a stipend in lieu of receiving the Town’s insurance coverage since she is on her husband’s insurance policy. Motion made by Trustee Ruppel to approve stipend. Second by Spurgeon-Paris. Two “AYES” Five “NAYS” by Schwindt, Anderson, Doc Wirkus, Carol Wirkus and Mayor Crom, motion failed.

### **Department Reports**

- (A). **Water/Sewer - Trustee Anderson:** None.
- (B). **Streets & Drainage - Trustee Carol Wirkus:** Met with Mike Lester and Town Clerk Duran. Trustee Carol Wirkus will be doing a crushed asphalt test area. Pioneer quoted \$245.00 per load with a 15-ton belly dump truck. She is also waiting on price for culverts.
- (C). **Utilities & Energy - Trustee Doc Wirkus:** None.
- (D). **Building - Trustee M. Spurgeon-Paris:** None.
- (E). **Parks - Trustee Ruppel:** Did a walk through the parks, irrigation contractor still owes us valves boxes. Storage shed at ballpark is there and HRA is happy with the field and storage.
- (F). **Police - Trustee Schwindt:** Reports provided. Code Enforcement warnings are down - Town Clerk Duran said Officer Shippy has been really busy. Police Report was provided. Trustee Schwindt commented they are doing a great job, and she would like the speed trailer moved to 5<sup>th</sup> street.

**11. Board Communications:** Upstate Colorado asked for a donation, Board chose to donate \$780.00. The Annual Town and County dinner is coming up October 28<sup>th</sup> 2021. All the Board members are invited to attend, also if Town Staff would like to attend they are welcome to. Deputy Town Clerk II Heather Rospierski asked if she could attend the Colorado Association for Municipal Court Clerks Administration on November 5<sup>th</sup> 2021, the Board agreed to let her go.

**Adjournment:** 10:06 P.M.

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Heather Rospierski  
Deputy Town Clerk II  
Town of Pierce