

**Town of Pierce  
Regular Meeting  
November 11th, 2019  
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 Town Hall Chambers 144 Main Avenue, Pierce Colorado at the hour of 7:00 P.M., November 11, 2019.

The meeting was called to order by Mayor Nansi Crom. Roll call was taken and the following Trustees comprising a quorum were in attendance.

Mayor Nansi Crom

Trustees:

M. Sue Spurgeon-Paris  
Pat Anderson  
Jody Ruppel  
Toodie Hoover- Absent  
Carol Wirkus  
Kenny Dill

Others Present:

Lia Szasz, Town Attorney  
Mike Ketterling, Town Engineer  
Kristina Duran, Town Clerk  
Martha Harold, Deputy Town Clerk  
Rick Crom, Planning Chairman

**Approval of Minutes:** Deputy Clerk Harold reviewed revisions to minutes compared to minutes in the Board packets. Trustee Wirkus requested an additional revision to the Police Report. Motion made by Trustee Ruppel to approve minutes from October 8<sup>th</sup>, October 14<sup>th</sup>, October 28<sup>th</sup>, 2019 with correction requested by Trustee Wirkus. Second by Anderson. All “AYES”, motion passed.

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

**Public Invited to be Heard:** None.

**Rimrock Update:** Daniel Young, Operations Manager at Rimrock Energy Partners, LLC, highlighted the current status of the plant. He noted that commissioning started in August and lasted about six weeks with full operations starting on October 16<sup>th</sup>. Young said the plant is still under construction with about 100 contractors on site, however there is no big truck traffic as all the large equipment is on site. He said that the security fencing is in place and “dark sky” lighting is installed, noting that if the lights are on, it is because people are working outside. He added the landscaping and trees have been planted, however the irrigation system will not be installed until the spring. Rimrock also hosted an open house for first responders to tour the facility. Young said the responders now know what to expect and where to go. In regards to production, he said gas volumes are higher than expected and the plant will be growing to increase capacity. Young noted they recently hired three more employees, bringing the total to 18 full time positions. He said the gathering system is expanding to the north (the Rockport line), opening up additional opportunities. As far as flare activity, during commissioning it was most active, but flare activity is decreasing every day. Young anticipates further expansion in March. Trustee Dill asked how many lines were coming into the plant. Young said with the new addition, there will be 5 lines. Attorney Szasz asked staff if there were any complaints regarding Rimrock traffic. Clerk Duran said no. Mayor Crom asked what percentage is the plant currently running. Young said with the equipment installed, they are running at 100%. Current plans include an expansion in March. Young also noted he does not anticipate any slowdown. Crom also asked if there is a formalized plan with first responders. Young noted the first responders have a contact list and access to the plant. He added they are also notified of flaring. Crom also

asked about how the trees were being watered without an irrigation system. Young noted that the trees were under warranty and would be replaced if not viable after the winter. Town Engineer Mike Ketterling asked if the current expansions are following the original footprint. Young said they are all following the agreed plan, but they are not moving into Phase 2 yet.

**Schroeders Tires Request to Expand Business:** Business owner, Gene Schroeder, told the Board he is planning on purchasing the adjacent property, the current Bill's Volume Sales and will be moving a portion of his existing business to that location. Town Clerk, Tina Duran, noted that Schroeder will not be looking to combine lots and had asked Schroeder to attend the meeting. Attorney Szasz confirmed that he is purchasing a currently permitted business. Mayor Crom said that there was no required board action and therefore no impediment to Mr. Schroeder moving forward with his plans to purchase.

**Jail Services Agreement- Weld County Jail:** Town Clerk Duran said the Board needs to address corrections to the agreement made by Weld County. The previously signed agreement was not signed by the County, however, Duran does not know the exact changes. Duran said she discussed with Ault Police Chief Rich Strang that because Pierce is now decriminalized, many aspects of the agreement don't apply. Town Attorney Lia Szasz said she could compare documents to determine the exact changes, however, the agreement appeared to be "materially" the same. Szasz will compare the documents and Duran will email the County to inform them the Board will consider the agreement at the December Board meeting.

**SIS Gap Insurance Premium Change:** Town Clerk Duran reported she received notification of an increase to the employee SIS Gap Insurance premium of about \$100 since the quote received during budget planning. Motion made by Paris to accept the premium increase. Second by Anderson. All "AYES", motion passed.

### **Old Business:**

- 1. Enforcement of Town Ordinances:** Attorney Szasz reviewed her memo to the Board that redlined the proposed changes, noting that the changes are not ready for adoption. Trustee Paris noted that the Town Clerk cannot issue a burn permit, that only Weld County issues burn permits. Szasz to make corrections and prepare all ordinances for adoption at the December meeting.

### **Staff Report:**

**(A). Mayor:** Mayor Crom reported she and Trustee Paris attended the Weld County Town and County meeting and dinner on October 27th, where Jason Maxey, Director of the Weld County Oil and Gas Energy Department (OGED) was the key speaker. Mayor Crom noted that Weld County leads the state's oil production. She said that Maxey is available to answer any questions regarding the oil and gas industry in Weld County.

**(B). Public Works:** Written report provided. Trustee Anderson summarized the report noting that there was another sewer pump failure, the new meter vault was installed at 405 1<sup>st</sup> Street and that additional maintenance was completed on the north tank. Town Engineer Mike Ketterling noted that based on recently completed infiltration tests, the new pond to the north of the waste water treatment plant had high infiltration potential. Anderson said that the new sprinklers for the ball field would be addressed under the Parks report.

**(C). Planning Commission:** Planning Chairman Rick Crom reported there was no Planning meeting in October. He also reported that he receives Pipeline Safety Information pamphlets from oil companies that would be good for the lobby of Town Hall. Town staff will secure additional pamphlets for the lobby.

**(D). Town Attorney:** No report.

**(E). Town Engineer:** Town Engineer Mike Ketterling reported that he attended the North Weld Water District informational meeting on October 21<sup>st</sup>. He said the district is unable to maintain transmissions requirements and other costs related to water projects and will be raising rates significantly over the next several years. The Town currently receives a 25% discount as a municipal customer. That discount will be eliminated in 2021. For 2020, NWCWD will raise rates by 10%. This will mean a total of 35% increase over the next 2 years. Even with these increases, Ketterling said the District will not be able to cover costs. He said the Town needs to address raising rates ASAP. Ketterling noted that NWCWD current average monthly bill is \$47.46 per month will increase to \$127.71 by 2024. Clerk Duran noted that Pierce residents' average water bill is \$39.00 per month. She also reported that we received a NWCWD Rate Setting Information sheet that would help explain the issues to residents. She said copies will be made and placed in the lobby as well as posted on the Town's website. Mayor Crom commented this will affect Double J who has been leasing water from Ault. Ketterling said he didn't believe Ault would continue leasing. Crom said the Town should look at enforcing the agreement with Double J to purchase its own water. Ketterling will meet with Trustee Anderson to review the proposed 2020 budget and make a recommendation for a proposed increase.

**(F). Town Clerk:**

- 1. Request to Pay Bills:** Motion made by Trustee Paris to pay bills. Second by Dill. All "AYES", motion passed. Duran noted that the provided financial report indicates a \$26,000 negative activity for month, which is related to the recently-received bills for the installation of the water line on Park Ave.
- 2. Women's Conference:** Motion by Paris to allow Clerk Duran to attend The Women's Conference in Fort Collins on Dec. 4<sup>th</sup> at a cost of \$149.00. Second by Dill. All "AYES", motion passed.
- 3. Windows 10 Upgrade/ PC Upgrade:** Duran reported that TimberLAN quoted a cost of \$519 to upgrade computers to Windows 10, however the only computer worth upgrading is the Martha's (Deputy Clerk). She said it would be more cost effective to replace the three other computers (Heather, the front desk, and the mayor's). Mayor Crom noted the cost of the new computers would be spread across three department's budgets.
- 4. Schedule Heather Rospierski Two Year Review:** Trustees discussed issues related to reviews being done annually at the same time for all employees vs. on an employee's anniversary date. Trustees also discussed the inclusion of direct supervisors during the review process. Trustee Anderson noted that the supervisor's should have adequate training to execute the required tasks associated with performance measures, expectations etc. Mayor Crom noted that these issues and a defined process for reviews may change and restructure staff organization. She plans to reach out to DOLA concerning chain of command and reviews. Trustee Anderson recommended that Heather's review be conducted in December under the existing system. Trustees will meet at 6:00 PM, December 9<sup>th</sup> (prior to Board Meeting) to discuss and receive input and then meet with Heather at 6:30 PM.

### **Committee Reports:**

**(A). Water/Sewer-Trustee Anderson:** No additional comments to the Public Works report. Anderson noted the Town is still waiting on State approval for the new infiltration ponds. Mayor Crom noted she has additional information to include during her report.

**(B). Streets-Trustee Ken Dill:** Dill reported the streets are in good shape.

**(C). Drainage-Trustee Hoover:** Absent.

**(D). Building-Trustee Ruppel:** Ruppel reported he was meeting with ADT on Wed., November 13<sup>th</sup> for an additional quote on security system.

**(E). Parks-Trustee M. Spurgeon-Paris:**

**Sprinklers at baseball field:** Paris questioned if quotes had been received. Clerk Duran reported none had been submitted. Paris requested Public Work Director Mike Lester to contact her.

**(F). Police-Trustee Wirkus:** Police and Code reports provided. Code Enforcement issued 13 warnings mostly for weeds, garbage and inoperable vehicles. The police logged 126 hours and issued two summons. Mayor Crom reported that the speed trailer on 1<sup>st</sup> Street has been successful in slowing traffic. Business owner Gene Schroeder noted that mostly silage trucks were using 1<sup>st</sup> Street to access his business instead of making the turn directly off US 85.

**Board Communications:** Mayor Crom reported she had three items for communication:

1. Trustee Toodie Hoover has verbally tendered her resignation, however the Board cannot take action until her official letter of resignation is received. At that time, the Board will accept letters of interest from qualified voters to fill the seat temporarily until the general election in April. The appointed trustee will have to run in the election to retain the seat.
2. There is a DOLA grant available to help fund the new infiltration ponds. Clerk Duran said that applications are due by December 1<sup>st</sup>; it is a 50:50 matching grant and Chad Chavies said there are funds available for the matching portion. Mayor Crom recommended that Clerk Duran contact Gina Janett to write the grant. Town Engineer Mike Ketterling said that we had not received approval from the State for the ponds and that it may be premature to apply. He asked if there was one or two cycles for the funding. Clerk Duran will investigate the cycle and talk with Ketterling.
3. Trustee Dill received a concern by the leasee (Chuck Tucker) of Conservation Trust Property about accessing the easement to the ditch. While the Town is the owner of the property, Attorney Szasz cautioned the Town against involving itself in a dispute between Tucker and the adjacent property owners, as well as the expense of her fees. Trustee Dill said that state statutes gives Tucker access to the ditch. Clerk Duran said that the Town does not receive any income from leasing the property. Duran noted that since Trustee Wirkus is an affected property owner, she should not participate in any discussion involving this issue. Duran to research the lease with Tucker and Trustee Dill to communicate the Town's position to Mr. Tucker.

Trustee Ruppel questioned the Town's position on impounding a nuisance dog. Ruppel was approached by a resident concerning a dog that continues to be in her yard and that the dog is returned to the owner by animal control officer and most recently, town staff contacted the owner to pick up the dog. Clerk Duran said that the Town's position has always been to return the dog to the owner because impounded dogs are euthanized in a short period of time as well as the expenses associated with boarding. Mayor Crom requested Clerk Duran to research what Weld County does in these instances.

Trustee Drill questioned the status of the prohibited storage container on Cottage and 5<sup>th</sup>. No one attended the meeting tonight to request permission from the board. It was reported the container had been removed.

Trustee Anderson asked about the status of the restaurant. Mayor Crom indicated that she thought the water had been transferred for the proposed Don Juan's restaurant. Deputy Clerk Harold reported that the property owner is purchasing the water from another water authority and it will not go to Northern Colorado Water Conservancy District for approval of the transfer until January.

**Adjournment:** 8:46 PM

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Martha J. Harold  
Deputy Town Clerk  
Town of Pierce