

**Town of Pierce
Regular Meeting
December 10th, 2018
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., December 10th, 2018.

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:

Holly Bernhardt-Absent
Jody Ruppel
Toodie Hoover
Jon Bernhardt
Pat Anderson
M. Sue Spurgeon-Paris-Absent

Others Present:

Mike Ketterling, Town Engineer
Pat Larson, Town Clerk
Lia Szasz, Town Attorney
Kristina Duran, Deputy Town Clerk
Don Hoff, Town Attorney

Approval of Minutes: Motion made by Trustee Anderson to approve minutes from November 13th, 2018. Second by Ruppel. All “AYES”, motion passed.

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

Public Invited to be Heard: Larry VanWhy-415 Shafer- Would like to see what he can do about having the meter & pit moved because it is in the middle of the driveway. He asked when the water lines were updated but was told they were putting them back as they were already laid. Public Works will look into the best way to get this done.

Police Report- Trustee Holly Bernhardt: Code report provided.
Motion made Trustee Hoover to accept code report. Second by Ruppel. All “AYES”, motion passed.

Public Hearing for the 2019 Budget:

Open 7:13 P.M.

Closed

Adopt Budget Resolutions

- A. Resolution to Adopt Budget:** Motion made by Trustee Ruppel to adopt budget. Second by Hoover. Roll Call. All “AYES”, motion passed.
- B. Resolution to Appropriate Sums of Money:** Motion made by Trustee Anderson to adopt resolution to appropriate sums of money. Second by Ruppel. Roll Call. All “AYES”, motion passed.
- C. Resolution to Set Mill Levies for the Budget Year 2019:** Motion made by Trustee Anderson to adopt resolution to set mill levies for budget year 2019. Second by Hoover. Roll Call. All “AYES”, motion passed.

Consider Review of Nunn Police Chief Joe Clingan’s Email to Trustees: Chief Clingan wants the Board to know that he was very serious when he put in a proposal for the Town of Pierce. He stated that he didn’t see any emails inviting him to any meetings. He doesn’t want there to be any hard feelings and would like to have a great mutual aid working environment.

Mayor Crom would like to review our process in accepting proposals. Trustee Anderson would like to use the website as a public archive.

Consider Board Trustee Holly Bernhardt’s Resignation: Resignation letter provided. Mayor Crom expressed her regret at Holly’s resignation and stated that Holly had good intentions and that it is difficult to struggle with certain decisions regarding what is best for the Town of Pierce. Trustee Anderson praised Holly for the work she did on the Pierce Centennial and how honest and respectful she was. He also felt Holly was brave for voting for what she believed in.

Motion made by Trustee Hoover to accept Trustee Holly Bernhardt’s resignation. Second by Anderson. All “AYES”, motion passed.

The Board now has 60 days to fill the seat. Town staff will post in the post office and in the local newspaper and the website.

Consider County Road 90 IGA: This matter was carried over from a discussion in November. Weld County has not responded to the Mayor’s request for information and clarification. Town Engineer Mike Ketterling thinks it would be a good idea to go ahead and accept the money that Weld County has offered since they are not obligated to offer it in the future. The Mayor expressed that she believes it is necessary that any money received from the county needs to be set aside and not spent so that matching funds can be accumulated. The Mayor also indicated she understands residents might have concerns about spending money on County Road 90 when the Town’s streets are in poor condition, and that revenues from the construction of the gas plant will not come to full fruition until calendar year 2022. Engineer Ketterling also suggests it would be a good idea to do an inventory of the road surface soon so that the Town has a baseline condition of the roadway. He also suggests that any repair on the road should wait until after the construction period and related traffic has been concluded. Mike and Pat will seek bids or prepare RFP’s for a road inventory.

Motion made by Trustee Anderson to adopt resolution 2018-12 to authorize execution of the IGA with Weld County. Second by Hoover. All “AYES”, motion passed.

Mayor Crom stated she will continue to seek answers from the County regarding timing of the receipt of funds.

Consider 444 E. Cave Sewer Requirements to Connect to Town Sewer Service: Mike Lester, Director of Public works, had the line checked with a camera and there is a connection where 444 E. Cave would connect into the main sewer line. Mike Lester did have them run water and flush the toilet but he was unable to determine that there was actually a connection to the main. There is a lump of tree roots in the line. The owner of this property needs to determine if they are connected and how they are connected. The line will need to be inspected by public works. There will be no plant investment fee charged. Sewer charges will resume as well. The property owner does need to determine where the sewage is going, since it does not appear to be flowing into the sewer main.

Consider 404 4th St. Requirements to Connect to Town Sewer Service: This matter was also carried over from previous meetings. Sewer line crosses neighbor’s property to sewer line on Jones Street. The Town staff has determined that this needs to connect to the sewer line on 4th Street and be removed from neighbor’s property. Mike Lester spoke with the owners and gave them notice of the required steps. Owners are unhappy. Attorney Don Hoff will review the ordinance, and this matter will be reviewed again at the January 14th, 2019 meeting.

Consider Letter of Intent to Participate in the Weld County Hazard Mitigation Plan: Mayor Crom researched this issue and determined that if the Town does not participate in the Hazard Mitigation Plan, the

Town may be excluded from receiving FEMA funds in the event of a disaster. It was therefore determined that the Town will participate in the plan. Trustee Jon Bernhardt will serve as the liaison between the Town of Pierce and FEMA and Weld County.

Motion made by Trustee Anderson to participate in the Weld County Hazard Mitigation Plan. Second by Hoover. All "AYES", motion passed.

Staff Report:

(A). **Mayor:** Trying to get Thornton to come to the January Board meeting to discuss water issues. School Choice week is January 20th-26th. The use of Jake brakes is allowed by state statute. The Town can require mufflers.

(B). **Public Works:** Report provided.

(C). **Planning Commission:** There was no Planning meeting. There will be a special Planning meeting on the 18th of December.

(D). **Town Attorney:** There have been complaints about train box cars being used as storage sheds and being installed without a building permit. Don Hoff provided a sample ordinance regarding accessory buildings and for the Board to review. This matter will be considered again at the February 11th, 2019 Board meeting.

(E). **Town Engineer:** Double J BOD was 654 the last sample. NWCWD is going to have a 3% increase. The PIF will also go up from \$7500 to \$8500.

(F). **Town Clerk:** Motion made by Trustee Hoover to pay outstanding bills. Second by Ruppel. All "AYES", motion passed.

New fee schedule needs to be added to the January 2019 agenda.

Old Business: None.

Committee Reports:

(A). **Water/Sewer-Trustee Anderson:** Public Works is having trouble getting the equipment out of the infiltration ponds. Mike Ketterling will brainstorm ideas on how to make it easier to get equipment in and out.

(B). **Streets-Trustee Jon Bernhardt:** Being asked why the streets aren't being fixed yet since the Town annexed the gas treatment facility. Also made calls to Martin Marietta to ask about road base but hasn't gotten a return call.

(C). **Drainage-Trustee Hoover:** None.

(D). **Building-Trustee Ruppel:** Will look into what happened to the overhead door at Public Works since it is in need of repair. A check was sent out for the fire resistant cabinets for Public Works and the cabinet for posting for the front of Town Hall.

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

Board Communications: None.

Adjournment:

Kristina Duran
Deputy Town Clerk
Town of Pierce