

**Town of Pierce
Regular Meeting
August 10th, 2020
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 PM, August 10th, 2020.

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

Mayor Nansi Crom

Trustees

Connie Schwindt
Jody Ruppel
M. Sue Spurgeon-Paris - *Absent*
Carol Wirkus
Pat Anderson
Doc Wirkus

Others Present:

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

1. **Approval of Minutes:** Trustee Schwindt requested a change to the minutes to reflect her “Naye” vote on combining departments. Motion made by Trustee Ruppel to approve the minutes from July 13th, 2020 Board Meeting with noted change and the July 27th, 2020 Special Meeting. Second by C. Wirkus. All “AYES”, motion passed.
2. **Approval of Agenda:** Motion made by Ruppel to approve the agenda. Second by C. Wirkus. All “AYES”, motion passed.
3. **Public Invited to be Heard:** None
4. **Public Hearing for Special Use Permit- Storage Containers 16133, 16179 & 16207 WCR 88- Twin Peaks LLC:** Mayor Crom opened the public hearing at 7:03 PM. There were no comments from the public. Trustee Anderson asked about the storage of antifreeze and oil inside the containers. Maria Ramirez representing Twin Peaks LLC said that only “off the shelf” unopened products are stored in the containers. Mayor Crom closed the public hearing at 7:14 PM. Motion by Trustee Schwindt to approve the Special Use Permit without conditions for the storage containers at 16133, 16179 & 16207 WCR 88. Second by Ruppel. Following a roll call vote, all “AYES”, motion passed.
5. **Ascent Broadband- Josh Kinabrew:** Real estate developer Stan Everett gave an overview of the history of his company, noting Severance as its initial service area. He introduced his partner, Josh Kinabrew to answer technical questions. Trustees, Mayor Crom and Deputy Clerk Harold asked questions concerning service, equipment, typical challenges for wireless broadband providers and options for both residents and Town Hall. Kinabrew said that Pierce Water Tower would be an ideal location for its equipment. Everett noted that Ascent offers exceptional service, competitive pricing, speed and does not require a contract. He also noted that the signal emanates from Severance, whereas Rise Broadband emanates from Denver.

6. **New Business License Application at 211 W Main Ave- Shawn Howes:** Property owner Shawn Howes is seeking a business license for his retail location at 211 W. Main Ave. Howes said he offers custom silverwork and leather goods. Motion by Ruppel to approve the business license for S.T. Howes & Co. Second by Schwindt. All “AYES”. Motion passed.
7. **2020 Model Traffic Code:** Mayor Crom asked Ault Police Chief Rich Strang to highlight any significant changes in the Model Traffic Code as compared to the current 2010 version. Strang noted that the updates most related to fines and point assessments. Deputy Clerk Harold noted this is the first reading of the code and that adoption would be at the September 14th Board Meeting.
8. **Old Business:** None
9. **Staff Reports:**
 - (A). **Mayor:**
 - 1) **Employee Handbook:** Mayor Crom noted Trustees were provided with a copy of the employee handbook in their packets for reference. Trustee Anderson noted that the handbook does not reference any performance standards for annual reviews. Crom noted that Clerk Duran and she were gathering examples for consideration. Anderson said he was as well and that it is important to differentiate between performance measures versus rewards and that current increases seemed over for some and under for others.
 - 2) **CARES Act Funding:** Mayor Crom stated that in September the Town can make its first claim against the \$23,000 in approved CARES Act Funding for unbudgeted supplies purchased because of COVID-10 pandemic. She noted that the loss of revenue impacts on sales tax, use tax and property tax is being evaluated and those losses may be included in a second claim due in December.
 - 3) **2019 Audit Meeting:** Mayor Crom reported she met with Town CPA Chad Chavies regarding the 2019 audit. Chavies recommendations include transferring money from the General Fund checking account to ColoTrust to earn additional interest as well as using the Asyst software to better manage inventory and develop a replacement schedule.
 - 4) **Pierce Senior Center:** Mayor Crom reported some members of the Senior Center are meeting for brown bag lunches in Philips Park. Crom said the center is working with Weld County Health Department to reopen soon.
 - (B). **Public Works:** Trustee Anderson reviewed Public Works Director Mike Lester’s July report that noted on-going training of new employee, replacement of a sprinkler valve at Jones Park, and assembly of the new ripper for the infiltration beds. Lester also report that water and sewer taps for the Clayton homes at 405 and 407 E. Main were installed.
 - (C). **Planning Commission:** Planning Chairman Rick Crom reported the commission approved a new pole barn for 1218 5th Street, a new deck for two residences - 1401 7th Street and 119 3rd Street and a new shed for 601 W. Main Ave. He noted that the shed on W. Main Street was completed prior to applying for a building permit. Crom said previously, no punitive action was taken against homeowners that started or completed construction before applying for a permit and asked if the Board wanted to change that practice.
 - (D). **Town Attorney:** Attorney Szasz reported she has spoken with Keith Day’s attorney regarding the Conservation Acres contract who is requesting minor changes and will be sending a redline to the

proposed contract for review. Clerk Duran reported that Day had recently completed weed control work at the site.

(E). **Town Engineer:** Mike Ketterling reported RPJ submitted a revised drainage and site plan for its RV storage development and they are pending review. He said that RPJ needs to submit the line to split the lot to begin the rezone process. Ketterling said rezoning should be completed prior to approving the site plan for the building permit. Ketterling said he is meeting with a resident at 116 Shafer with property line concerns. Brad Curtis met with Trustee Carol Wirkus to review drainage issues. Wirkus asked Ketterling to review the report from Curtis. The concerns include the culverts on the west side of 1st Street, culverts at the CR 88, and the flow of water across UP property. Ketterling said the Town should initiate talks with Thornton to develop a comprehensive plan to address drainage through the Thornton farm.

(F). **Town Clerk:**

- 1) **Request to Pay Bills:** Motion made by Trustee Anderson to pay the bills. Second by Ruppel. All “AYES”, motion passed.
- 2) **Upstate Colorado Letter:** Clerk Duran reported she received a letter from Upstate Colorado. Mayor Crom asked Duran to invite them to make a presentation at a late fall/early winter board meeting
- 3) **Colorado Revised Statutes Title 33 §33-14.5-10 Off** –highway vehicle operation prohibited on streets roads and highways: Provided for information
- 4) **Receipt of Code Enforcement Letter:** Duran reported the Town received a letter concerning removal of the Conex container at the ballfield. HRA also was mailed the same letter. Duran suggested the Board consider erecting a permanent building and budgeting the cost for next year. The container is owned by HRA, but is sitting on Town property.
- 5) **Email Access:** Board members unable to access their Town email accounts externally should reach out to Clerk Duran to re-establish access. Duran noted email is a convenient and effective way to communicate with board members.
- 6) **Exclusion of Town Staff:** Duran asked Board members to include Town staff in conversations and/or meeting with residents that may occur. It is especially critical in regards to Planning efforts.
- 7) **Budget Issues:** Duran reminded Board members that meetings with Town Attorney, Town Engineer, etc. are expensive and are charged against their department budget.

10. Department Reports:

- (A). **Water/Sewer-Trustee Anderson:** Anderson noted nothing additional to report.
- (B). **Streets & Drainage - Trustee Carol Wirkus:** C. Wirkus said Town Engineer’s report covered drainage issues. She noted concerns about the lack of stop signs on some streets. Mayor Crom cautioned that certain regulations and warrants must be considered before placing additional stop signs. Crom also noted that the Town Attorney is working on a new stop sign ordinance. Deputy Clerk Harold noted that with the purchase of all the new street signs and anticipated expenditures through the end of the year, there are no remaining funds available for this year. Wirkus questioned the lack of landscaping around the new Clayton Homes on East Main. Mayor Crom noted there are no landscape requirements for new home development. Planning Commissioner Crom noted there are ongoing issues that need to be addressed at the corner of 3rd and Shafer

where the water leak was last fall. Trustee Schwindt noted the south end of 3rd, where it is dirt, also has problems. Ketterling noted that the drainage problems within the Town contribute directly to the issues with the streets.

- (C). **Utilities & Energy (Trustee Doc Wirkus):** Doc Wirkus reported he toured the Rimrock plants and discussed expansion plans. He reviewed control plans in case of emergency. Wirkus requested that the site be cleaned-up along CR29. He also said he is working with Town Hall staff to address the office internet issues.
- (D). **Building-Trustee M. Spurgeon-Paris:** Absent
- (E). **Parks-Trustee Ruppel:**
- 1) **Ballfield Irrigation:** Ruppel reported that the irrigation designer is working on a new plan, but according to former mayor Craig Cleveland, there are soils issues at the ballfield that may affect the irrigation. Ruppel said the ballfield might require rebuilding to address all the issues. Trustee Anderson said a soil analysis could help determine those needs. Ruppel added the addition of a storage shed to the overall plans could be considered.
 - 2) **Tree Trimming:** Ruppel noted tree trimming in Jones Park should begin sometime early September. Trustee Anderson said there are residents that are interested in supporting the park. Commissioner Crom said that previously there was a Tree Committee. Deputy Harold noted she has spoken with Elizabeth VanWhy about the tree committee efforts previously and will reach out to her again. Mayor Crom noted that low cost trees might be available through CSU and extension services.
 - 3) **Misc. Tasks:** Ruppel noted that the sidewalk/culvert on the East side of Philips Park is still an issue that still needs to be addressed as well as some other small tasks.
 - 4) **Water Usage/Allocation on Town Wells:** Ruppel reported that based on recent adjustment to the water valves and controls, overall usage from Jones well is down. Across all wells, he said usage is up, compared to last year. He attributed HOA non-potable usage to the increase. Trustee Schwindt noted HOA residents are watering during the day. She said Public Works Director has expressed similar concerns. Ruppel clarified that water restrictions are enforced by Code Enforcement. Mayor Crom noted a number of watering violations on the north side of town as well. Deputy Clerk Harold said the watering schedule was on the back of water bills in May and June, but additional reminders may be needed for next year's watering season.
 - 5) **Rimrock:** Mayor Crom said that the Town should have a well-defined plan before approaching Rimrock for any contributions toward any park's project. Trustee Anderson added that the Town should consider its contribution to such a project. Deputy Clerk Harold recommended that Rimrock contribute matching funds for grant funding that is available. Trustee Schwindt noted that during the annexation Rimrock was vocal about wanting to help the community. Doc Wirkus noted that during his visit, Rimrock officials indicated that the recent economics might prohibit their involvement at this time.
- (F). **Police- Trustee Schwindt:** Schwindt noted 120 hours were logged with an increase related to Fourth of July. Chief Strang noted that was statewide. She noted that Chief Strange said privacy issues prevent the police report from including too many details. Schwindt noted she feels like there is still a lot of speeding on 3rd Street. Deputy Clerk Harold noted that windows and doors were shot out on three brand new Clayton Homes on CR90. While these are not in town limits, Harold noted it is concerning based on the Clayton Homes other developments within Town limits.

Mayor Crom asked Chief Strang if there are any ways the community can do better policing ourselves. Strang said if residents see something that just doesn't look right to notify the police department immediately. He said helpful information includes vehicle description, plate number, and direction of travel. He added Ring cameras, motion activated lights all help as well. Strang said additional patrols will be available in the mornings when school starts.

11. Board Communications: None

Adjournment: 9:14 p.m.

Martha J. Harold
Deputy Town Clerk
Town of Pierce