

**Town of Pierce
Regular Meeting
April 8th, 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., April 8th, 2019.

The meeting was called to order at 7:00 P.M. 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
Jon Bernhardt
Carol Wirkus-Absent

Others Present:

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

1. Approval of Minutes: Motion made by Trustee Paris to approve minutes from March 11th, 2019. Second by Ruppel. All “AYES”, motion passed.

2. Approval of Agenda: Mayor Crom has moved the Police Report under Department Reports. Motion made by Trustee Ruppel to approve the agenda. Second by Bernhardt. All “AYES”, motion passed.

3. Public Invited to be Heard: None.

4. Consider Exclusion of Territory from Nunn Fire Protection District - Craig Cleveland: The Ault-Pierce Fire District presently has an IGA with the Town of Pierce to service all properties located in the Municipal boundaries of the Town of Pierce. Rimrock has been annexed into the Town of Pierce, and will be served by the Ault-Pierce Fire Department but the tax revenue will still go to the Nunn Fire District until the Rimrock property is removed from that district. This process could happen three ways; Nunn could agree to remove them from the district, Rimrock can ask to be removed from the district, or the Town of Pierce can approve to start the legal process of removing them from the Nunn Fire District. Nunn has made it clear that they are not interested in giving up that tax revenue, or even sharing the revenue with the Ault-Pierce District. Should the Town agree to participate in the exclusion process the Ault –Pierce Fire Protection District is prepared to pay all legal expenses. Outside council must be retained. Town Attorney Lia Szasz will speak with Dino Ross of Stapleton-Ireland regarding initiating the process. Motion made by Trustee Anderson to start the legal process of excluding the Rimrock property from the Nunn Fire Protection District. Second by Paris. All “AYES”, motion passed.

5. Consider Franchise Agreement With Xcel Energy – Lucas McConnell: Lucas Connell from Xcel was not present at the meeting. Section 4.2 (e) and section 6.8 will be removed from the agreement because those items do not apply. This item will be tabled until possibly the May, 2019 Board meeting.

6. Consider Business Proposal Request for 209 Main Ave- Bill Rafih: Enerplus would like to have a small office at 209 Main Ave. They will have a meeting room, lunch room, and office. This may be a location for emergency management or training. It fits within the Town Code. Enerplus will turn in the application for the business license to Town Hall.

7. Consider Appointment of Election Judges – Tina Duran: Deputy Town Clerk, Tina Duran reached out to the election judges listed with Weld County and was able to get six to confirm for the election, with one more as alternate. Motion made by Trustee Ruppel to appoint all election judges on the list. Second by Bernhardt. All “AYES”, motion passed.

8. Consider HOA Request to Turn On Non-Potable Water – Jon Bernhardt: The register for the HOA non-potable system is not functioning properly. The part should be here by the 15th or 16th of April. It is decided to go ahead and turn on the non-potable system now with the understanding that it will be shut off for the repairs to be made.

9. Consider Request for Donations From Highland Recreation Association: H.R.A. is a non profit that provides sports to kids in the area and helps families with scholarships to participate if they cannot pay. The referees and coaches are volunteers. Motion made by Trustee Paris to donate \$1500.00 from the park fund, with encouragement to ask again in a few months. Second by Ruppel. All “AYES”, motion passed.

10. Consider Adoption of Resolution 2019-4 to Hold a Special Election (Recall Election): State Statute requires this action relative to the scheduled May 8, 2019 recall election. Motion made by Trustee Ruppel to adopt Resolution 2019-4. Second by Bernhardt. All “AYES”, one “NAYE”, by Paris. Motion passes.

11. Staff Reports:

(A). Mayor: The Town Clerk job posting closed 3/29/2019. The Board will review applications and begin the interview process. Mayor Crom and Tina Duran met with Waste Management to go over the terms of the existing contract and discuss some of the problems that happened the first couple weeks of pickup by Waste Management. They will honor the past pricing of \$1500.00 for curbside pickup for Spring Clean-up which will be scheduled for May 18th, 2019. Mayor Crom and Tina Duran met with Richard Raines of Tri-District Water to receive information on the water transfer process. The Mayor will follow up with Craig Cleveland on the need or possible use for Water Supply and Storage water. The Town Board had approved payment arrangements for resident Jud Gaylord and he did not meet those agreements this past month. Motion made by Trustee Bernhardt to shut off his water. Second by Ruppel. Motion amended by Trustee Ruppel to have half the bill paid by Thursday, April 11, 2019 by 4:00 P.M. or be shut off and have the individual incur all the costs associated with shut off. Second by Bernhardt. All “AYES”, one “NAYE”, by Anderson. Rimrock provided the Town a written update on construction.

(B). Public Works: Written report provided. Mike Ketterling will look into the water tank probes mentioned in the report to see what is available to replace the non-working existing probes. There are potholes on 5th and Mountain that need to be patched.

(C). Planning Commission: The Planning Commission had a meeting last month and approved construction of a deck at 203 Cave Ave.

(D). Town Attorney: Safebuilt is ready for us to adopt the 2018 building codes. Attorney Hoff needs to know if the Town Board would still like to require permanent perimeter foundations to be made out of concrete or masonry. Motion made by Ruppel to require permanent perimeter foundations to be made out of concrete or masonry. Second by Paris. All “AYES”, motion passed.

(E). Town Engineer: Mike Ketterling introduced Northern Engineering intern Aaron Wurster, who is completing his service with the Air Force with a degree in Civil Engineering. The WWTP soil infiltration testing didn't go as good as hoped. It is very a very clayey sand, which makes infiltration slower. The WWTP is meeting discharge requirements. The resident with the garage at 331 E. Main that was illegally constructed is working with an engineer to get the survey done on her property. She should be coming in sometime in the near future to apply for a permit. WCR 29 newsletter said that WCR 29 should be paved from HWY 85 and WCR 90 by the end of June.

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

12. Old Business: None.

13. Committee Reports:

(A). Water/Sewer-Trustee Anderson: Motion made by Anderson to continue the maintenance agreement on the Town's generators with Rocky Mountain Cummins. Second by Paris. All "AYES", motion passed. The VanWhy meter pit will be getting moved soon.

(B). Streets-Trustee Jon Bernhardt: There are potholes that will be repaired.

(C). Drainage-Trustee Hoover: Absent.

(D). Building-Trustee Ruppel: None.

(E). Parks-Trustee M. Spurgeon-Paris: The rubber edging at the HWY 85 park needs to be removed.

(F). Police- Trustee Wirkus: Absent. Chief Strang said there is no Police report due to computer problems. There will also be siren testing tomorrow at 1:00 P.M.

14. Board Communications: None.

Mayor Crom would like to take a ten minute break and before entering into Executive Session.

The meeting was reconvened at 9:20 P.M.

Motion made to go into executive session at 9:23 P.M. pursuant to C.R.S. 24-6-402(4)(f)(I) to discuss personal matters. Executive session ended at 10:05 P.M.

Board back into regular session at 10:06 P.M.

Adjournment: 10:07 P.M.

Kristina Duran
Deputy Town Clerk
Town of Pierce