

**Town of Pierce
Regular Meeting
December 13th, 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 13th, 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	
Sue Spurgeon-Paris – Absent	

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

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

3. Public Comment: Art Rodriguez from 432 Spencer Ave. says he lives in a dust bowl. He wants to know why the streets are being graded every week when it is not needed, by the time the dust settles the public works department comes back out. Mayor Crom said she talked to public works and they are cutting back on some streets.

Open Public Hearing: 7:02 P.M.

4. Public Hearing for Special Use Application for 631 W Park- Animals – Ben McCay:

Lonnie Emerson new owner of 631 W Park Ave was present, he is asking to be allowed to have 2 milking cows, chickens, and a couple of pigs. Trustee Doc Wirkus asked if Lonnie had a plan for dust mitigation. Lonnie said he did not at the moment but can put one together.

Close Public Hearing: 7:27 P.M.

5. Decision for Public Hearing Special Use Application for 631 W. Park – Animals- Ben

McCay: Motion by Trustee Doc Wirkus to approve Use by Special Review Application for animals at 631 W Park Ave. Second by Carol Wirkus Roll call vote was taken Three “AYES”, by Trustee Anderson, Doc Wirkus, Carol Wirkus Three “NAYS” by Trustee Ruppel, Schwindt, and Mayor Crom motion failed. Trustee Schwindt made the motion to set aside previous vote to allow the resident to submit a plan on mitigation. Second by Anderson. All “AYES”, motion passed. This will come back to the Board at the January’s meeting.

6. Liquor Fee’s Consideration- Plains Liquor – Connie Masden: Connie was not present but wanted to ask the Board if they would consider waving her liquor fee since she is set to close on the property in the next 30 days. Motion made by Trustee Schwindt to wave current fee’s contingent the sale goes through. Second by Trustee Anderson. 6 “AYES”, 1 “NAY” by Crom . motion passed.

7. Amendment to Underfloor Protection SAFEbuilt- Russ Weber: Russ Weber was present, he let the Board know SAFEbuilt is having a lot of issues with the amendment to the underfloor fire protection. They included these amendments when the 2018 International Building Code was adopted, because we followed suit with Larimer County, Fort Collins and Loveland. Now Fort Collins, Loveland, and Greeley have removed them and enforce the underfloor protection as written in the 2018 IBC. Russ would like the Town of Pierce to follow. Motion made by Trustee Ruppel to remove the amendments to be the same as Fort Collins, Loveland and Greeley. Second by Doc Wirkus All “AYES”, motion passed.

8. Adopt Budget Resolutions:

- A. **Resolution to Adopt Budget:** Motion made by Trustee Doc Wirkus to adopt budget. Second by Schwindt. All “AYES”, motion passed.
- B. **Resolution to Appropriate Sums of Money:** Motion made by Trustee Doc Wirkus to Appropriate Sums of Money. Second by Schwindt. All “AYES”, motion passed.
- C. **Resolution to Set Mill Levies for the Budget Year 2022:** Motion made by Trustee Ruppel to set mill levies for the budget year 2022. Second by Schwindt. All “AYES”, motion passed.
- D. **Resolution for Supplemental Budget and Appropriation for the Budget Year 2021:** Motion made by Trustee Ruppel to accept the supplemental budget and appropriation for the budget year 2021. Second by Carol Wirkus. All “AYES”, motion passed.

9. Update Model Traffic Code to Include Violations of Driving Without Current Driver’s License and Expired Plates: Motion made by Trustee Ruppel to add sections 1417 Expired license plates and 1418 Driving without current valid driver’s license to the Model Traffic Code. Second by Doc Wirkus All “AYES”, motion passed. Ordinance will be drafted and presented at the January’s Board meeting.

10. Old Business

1. **Resolution to Approve Double J Water Agreement:** The 2002 agreement changed in 2016. The New agreement is to transfer 8 units of water. 1 a year for 8 years, and they would like credit if they transfer 4 units in 1 year then they wouldn't have to transfer any units for the next 4 years. Motion made by Trustee Schwindt to approve resolution, with changes Double J has to lease water they still owe until all is transferred. Second by Ruppel. All "AYES", motion passed.
2. **Short Term Rental Ordinance:** A draft application was provided. The Board would like any new applications to go through a public hearing process. The good neighbor form has a few changes. Town Attorney James Godbold will have an Ordinance for the Board at the January meeting.

11. Staff Reports

- (A) **Mayor Report:** Mayor Crom met with the Severance Mayor. They had a discussion on how Severance handles things. Severance has an active moratorium on growth. Severance's Town Clerk found a way to track Tax Revenue for home business's by zip code to make sure the town is getting all the tax revenue. Severance has its own Police Department and with 8 officers they still don't have coverage for the 10-6 shift. Mayor Crom, Town Clerk Duran and Code Enforcement Ryan Shippy attended a meeting at the Ault/Pierce Fire Department on hazard containment and hazard spills. This was very informational, CDOT and the Railroad did not show up.
- (B) **Public Works:** No report provided. Routine things when on for the month.
- (C) **Planning Commission:** Had meeting in November. The Planning Commission approved a 30x60 shop at 602 Main. There was a public hearing for animals for 631 W. Park Ave, and Chairman Rick Crom recorded an exemption for a right a-way.
- (D) **Town Attorney:** None.
- (E) **Town Engineer:** None. Will be gone the rest of the year. Will have phone if Town needs anything.
1. **Update to Rimrock Agreement / Cost Share:** Letters have been sent with no response. Certified Letters have also been sent. Waiting for a response.
- (F) **Town Clerk:**
1. **Request to Pay Bills:** Motion made by Trustee Schwindt to pay bills, Second by Doc Wirkus, All "AYES", motion passed.
 2. **Water Report:** Provided.

3. **Moratorium on Commitments to Serve New Development Not Including Don Juan's or Felix Hernandez and Possible Commercial North of Mobile Home Park :** Information was provided to the Board. To vote on this Town Attorney Goldbold thinks this might have to be a public hearing, he is going to look into it. Town Engineer Curtis agrees with the Town Clerk Duran that we don't want to over commit. This will come back to the Board in January.
4. **Remote Work Policy:** Motion made by Trustee Schwindt, to approve remote work policy. Second by Doc Wirkus Roll Call Vote was taken, 1 "NAY" by Trustee Ruppel, 6 "AYES", motion passed.
5. **Election Reminder April 2022:** Town Clerk Duran just wanted to remind the Board of the upcoming election in April.
6. **Cost of Living Increase to Start 1st Pay Period January 2022:** Board decided to give a 3% cost of living increase.
7. **Deputy Town Clerk II Heather Rospierski asked the Board if needed can she take a leave of absence:** Deputy Town Clerk II let the Board know she has to have surgery and it is scheduled for January 18th. At this time, she does not have enough time off to cover at least 2 weeks off work. She asked if needed can she take a leave of absence, so she does not lose her position. The Board agreed to let her take up to 3 weeks. If she needs more time, then it will have to be revisited.

Department Reports

- (A). **Water/Sewer - Trustee Anderson:** None.
- (B). **Streets & Drainage - Trustee Carol Wirkus:** Washboard on 5th, Pan is fixed by the Post Office.
- (C). **Utilities & Energy - Trustee Doc Wirkus:** None.
- (D). **Building - Trustee M. Spurgeon-Paris:** Absent
- (E). **Parks - Trustee Ruppel:** None.
- (F). **Police - Trustee Schwindt:** Report was provided. Speed trailer to be moved. A lot of citations were issued. Not a lot of code violations were. Trustee Schwindt will be sharing the Non-Emergency phone number on the Town's Facebook page for residents.

11. **Board Communications:** Happy Holidays from Mayor Nansi Crom

Adjournment: 9:50 P.M.

Heather Rospierski
Deputy Town Clerk II
Town of Pierce