

Minutes of the
Town of Marble Meeting of the Board of Trustees
April 2, 2020

NOTICE: Due to the COVID situation and restrictions, the April 2 meeting of the Board of Trustees of the Town of Marble was held via conference call on the regular date and time. The conference call was open to the public to call in.

- A. Call to Order and Roll Call of the regular meeting of the Board of Trustees. Mayor Ryan Vinciguerra called the meeting to order at 7:02 p.m. Present: Ryan Vinciguerra, Larry Good, Tim Hunter, Charlie Manus and Emma Bielski. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.
- B. Approve previous minutes. Emma Bielski made a motion to approve the minutes. Larry Good seconded and the motion passed unanimously.
- C. Mayors Comments – Ryan asked that the discussion of Covid matters and Town of Marble plans and concerns be moved to later in the meeting.
- D. .Administrator Report
 - a. Current bills payable – Ron reported that the current checks to be approved were listed in the packet. Three additional bills were received and included a bill for liability insurance in the amount of \$766.31, for workman’s comp insurance \$413.50, and a bill for website maintenance \$80.75 website. Tim Hunter made a motion to pay the bills. Charlie Manus seconded and the motion passed unanimously.
 - b. Discussion of advertising plan for Trustee replacement for Charlie Manus’ seat – Ron reported that he planned to run an ad in the Crystal Valley Echo in May and possibly in the Sopris Sun. He will also post the opening on the town bulletin board and web site. The new board will be sworn in at the May meeting and Charlie will be done at that time. There will be a 4-person board until the replacement is named. Ryan suggested adding it to the Marble & Redstone happenings email. Larry suggested asking Amy to include it in her emails to the school community. Terry suggested the Marble Facebook page. Tim asked Charlie to consider staying on through the Covid crisis. Charlie said he would consider it.
- E. Land Use Issues
 - a. Consider approval of the Carbondale Fire District (CFD) building inspection contract – Ron reported that attorney Kendall Burgemeister had drawn up a contract between the town and Cadfish LLC (Bruce Stolbach) for inspection services. No issues were raised. Emma Bielski made a motion to approve the contract. Tim Hunter seconded and the motion passed unanimously. Mark Chain reported that the CFD would have a construction management plan to be approved by the Board at the May meeting. Upon approval, the CFD will apply for a building permit at the May meeting with

groundbreaking planned for around June 1. Ryan asked that the CFD get the management plan to the Board for review prior to the meeting. Mark said that it included no construction on the following weekends: Fourth of July (July 3-6 Fri-Mon), Labor Day (Sept. 4-7 Fri-Mon) and for 3 days of MarbleFest weekend. Questions concerning parking and construction entrances were raised and discussed. They will be shown in the management plan.

- b. Richard Wells building permit application for foundation work, Ron – Ron reported that Richard is applying for a building permit to put a foundation under a recently purchased house at First and Park. Ron has the building permit application, engineered blue prints and all required paperwork. Tim has looked at everything and feels there are no problems. Emma asked if Richard would be following any Gunnison County protocol regarding construction projects and the Covid issues. Richard said that he was and that this would only be a two-man crew and they would take all safety precautions. Ron said that these are issued administratively so would not need a vote by the board. He needs to review all the applications with Richard but he sees no problems associated with it. Richard said they acquired the property 1 ½ years ago. It is a summer cabin sitting on marble blocks and has an existing septic system. The want to put an insulated foundation under the cabin and no footprint would be changed.

- C. Covid 19 issues (moved from earlier in the meeting) – Ron sent a list of Covid issues to be discussed. His comments are highlighted below with discussion points following.

Campground:

We need to establish a plan for notification of our reservationists as to whether we plan to operate the campground this summer or not. The campground brings many out of town visitors to town each summer. Larry said that they had closed the Beaver Lake Lodge for short term visitors for the year. They are working on a long-term rental plan for the upcoming year. No decision concerning the Marble Symposium has been made at this time. He suggests calling the people and cancelling reservations for June. We need to balance safety with business as usual. Emma feels like we need to stay in line with county and state guidelines and that closing the town of Marble through June 30 could be a realistic possibility. The possible loss of income is unfortunate but keeping the community safe is the priority. Charlie asked if Ron had heard whether Bogan Flats would be open but he has not. Tim said that we are currently protected by the quick response of the county emergency management teams but we are far from over the danger. We have a sworn responsibility to the community. Shutting the campground down is one thing the board can do to be proactive. Larry would like a consensus from the local business owners as to a partial or complete shutdown. Ryan said that the edicts from the government would dictate what the restaurant does. Cleanliness and sanitation protocols might mean going to counter service only. He does not think simply closing Marble to outsiders is the way to go. Emma made a motion to close the campground through June 30 and refund all deposits. A review for the rest of the summer will be made at the May meeting. Linda Adams said that they are trying to determine what Chair Mountain Ranch is going to do. She does not think closing Marble down will stop people from coming, as evidenced by what happened when the ski resorts closed. Larry said he

agrees with Emma's proposal. Amber said they have had no campground reservations cancellations since the Covid virus arrived. She is recommending the Hub push their opening to July 4. The bulk of the reservations are in July. Linda said in the last economic crisis they had more 1-2 night visitors. Tim Hunter seconded Emma's motion and it passed unanimously.

Back Country Skiing:

Some concerns have been expressed regarding the influx of back country skiers utilizing the Yule Creek Road to access the Marble Mountain terrain. Tim said that this is out of our jurisdiction. Mike said that with the ski resorts being closed, the increase in back country skiers increase the danger to first responders. He suggests reaching out to the quarry and the county regarding closing the quarry road. The new Gunnison County regulations allow for local residents only. Ryan agreed that the town does not have jurisdiction and he feels that back country skiing is an allowable activity. Emma spoke to the chain of that would involve emergency responders. Tim said that with no law enforcement there is no way to keep people away. Mike suggests some notices in the paper and on the radio asking people not to come to Marble. Jim Aarts said that Crested Butte is closed and that making a public announcement that Marble is closed will at least slow the people down. Richard asked about ATVs in the summer as an issue with closing Marble. Emma said this is about messaging rather than enforcement. Ryan suggested a CDoT messaging sign with No Services and other reminders. Amber suggested it say Gunnison County Residents Only. Ryan said that echoing the county message is a good idea. Emma said we need to spread the word mirroring the county guidelines. Ryan said he or Ron will reach out to Marlene Crosby about getting a sign.

Fire Station Construction:

The Fire District is planning to begin construction in mid-May on the Marble Fire Station expansion. I don't expect any problems with getting a building permit issued in time however, I am interested in how the Trustees feel about starting this major construction project that will probably last for 7 to 9 months. Once the project is started it really can't be postponed or suspended as the Fire Department is a critical infrastructure that needs to remain operational. There will be many construction workers coming to and from Marble during this 7 to 9-month period. – Ron asked that we look at the broader construction permits that are coming this summer in regard to the Covid virus. Jim Aarts suggested that anyone coming to work get a temperature test. Amber asked what the plan was for emergency services with construction on the fire station. Ron explained that equipment and supplies will be stored at the town building and the fire station will operate out of there. Ryan said that construction is something that is in the town's control. Tim said that they have not seen the construction management plan and he suggests waiting to see that before making any decisions concerning the construction of the fire department. Ron feels that postponing the project would mean cancelling the project. Charlie asked if they could make the contractors responsible for temperature testing their employees. It was agreed that this could be part of any building permit. Ryan said the scope of the project should be taken into consideration. Tim said the fire station would bring 20-30 construction workers to town daily. Mike asked if they knew how Gunnison County regulations would affect traveling

through Marble to jobs outside of town limits. Construction is currently considered essential. He asked if the town would follow the county if they suspend building permits/construction. He also asked if the county can supersede the state. Tim explained that they can if their regulations are stricter but they cannot make them less strict than state regulations. Ron suggests waiting to May to make a decision on the fire station. He plans to issue a building permit to Richard Wells as discussed earlier and there have been no other permit applications.

Recycle:

Recycle is currently closed. Recycle does bring with it some, albeit minimal, exposure to volunteers, staff and users. Over the summer months, the operation will increasingly bring more out of town people to and from Marble twice each week.

Emma suggested closing the center for April and revisiting it in May. Mike said that there will be a huge amount brought when it does open. He would like to see the town make it work if at all possible. Ryan said they would revisit this issue monthly and would remain closed for the time being. More volunteers are needed when it does open.

Mill site Bathrooms:

The Mill Site Bathrooms are currently closed. As far as I can discern most government operated bathrooms in Western Colorado are currently closed because of exposure to the public as well as maintenance personnel. Charlie said there was a note on both doors explaining why they are closed. Ryan suggested visiting this monthly. Charlie said that the quarry is the biggest user at this time of year and since their operation is closed down it is not a big problem. If they reopen and the Covid virus is still an issue, they can be asked to put in porta-potties. This is a summer option as well.

Public Meetings and Hearings:

The idea of conducting virtual public meetings via either conference call or zoom video is probably the best plan of action at this point for the duration of the crisis. It does allow for the public to “attend” but will probably pose some problems for Ryan to address people talking over each other etc. A zoom meeting does have a mute feature that can be used to prevent this with the audience having the capability to “raise their hand” and Ryan having the option to un-mute certain people at certain times. Cumbersome, but as we have all come to learn, the public does have a right to “attend” any public meeting or public hearing. A resolution may be needed to be passed by the board approving this type of public meeting. Ron said that Kendall said no resolution was needed. Emma reported on her experience with video on line learning and that there is a significant delay. Ryan feels like we can adapt as we need to as participation increase.

Emergency order or declaration:

At this point Kendall does not think the Town of Marble needs to consider any emergency order or declaration.

Support of local business:

The small business owners in Marble are being adversely affected and indeed some

may not survive the COVID pandemic. A one-year waiver of business license fees may be worth discussing as a way for our local government to support the Marble business community during this economic emergency. Our annual budget for business license revenue is about \$1,000. Ryan feels that the business license fee is so low that it does not to be waived.

ATVs – Charlie said that Aspen Glenn has outlawed golf carts due to social distancing issues. Ryan said that this is something that can be addressed with the Gunnison County regulations regarding social distancing and residents only.

Conclusion:

- **The top priority of local government is to protect the health, safety and welfare of its constituents.**
- **These are difficult issues for the Town of Marble Trustees and no one has a crystal ball to provide pristine guidance. As policy makers, all we can do is to educate ourselves, discuss the issues and the alternatives and make prudent, informed decisions on behalf of our citizens.**
- **Transparency of government is of especially high importance during times of uncertainty.**
- **Everyone is trying to do the best they can and trying to make the best decisions they can make.**

**Ron Leach, Town Administrator
Town of Marble
3/29/2020**

- F. Old Business - Ryan has made a tentative road maintenance schedule. This can be addressed in May.
- G. New Business – Richard asked if the council was aware of what is happening with the Quarry and the issues that have come up recently. Ryan said he is frustrated with the lack of information to the town. Richard said he noticed the water quality and color degraded due to the diversion of the river. Larry asked if the town has any oversight but they do not have any outside of the town limits. He asked if the lease would give us any power over environmental issues. Richard suggested we use this to improve communication and relationship with the quarry.
- H. Adjourn Larry Good made a motion to adjourn. Charlie Manus seconded and the motion passed unanimously. The meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Terry Langley