

Town of Marble
Regular Meeting of the Board of Trustees
February 3rd, 2022 7:00 P.M.
Marble Community Church, 121 W. State St. Marble, Colorado
Agenda

6:00 P.M.

Executive session pursuant to CRS 24-6-402(4)(b) to receive legal advice regarding OWTS applications on non-conforming lots.

7:00 P.M.

- A. Call to order & roll call of the Regular Meeting of the Board of Trustees
- B. Mayor's comments
- C. Consent Agenda
 - a. Approve January 13, 2022 regular meeting minutes
 - b. Approve Current Bills, February 3, 2022
 - c. Approve Tonozzi's marble amphitheater seating plan
- D. Administrator Report
 - a. Consider approval of Parks Use Permit, Brent
 - b. Request for funding American Recovery Plan funds, MCS
 - c. Consider use of CTO funds, Amber
 - d. April 5, 2022 Election update, Ron
 - e. Discussion, Summer staffing plan, Ron
 - f. Discussion, Master Planning & Capital Projects Planning, Ron
- E. Land use issues
 - a. Update of proposed revisions to OWTS regulation, Ron
 - b. Update Thompson Park Improvement Report & Request for Easement, Ron
- F. Old Business
- G. New Business
- H. Adjourn

Town of Marble
Minutes of the Regular Meeting of the Board of Trustees
January 13th, 2022
CONFERENCE CALL: 605-472-5283
ACCESS CODE: 447695

Due to the current COVID situation and restrictions, this meeting was held via conference call. The conference call was open to the public.

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:01 p.m. Present: Tim Hunter, Emma Bielski, Ryan Vinciguerra, Josh Vogt and Larry Good (joined the call at 7:10 p.m.). Also present: Ron Leach, Town Administrator and Terry Langley, minutes.

B. Mayor's comments – Ryan asked everyone to speak clearly. Terry asked that speakers identify themselves.

C. Consent Agenda – Emma Bielski made a motion to pass the consent agenda. Tim Hunter seconded and the agenda passed unanimously (before Larry phoned in).

- a. Approve December 2, 2021 regular meeting minutes
- b. Approve Current Bills, January 1, 2022
- c. Approve Resolution # 1-2022 setting public posting place

D. Administrator Report

a. April 5, 2022 Election update, Ron – The last day to pick up and turn in nomination petitions forms is Jan. 24, 2022. So far three people have picked up nomination petitions (Josh Vogt, Larry Good and Tony Petrocco) but none have been returned. The top vote getter will get the 4-year term. The next 2 top vote getters will get 2-year terms.

E. Land use issues

a. Discussion of proposed revisions to OWTS regulation, Ron – Ron has not heard anything from the board regarding the revisions sent out from attorney Kendall Bergemeister. These are still considered work product so will not be put on the website until the board agrees. The proposed revisions will be presented to the public at the Feb. 3, 2022 meeting. If the town trustees approve, it will be sent to the State. It can be voted on one the state approves. Larry asked if the deed restrictions were included and Ron said that they are. Larry has not had a chance to look at it. The other trustees expressed support for the revisions. Ron will send a copy to Rick Lawrence.

b. OWTS repair permit application, Chris Lawrence, Ron – This has been on hold for about a year as the town went through the process of revising the ordinance. Once the ordinance is approved and sent to and approved by the State and then adopted by the town, there will be resolution on this issue.

c. Thompson Park Improvement Report & Request for Easement, Dave Erikson, AVL – Dave presented the general site plan for the park in October. They are seeking approval for Kendall to draft

an easement for presentation for approval in the February meeting. The fire department has requested that this not interfere with their work of the dry hydrant. Tim asked if the AVL T engineering firm had a plan for the dry hydrant. Dave described the plans, a simple irrigation pump. An inflow pipe and utilizing the power pole that already exists at the park. This should be a simple pump station. Ron spoke with Paul Rutledge of Sopris Engineering. He reported that Paul envisions making improvements to the dry hydrant and perhaps sharing the cost of that. Emma Bielski made a motion to direct Ron and Kendall to draft an easement for review at the Feb. meeting. Larry Good seconded and the motion passed unanimously.

d. Hepola Wetlands Acquisition Report, John Armstrong, CVEPA – John reported that Pam Hepola has been trying to donate this land since 2008. This includes more than ½ mile of river front and 55 acres of riparian land. The hold up was the slag heap from the old smelter and possible environmental liability. CVEPA worked with AVL T and got a grant from the CO Dept of Public Health and got a favorable ground field assessment. AVL T, however, decided not to accept the donation. The Trust for Land Restoration (TLR), a 501c3 located in Ridgeway and dedicated to overcoming environmental liability issues so that abandoned mines in the west can be remediated and restored, accepted the land and closed at the end of 2021. This preserves the land for public domain. They will keep the property for a year, do any necessary clean-up, make sure that the property is in a conservation easement and that it will remain accessible to the public with no motorized or camping use, and find the appropriate long-term owner for the property. This might be CPW, AVL T or the town of Marble. He suggests co-ownership or co-stewardship between the town and whatever other entity might be involved. Tim Hunter agreed that the wetlands should be protected, but stated his dissatisfaction with the way this was done. He stated that no neighboring property owners were contacted and feels that they should have been. He asked if there were restrictions on their being able to reclaim their property that has been taken by the river. John explained that Pam could have given this property to anyone. The information was shared in local media. Ryan said that Pam, as a private land owner, can do what she wants with the property. Emma spoke in support of the project and expressed gratitude to Pam Hepola. Larry also expressed support for the project as well as understanding that change is not always agreed upon and that when imagining what could have been done, this is a positive. Josh feels that conserving these wetlands is a huge win for the town and the valley. Larry asked if there has been any consideration to what the beavers might do and if there had been any discussion or restrictions placed on the property in relation to beavers. John did not know of any, but he spoke to the positive results that beaver activity could provide. Ryan spoke about the plan for increased staffing and the possibility of sharing the management of the wetlands. Ron asked that John send him contact information for someone at the Trust for Land Restoration.

F. Old Business

a. Consider approval of Parks Use Permit, Ron - Larry suggested that the Parks Use Permit be rolled into a Special Events Permit or have two stand-alone permits. He also suggested making some changes to the fee schedules and numbers of participants for the different tiers/fees, working on definitions for different events – public, private, commercial, etc., a fee waiver request form for certain types of events and a deposit waiver request form for groups that have a record of doing things well. Ryan suggested that he and Larry get together with the parks committee to work on whether the permits can be combined or need to be separate and how to do that. Ryan would also like to look at

finances for noncompliance. Brent Compton, park committee chair, invited Ryan and Larry to attend the next parks committee meeting. Larry suggested a special meeting to develop the permit(s) and then the documents can be taken to the council and the parks committee for finalization. Tim asked if the parks should be used for private events. He asked about limiting the number of private events and commercializing the park. Larry and Brent spoke to the scheduling issues that would be helped with permits. Ryan said that often a group just wants reassurance that they have space and permission to be there. Josh agreed. He asked if there had been any comparison to fee schedules in other municipalities. He hesitates to combine special events with park events as well as large scale gatherings needing added requirements such as medical availability. Mike Yellico expressed reservations about allowing more than two special/private event weekends a month. He feels that security deposits should be non-refundable. He feels that special event permits should be required by any event with more than 30 people, whether in the park or on private land. He also spoke to the fact that issuing a permit should not prohibit the public from using the park. Ryan said that use or reservation of particular areas can be included in the permits. Commercial events were discussed in regards to the public being able to use the parks at the same time. Terry Langley spoke in favor of a refundable deposit to encourage compliance of rules and regulation. Ryan spoke to the fact that the permit system is not a vehicle to encourage use of the park for special events, it is for the town to have a way to add formality to use. Larry said that being able to turn down an event for a repeat visit would act as a deterrent. Emma said there needs to be thought of what is required in terms of reservation management and that fee structures are aligned with deed restrictions in the park. The meeting with Ryan, Larry and the parks committee will be Jan. 24, 6 p.m. at the fire house.

b. Discussion of Revitalize Main St. Grant funds, Josh – Josh explained that the grant amount available is 22 million to be distributed by CDoT. Applications can be for from \$150,000 to \$2 million for projects to do such things as increase safety, reduce interaction between different modes of transportation, adapt to the changing patterns of travel associated with Covid (like the increase we have seen with outdoor activities). CDoT can choose to fund some but not all of the ask. The time-line is quick – the grant application is due Feb. 4, 2022. Josh said his wife has volunteered to help put the grant application together next week, send it out for approval to the board and then send it in. Charley Speer has agreed to help. the biggest challenge is to decide what the board would support in terms of a high dollar ask. Josh explained the coding on the map that he sent to the board for consideration. Ideas ranged from road improvements to bike and hiking trails/bridges to parking to ADA considerations and more. Ryan asked if there are requirements for a match and Josh said that it is part of the scoring matrix but that CDoT knew that small municipalities might not be able to provide matching funds. The matrix scoring includes 30% safety, 30% promoting active transportation such as bicycles and pedestrian travel with the match scoring only weighted at 10%. Emma suggested incorporating the road improvement plan, including asphalt and widening. Larry also suggested including the currently proposed parking improvements along Park Street as well as a bike path project but not necessarily a paved bike path. Tim said that widening the street in key places would be good and would require moving some utilities. He suggests another access/bridge across Carbonate Creek and that could be a bike or pedestrian path. Ryan asked that the board look at Josh's bullet points and let him know which they would support and which they would eliminate. Ryan suggested concentrating on the existing infrastructure and improvement needs. Ron asked if this was a one-time opportunity or if there would be another opportunity. Josh said for this large grant pool, this is a one-time opportunity. There is another smaller-

scale opportunity from the state legislature later in the year. Maximum project amount for this will be \$150,000 and could include some of the new projects discussed (bike paths, for instance). Josh said this could include some of the deferred maintenance on side streets by using/recycling materials from other parts of the project. Emma asked Ryan to send his past road maintenance plan to Josh. Josh asked that the board respond by the end of the weekend.

c. Discussion of American Recovery Plan (ARP) funds, Ron – The town received \$16,000 from the ARP and has an April 22, 2022 deadline for a report on what the money will be spent on and a 2024 deadline for actually spending it. Ron previously suggested that this money be given to the Marble Charter School to fund a part-time social worker/counseling regarding the impact the pandemic has had on the students. Josh said that water projects were another allowable use for the funds and he had suggested the needed work on the dry hydrant for fire safety with any left-over funds be used at the school. Ron said that the dry hydrants were cleaned out this year at a cost of \$1900.00. The AVLT irrigation system will improve the dry hydrants as well. Tim feels that the dry hydrant in East Marble is the priority for improvements. Larry asked if Gina supports this and Ron said that she does. Amber explained that she read the list of approved projects and that this seemed to fit. She sees a real difference with the behavior of the students since Covid and spoke to both Gina and Amy who expressed a need for help with behavioral health. Larry asked if there was a way to use these funds to help employees who stuck with their jobs rather than taking advantage of the unemployment money that was available. Emma suggested that Gina be asked to speak to the council next month. She said schools across the state have recognized the need to make mental health a priority. Ryan spoke to the impact Covid has had on town infrastructure and the possibility of using funds to address that. He feels that the board needs to take some time to look at the needs and issues and perhaps use the funds for more than one cause. Larry sees this as an opportunity to reinvest in the folks who got the town through the pandemic. Ryan asked that this be included on next month's agenda.

d. Discussion of Wild & Scenic stakeholder meeting, Josh – Josh said that he would like to participate as a town representative in these meetings but without expressing town support or dissent at this point. There is a phone kick-off meeting at 9:30 tomorrow morning, Friday, Jan. 14, 2022, to get an idea of what the process will look like. Larry also volunteered to be part of the process and is willing to try to be at the meeting. Ron also plans to be on the call.

G. Old Business – Amber asked about what, if anything, was happening in regard to Vince Savage's business license. She spoke to the problems and safety issues associated with his business, particularly in the winter. Ryan spoke to the town's part/responsibility in this and his desire to have things settled by the coming summer. He asked where this was left last time they tried to work this out. Ron said Vince was never issued a business license for this year. Ron's conversations with Vince ended when Vince got sick. Ron said that the town needed to figure out what would be allowed and not allowed, as well as who was going to enforce it. Ryan thought they were trying to set up a meeting with him as well as have Kendall work on a document that Vince would sign. Emma said she remembered that complaints were to be documented in 2021 and that a decision would then be made concerning his 2022 business license. Josh also remembered that this was the plan and spoke to the need for a master plan. Ryan asked that this be on next month's agenda and that it include documentation of complaints.

Amber asked that someone talk to Vince about giving more information to his guests regarding winter conditions.

H. New Business - none

I. Adjourn – Josh Vogt made a motion to adjourn. Larry Good seconded and the motion passed unanimously. The meeting adjourned at 10:11 p.m.

Respectfully submitted,
Terry Langley

Town of Marble
Deposit Detail-General Fund
 January 13 - 31, 2022

Date	Name	Memo	Account	Amount
01/30/2022		Deposit	*General Fund -0240	2,600.63
	Colorado Stone Quarry CSQ	Deposit	CSQ Maintenance Payments	-300.00
		Correction for a mistake...	Non-Specified	-1,652.69
	Gunnison County Finance	Deposit	Taxes	-448.00
		Marble Cabin Account 2...	Business Licenses	-50.00
	Holy Cross Electric	Deposit	Holy Cross Electric Rebates	-149.94
TOTAL				-2,600.63

Town of Marble
Deposit Detail-Water Fund
January 13 - 31, 2022

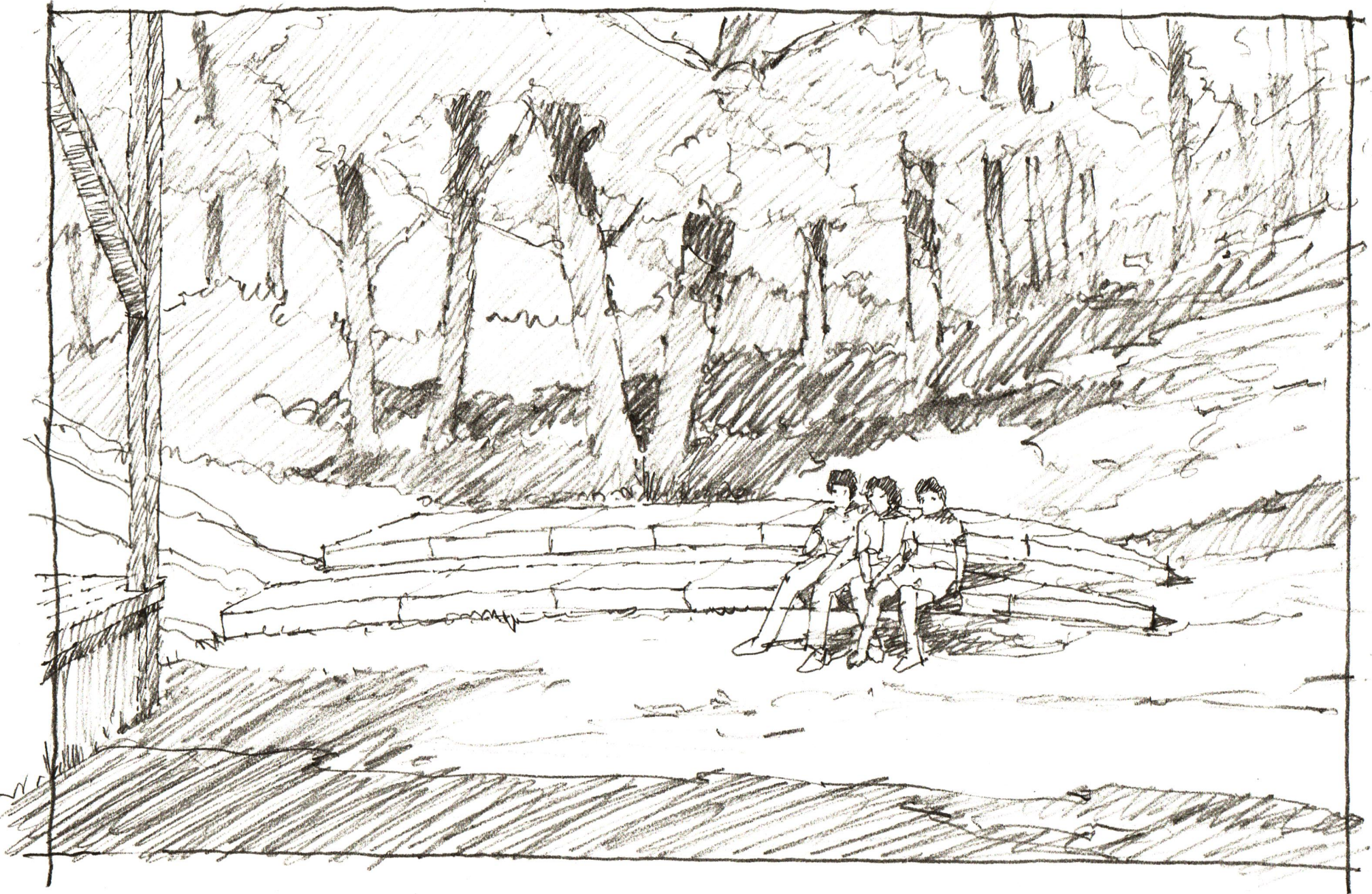
<u>Date</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
01/30/2022	Deposit	Water Fees -0873	912.60
	Several Checks	Water - Fees For Service	-912.60
TOTAL			-912.60

Town of Marble
Check Register
January 13 - 31, 2022

<u>Num</u>	<u>Date</u>	<u>Amount</u>
Alpine Bank 11324	01/30/2022	-945.34
Century Link 11323	01/30/2022	-250.52
Copy Copy 11322	01/20/2022	-332.45
Law of the Rockies 11325	01/30/2022	-2,862.33
The Crystal Valley Echo 11326	01/30/2022	-135.00
United States Treasury 11331	01/30/2022	-1,191.42
Valley Garbage Solution, LLC 11327	01/30/2022	-273.00

**Town of Marble
Payroll Report
February 2022**

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
Charles R Manus 02/01/2022	11328	Charles R Manus	Paycheck	-911.49
Total Charles R Manus				-911.49
Ronald S Leach 02/01/2022	11329	Ronald S Leach	Paycheck	-3,277.92
Total Ronald S Leach				-3,277.92
Theresa A Langley 02/01/2022	11330	Theresa A Langley	Paycheck	-65.79
Total Theresa A Langley				-65.79
TOTAL				-4,255.20



Town of Marble

Park Permit Application (Draft 1/31/22)

Description of Event, Date and Time:

Fee Schedule

	Private/Public	Commercial
Tier 1 (1-34 ppl)	No Permit Needed	\$50 Deposit \$50 Fee
Tier 2 (35-60 ppl)	\$50 Deposit No Fee	\$100 Deposit \$100 Fee
Tier 3 (61-100 ppl)	\$100 Deposit \$50 Fee	\$200 Deposit \$200 Fee
Tier 4 (101-250 ppl)	\$250 Deposit \$100 Fee	\$500 Deposit \$250 Fee

Deposits are in addition to fees and may be forfeited and additional charges may be made, for failure to clean up, misstatement of facts made in this agreement with the Town of Marble, or for other impacts adverse to the town, resources, or residents.

Definitions:

A **Private Special Event** is a gathering not open to the general public and advertising is limited to specific attendants (i.e. wedding, memorial, etc.)

A **Public Special Event** is a gathering that is open to the public, but no fee is charged to attendees or vendors.

A **Commercial Special Event** is a gathering where a fee is charged for admission and/or participation including vendor participation.

Event Details:

Number of Attendees Expected: _____

Check one: _____ Private/Public _____ Commercial

Check one: ___ Tier 1 (1-34) ___ Tier 2 (35-60) ___ Tier 3 (61-100)___ Tier 4 (101-250)

Proposed Event Site: _____

Event holder name and contact info: _____

Town of Marble resident? _____

Will alcohol be sold/provided at this event?

Provide for Free

Sold (including for donations) (A special event Liquor Permit is required.)

Event Insurance:

Request for Town Insurance Rider: _____ (Please discuss with Town Administrator)

If you are not using town insurance, you must provide a certificate of insurance.

Insurance company name (if providing your own coverage):

First Aid Plan:

Parking Plan:

Number Vehicles expected _____

Parking attendant and parking plan required for more than 25 vehicles.

No driving allowed in the park except for the stage load out area.

Toilets / Porta Potties Required:

Number of Attendees	No alcohol	Alcohol Present
0-99	0	0
100-199	2	3
200-250	3	4

Number of Units _____ Delivery Time/Date: _____

Location(s): _____

Tents/Awnings: (Please no commercial stakes longer than a foot in length)

Number: _____ Dimensions: _____

Trash and Recycling Plan:

Music:

Nature of Music: _____
Hours: _____ Amplified : ___ Yes ___ No

Lighting (if applicable): _____

Strobe Lights: ___ Yes ___ No

Town of Marble Rules

Indicate agreement by initialing next to each statement

- _____ 1. No vehicles are allowed to drive in the park unless with special permission from the town of Marble Trustees (except to the stage area for loading).
- _____ 2. Camping is not allowed on public property within the town of Marble; including car/truck camping on the streets of Marble
- _____ 3. No fires are permitted in the park without special permission.
- _____ 4. Dogs at special events must be kept on leash at all times. Pick up after your dog.
- _____ 5. Noise curfew of 10 p.m. enforced.
- _____ 6. Pathways must be kept open.

Use the map provided to show: Parking, Porta Potties, Tents / Awnings, Trash Receptacles, Stage (if applicable)

If you would like to request a fee waiver for use of the park please contact the town administrator.

The Town of Marble shall not be held liable for accidents, negligence, damages resulting from events, public or private.

Primary Event Organizer

Signature _____ Date _____

Town of Marble Representative

Signature _____ Date _____

APPLICATION APPROVED: _____ DENIED: _____ INCOMPLETE: _____

DESCRIPTION OF REMEDY: _____

PLEASE UNDERSTAND THAT OUR PARKS AND PUBLIC SPACES ARE MAINTAINED BY A TOWN OF LESS THAN 100 RESIDENTS, AND EVEN A WELL-RUN AND QUIET EVENT HAS AN IMPACT. WE WANT TO CONTINUE TO WELCOME VISITORS AND LOCAL ORGANIZERS!



Marble Charter School Mental Health Support Services and Social Emotional Learning Program Funding Request

A need of the Marble Charter School (MCS) is to have a Mental Health Professional who is licensed through the Colorado Department of Education as part of our staff to provide the following services: individual counseling, facilitate an evidence-based Social Emotional Learning program, and who can identify barriers to learning, for all students who attend MCS

Historically, the Marble Charter School (MCS) has not had access to the resources needed to counsel and support students and their families, as well as MCS staff members. Being a small school that is growing, we have found that the staff can no longer be expected to provide mental health support while also committing to the academic needs of the students. We are growing in population as a school and the need for mental health support has also grown due to the COVID pandemic.

Unfortunately, the federal and state funding MCS has received has not been sufficient in recognizing the mental health needs that students and staff are showing during this time. The MCS administration and staff continue to make efforts to write grants to procure funding for its mental health needs which is not a guarantee that funds will be given nor adequate to pay a Mental Health Professional. Due to our geographic location and small school/community population, it is difficult for MCS to qualify for this type of funding.

A quote from the Colorado Department of Education stating the importance of social-emotional learning:

Social and Emotional Learning Basics

“Social and Emotional Learning (SEL) reflects the critical role of positive relationships and emotional connections in the learning process and helps students develop a range of skills they need for school and life. SEL skills include the ability to:

- *set and achieve positive goals*
- *feel and show empathy for others*
- *establish and maintain positive relationships*
- *make responsible decisions*
- *understand and manage emotions*

All these skills are necessary—both for educators and students—to function well in the classroom, in the community, and college and careers. While many teachers instinctively know that SEL is important, historically schools have been primarily focused on teaching academic content such as reading, math, science, and history, and less intentional about supporting the social and emotional skills that are so important to learning and life success.

There is a growing body of research proving that SEL is fundamental to academic success and must be woven into the work of every teacher in every classroom and every after-school and summer learning program if we truly want to prepare all our students for college and careers.”

MCS would like to maintain continuity of mental health support to its students, their families, and the MCS staff by having a Mental Health Professional on its staff. In addition, to the school's and greater community's mental health needs, having a familiar/consistent staff member available to help during a crisis if one were to arise would be of great benefit!

In closing, we would like to ask the Town of Marble to please consider administering its ARP funds to the Marble Charter School for the health and wellness of our community's children, their families, and to our local community members who show up tirelessly to educate our youth during the COVID pandemic. Thank you!

Mission: The Marble Charter School teaches a growth mind set in a unique and nurturing environment while exceeding state standards.

Goal: The Marble Charter School will build awareness of sustainability and the relationship with the greater global community.