

Town of Marble  
Meeting of the Board of Trustees  
January 4 2018

7:00 P.M.

Marble Community Church, 121 W. State St. Marble, Colorado

Agenda

7:00 P.M.

- A. Call to order & roll call of the Meeting of the Board of Trustees
- B. Approve previous minutes
- C. Mayor's Comments
  - a. Discussion of sustainable tourism and recreation committee, Will
  - b. Discussion of a winter work plan for town building, Will
  - c. Discussion of Marble Water Company Plan B meetings, Will
- D. Clerk Report
  - a. Current bills payable 11/2/17, Ron
  - b. Discussion of April 3 2018 municipal election timetable and call for nominations, Ron
  - c. Consider approval of Ordinance no. 1 of 2018 regarding write-in candidates for municipal elections.
  - d. Consider approval of Resolution no. 1 of 2018 regarding designation public posting place, Ron
- E. Current Land Use Issues
  - a. Discussion re: short term rental ordinance draft, Will Handville
  - b. Other
- F. Old Business
  - a. Other
- G. New Business
- H. Public Comment
  - a. Other
- I. Adjourn

**Town of Marble**  
**Minutes of the Special Meeting of the Board of Trustees**  
**December 28 2017**  
**Marble Community Church, 121 W. State St. Marble Colorado**

- A. Call to order & roll call – The meeting was called to order at 7:13 by Mayor Will Handville. Other board members present included Tim Hunter, Mike Yellico and Judy Morande. Also present was Ron Leach, Clerk.**
  
- B. Approve previous minutes – Tim Hunter made a motion to approve the minutes of the December 7 2017 meeting. Judy Morande seconded and motion passes unanimously.**
  
- C. Public Hearing 2018 amended budget adoption – Will Handville opened the public hearing to consider adoption of the 2018 amended budget. After soon discussion, Judy Morande made a motion to adopt ordinance #7 adopting the amended 2018 budget for the Town of Marble. The motion was seconded by Tim Hunter and the motion passed unanimously.**
  
- D. A Motion to adjourn the public hearing was made by Tim Hunter and seconded by Judy Morande. The motion passed unanimously.**
  
- E. Respectfully submitted, Ron Leach**

9:08 PM  
12/27/17  
Accrual Basis

**Town of Marble  
Balance Sheet  
As of January 4, 2018**

	<u>Jan 4, 18</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
*General Fund -0240	71,760.36
Campground Account	34,463.20
Money Market -1064	124,572.30
Severance/Mineral Proceeds	143,708.14
Water Fees -0873	12,844.53
<b>Total Checking/Savings</b>	<u>387,348.53</u>
<b>Total Current Assets</b>	<u>387,348.53</u>
<b>TOTAL ASSETS</b>	<u><u>387,348.53</u></u>
<b>LIABILITIES &amp; EQUITY</b>	0.00

**Town of Marble**  
**Deposit Detail-General Fund**  
**December 2017**

<b>Date</b>	<b>Name</b>	<b>Memo</b>	<b>Account</b>	<b>Amount</b>
<b>12/05/2017</b>		<b>Deposit</b>	<b>*General Fund -0240</b>	<b>4,157.42</b>
	Colorado Stone Quarry CSQ	Deposit	Colorado Stone Maintenance Reim	-300.00
	Colorado Stone Quarry CSQ	Deposit	Colorado Stone Use Agreement	-2,287.31
		Mario's Marble	Business Licenses	-50.00
	Gunnison County	Sept sales tax	Sales Tax	-1,540.11
<b>TOTAL</b>				<b>-4,157.42</b>
<b>12/18/2017</b>		<b>Deposit</b>	<b>*General Fund -0240</b>	<b>50.00</b>
		Handville building permit	Building Permits	-50.00
<b>TOTAL</b>				<b>-50.00</b>
<b>12/28/2017</b>		<b>Deposit</b>	<b>*General Fund -0240</b>	<b>672.99</b>
	Colorado Stone Quarry CSQ	121517	Colorado Stone Maintenance Reim	-300.00
	State of Colorado	Deposit	Conservation Trust Income	-372.99
<b>TOTAL</b>				<b>-672.99</b>
<b>12/28/2017</b>		<b>Deposit</b>	<b>*General Fund -0240</b>	<b>36.40</b>
	Holy Cross Electric	annual member equity	Non-Specified	-36.40
<b>TOTAL</b>				<b>-36.40</b>

*A*

**Town of Marble**  
**Deposit Detail-Money Market Fund**  
**December 2017**

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
12/08/2017		Deposit	Money Market -1084	255.66
	Gunnison County	Deposit	Additional License Tax	-71.00
	Gunnison County	Deposit	Property Tax	-47.23
	Gunnison County	Deposit	Specific Ownership Tax	-135.83
	Gunnison County	Deposit	Treasurers Fees	1.71
	Gunnison County	Deposit	Property Tax Interest	-3.31
TOTAL				-255.66
12/11/2017		Deposit	Money Market -1084	3,605.58
		Deposit	Sales Tax	-3,605.58
TOTAL				-3,605.58
12/19/2017		Deposit	Money Market -1084	927.34
		Deposit	Highway Use Tax (HUTF)	-927.34
TOTAL				-927.34

5

**Town of Marble**  
**Deposit Detail-Campground Account**  
**December 2017**

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
12/04/2017		Deposit	Campground Account	76.94
		Deposit	Campground Rentals	-70.00
		Deposit	Sales Tax	-6.94
TOTAL				-76.94

**Town of Marble  
Check Register  
January 4, 2018**

<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Amount</u>
<b>Holy Cross Electric</b>			
01/04/2018	10450	Campground/Office Expenses	-19.58
01/04/2018	10450	Campground/Office Expenses	-18.74
<b>Total Holy Cross Electric</b>			<b>-38.32</b>
<b>Law of the Rockies</b>			
01/04/2018	10451	Legal Expense	-2,244.35
<b>Total Law of the Rockies</b>			<b>-2,244.35</b>
<b>Marble Community Church</b>			
01/04/2018	10452	Rent	-50.00
<b>Total Marble Community Church</b>			<b>-50.00</b>
<b>USPS</b>			
01/04/2018	10449	Office Expense	-49.00
<b>Total USPS</b>			<b>-49.00</b>
<b>Valley Garbage Solution, LLC</b>			
01/04/2018	10453	Playground & Park Improvements	-110.00
<b>Total Valley Garbage Solution, LLC</b>			<b>-110.00</b>
<b>TOTAL</b>			<b>-2,492.67</b>

12/27/17

# Town of Marble Payroll Report January 2018

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<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
<b>Colorado Department of Revenue</b>				
01/04/2018	10442	Colorado Departme...	Liability Check	-153.00
Total Colorado Department of Revenue				-153.00
<b>United States Treasury</b>				
01/04/2018	10443	United States Treas...	Liability Check	-1,597.34
Total United States Treasury				-1,597.34
<b>Charles R Manus</b>				
01/04/2018	10444	Charles R Manus	Paycheck	-323.22
Total Charles R Manus				-323.22
<b>Jennifer Cutright</b>				
01/04/2018	10445	Jennifer Cutright	Paycheck	-230.87
Total Jennifer Cutright				-230.87
<b>Ronald S Leach</b>				
01/04/2018	10446	Ronald S Leach	Paycheck	-1,022.55
Total Ronald S Leach				-1,022.55
<b>TOTAL</b>				<b>-3,326.98</b>



# **CALL FOR TRUSTEE NOMINATIONS**

## **REGULAR ELECTION**

### **TOWN OF MARBLE**

Those wishing to run for a Marble Board of Trustee seat at the regular election of the Town of Marble on April 3, 2018, may pick up Nomination Petitions beginning on January 2, 2018 from the Town Clerk, 970-963-1938.

**There are three Board of Trustees seats (1 four-year term and 2 two year terms) up for election.**

Qualifications: All candidates must be a qualified elector of the Town of Marble, a citizen of the United States, at least 18 years of age, and must have resided in the Town of Marble for one year immediately prior to the date of the election.

**Petitions must be returned to the Town Clerk no later than 5:00 p.m. on Monday, January 22, 2018.**

*The Town of Marble is a non-partisan body of local government, therefore, there is no party affiliation designation.*

*For more information contact the Town Clerk at 970-963-1938.*

Town of Marble  
Ordinance Number 1  
Series of 2018

AN ORDINANCE REGARDING WRITE-IN CANDIDATES FOR MUNICIPAL ELECTIONS

WHEREAS:

- A. The Town of Marble is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*
- B. The Town conducts municipal elections pursuant to the Municipal Election Code.
- C. C.R.S. § 31-10-306 was recently amended to read: “The governing body of a municipality may provide by ordinance that no write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to sixty-four days before the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.”
- D. The deadline of 64 days provided in the new version of C.R.S. § 31-10-306 was previously 20 days, and the Town had adopted an ordinance (2002-1) in accordance therewith.
- E. It is necessary to adopt a new ordinance in conformance with the new version of C.R.S. § 31-10-306.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO THAT:

- 1. In all municipal elections, no write-in vote for any municipal office shall be counted unless an affidavit of intent has been filed with the clerk by the person whose name is written in prior to sixty-four days before the day of the election indicating that such person desires the office and is qualified to assume the duties of that office if elected.
- 2. In all municipal elections,
  - i. If the only matter before the voters is the election of persons to office; and
  - ii. If, at the close of business on the sixty-fourth day before the election, there are not more candidates than offices to be filled at such election, including candidates filing affidavits of intent; and
  - iii. If the Board passes a resolution to instruct the clerk to cancel the election and declare that the candidates shall be deemed elected;

The clerk shall cancel the election and declare the candidates elected. Upon such declaration the candidates shall be deemed elected.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE this 4<sup>th</sup> day of January, 2018, by a vote of \_\_\_ in favor and \_\_\_ opposed.

TOWN OF MARBLE:

ATTEST:

\_\_\_\_\_  
Will Handville, Mayor

\_\_\_\_\_  
Ron Leach, Clerk

Town of Marble  
Resolution Number 1  
Series of 2018

A RESOLUTION DESIGNATING THE PUBLIC PLACE FOR POSTING NOTICE OF  
MEETINGS OF THE TOWN OF MARBLE BOARD OF TRUSTEES

WHEREAS:

- A. The Town of Marble is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*;
- B. The Board of Trustees of the Town of Marble is a “local public body” subject to Colorado’s Open Meetings Law, C.R.S. § 24-6-402.
- C. C.R.S. § 24-6-402(2)(c) provides that “a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body’s first regular meeting of each calendar year.”
- D. The Board of Trustees desires to designate a public place for posting notice of meetings of the Board of Trustees, in compliance with C.R.S. § 24-6-402(2)(c);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN  
OF MARBLE, COLORADO THAT:

1. The public place for posting notice of meetings of the Board of Trustees shall be:

The public bulletin board at the intersection of West 1<sup>st</sup> Street and Main Street, in the  
Town of Marble, Colorado.

INTRODUCED, READ, AND ADOPTED this 4th day of January, 2018, by a vote of \_\_\_\_\_  
in favor and \_\_\_\_\_ opposed.

TOWN OF MARBLE:

\_\_\_\_\_  
Will Handville, Mayor

ATTEST:

\_\_\_\_\_  
Ron Leach, Clerk

Reply | Delete | Junk |  
FW: Do you have time to talk before Thursday's Meeting?

RL

Ron Leach &lt;leach@carbondairefire.org&gt;

Today, 2:59 PM

Ron Leach Town of Marble

Reply |

Info

You forwarded this message on 1/2/2018 3:06 PM

**From:** Tom Williams [mailto:tom@williamscompany.net]**Sent:** Monday, January 01, 2018 3:55 PM**To:** Will Handville <whandville@carbondairefire.org>; Ron Leach <leach@carbondairefire.org>**Subject:** Do you have time to talk before Thursday's Meeting?

Hi, Will and Ron. Happy New Year.

Would one or both of you have time to talk before the Town Council meeting on Thursday? I'm concerned about what is happening with short-term rentals. I just learned about this two weeks ago.

I've reviewed the draft ordinance and have lots of concerns. I don't understand the Town's goal with this ordinance, but you appear to be discouraging the short-term rental business as though it is bad for Marble.

I've been told that the Town Council believes short-term rentals are ruining the town. I hope you don't really believe that. We know every short-term rental property owner in Marble. STRs are not ruining the town.

I'm concerned about the amount of the business license. \$500 is a ridiculously high amount for a four-month season. I'm concerned about all the regulations, although most of us are already compliant. I don't understand the logic of limiting STRs to 10% of the houses in Marble. Will you limit the number of restaurants in town? Galleries? Jeep tour companies? Churches? Schools?

I'm concerned with the fact that no short-term rental property owners have been on the committee and that Larry has been on it. It is my understanding that the Beaver Lake Lodge is exempt from this ordinance since it is commercial and apparently this ordinance is for residential only. Why in the world would Larry be on this committee? How do you think that looks?

I'm concerned that apparently the Town is trying to ram the ordinance through for 2018. I have lots of questions and concerns and would like a chance to understand what the Town wants to accomplish - and I'm pretty sure the Council doesn't have much accurate information about short-term rentals in Marble.

We've rented our cabin on the southwest corner of our property since July 2011. I can tell you with 100% certainty that our renters are wonderful people - some have become friends. Some return each year or every other year. Last year, our season started on June 16 to ended on October 6. We had 20 different renters - 60% were seniors 55 years-old or older (we offer them a discount) and 50% were repeat customers. We state clearly on VRBO, our only advertiser, that we don't welcome ATVs because we know the controversy they

Sundays and visit the museum. They fish, hike, mountain bike, and take lots of photos. The number of guests we serve each year is limited by the size of our cabin (one bedroom/one bath) and by the short four-month season, but the folks who stay with us are in no way ruining the town.

I can pretty much fit into your schedule this week on Tuesday morning, all day Wednesday, or Thursday afternoon after 3:00 pm. Thanks.

Also, do you think we can schedule a Plan B conference call sometime this month?

Tom Williams  
Williams & Company  
829 W. Sleeping Snake Place  
Tucson, AZ 85755-6566  
p. 303.902-7250 f. 303.484.3236  
[www.williamscompany.net](http://www.williamscompany.net)  
**Consistent Reliable Results**

↩ Reply | ▾  Delete Junk | ▾ ...

## FW: Short Term Rental concerns

RL

Ron Leach <leach@carbondalearfire.org>

Today, 3:45 PM

Ron Leach Town of Marble ▾

▶ ↩ Reply | ▾

Inbox

You forwarded this message on 1/2/2018 3:57 PM

**From:** Kimberley Perrin [mailto:kperrin888@gmail.com]  
**Sent:** Tuesday, January 02, 2018 3:33 PM  
**To:** Will Handville <whandville@carbondalearfire.org>; Ron Leach <leach@carbondalearfire.org>  
**Subject:** Short Term Rental concerns

Will and Ron...looking forward to a fabulous 2018!

As you probably expected, there is significant concern about the proposed ordinance for Short Term Rentals. It is hard to believe the rumor that Town Council believes STRs are causing an undesirable affect on the Town of Marble. If that were true, why would the Town open the camp ground? Isn't this essentially STR-based -- many more rentals per season than STRs.? We are pro-campground, pro business, pro Marble.

Gary and I took a run-down, 'eye sore' property that had gone into dis-repair for many years, and made it a safe, attractive, quiet retreat for visitors. People stop to take pictures of the flower gardens, and chat about Marble and the quarry. A number of our visitors are attendees at the Marble/marble Symposium. Many have returned for 6 years to spend their 10 day symposium time with us. They prefer the quiet retreat after a day of sculpting to the party atmosphere that on occasion occurs in the evenings @ M/m. Some of our guests are referrals from M/m attendees, and several of our guests return every year. Many of our family or personal friends use our property for no rental fee. There has never been a complaint from neighbors, or others in town. There are no loud parties, or disruptive activities. Our guest book is filled with praise of experiences and happy times shared in Marble, dinner at Slow Groovin', jeep tours, visits to the galleries, increased knowledge of the history of Marble, and the beauty that abounds.

- o There are many things we don't understand about this sudden move to over-tax STRs. The attitude: 'we must do this, we must regulate, we must tax, we must limit, we must punish non-compliance, and we must do it now!' that the draft ordinance exudes is insulting.
- o The business license 'fee' is extremely high. We pay taxes on our income, we pay property taxes, we pay sales taxes. How many taxes do you want a select few to pay? What would this additional tax do for us, or for the town?
- o The over-regulations and inspections seem out of line. The limitation of a percentage of Marble homes seems arbitrary. STR owners want their properties to be safe, well kept, clean, and desirable.

appears to be a subversive effort, quietly non-transparent, to tax, control, and restrict the 4-month use our properties -- favoring a few who do not like competition for guests. Obviously, Mr. Good must recuse himself from all discussions regarding this subject, because of the direct benefits to his business interests.

o No STR owner was approached to be a part of the committee. Is it the goal to drive all other rental opportunities out of business so that Beaver Lake Lodge, and Beaver Lake Retreat will be the only options? I know for a fact that Mr. Savage is not fearful of losing business to the STR owners, or the campground.

o For ~6 to 8 months out of the year there is no water used - we pay for the entire year and double any added amounts for water testing, etc. Our properties are quiet, manageable, and should be our choice of how we want to manage OUR property.

We have reviewed the Town 2018 budget. It does not appear a new tax on STRs is vital to the Town's budget, health, or existence.

We would like to have a civil discussion of this topic - in the long run, we are friends and members of the community.

**Kimberley Perrin**  
**970-963-9815**



Reply | ▾ Delete Junk | ▾ ...

## Restricted Funds DOLA

SL

Steve Lucht <steve.lucht@gmail.com>

Sun 12/10/2017, 5:54 PM

Will Handville <whandville@carbondalearfire.org>; Ron Leach Town of Marble; Larry ▾

Reply | ▾

inbox

You forwarded this message on 12/11/2017 7:26 AM

Mayor Will Handville, Marble Town Council, Clerk Ron Leach.

I was disappointed in the meeting of December 7, 2017 for many reasons.

The most disappointing was the manner in which certain individuals came to the meeting with **their** agenda. It was their self interest at the last minute and appears to be unfair, unnecessary, and possibly in violation of State Rules and Regulations and the Town's own stated policy.

Due to the fact I did not have the information in front of me, I did not challenge the procedure. I simply challenged the balancing of the budget. I probably would have even let this all go, had it only been the shed, but it continued unabated.

Ron Leach had prepared and formatted a budget that simply required a vote. Simple approval. Done and over! There had been previous meetings where this all could have been addressed. To begin at this late date to request additional funds for items was simply disingenuous. Actually has a side note, it would be the first qualification to get a job in Washington. The ability to put self-interest in front of others.

To continue to transfer restricted funds into the general fund to cover these ineligible expenditures appears to be in violation of the rules and regulations under DOLA.

In a previous meeting I had asked for clarification of the amounts DOLA has and the audited statement of restricted funds the Town posted on their website to date: **No Response.**

There is sufficient information on the Department of Local Affairs under the Conservation Trust Fund Participant Resources to question what occurred Thursday night.

Does a shed qualify? Music in the RV Park for rental patrons? Dumpsters for the town on Earth Day? Haz-mat dumpsters? October Fest (party in town)? Grant writing? I don't think so!

From the DOLA website:

"Funding can be used for the acquisition, development, and maintenance of new conservation sites or for capital improvements or maintenance for recreational purposes on any public site. A public site is defined by the department as a publicly owned site, or a site in which a public entity/local government holds an interest in land or water"

These are the restricted DOLA funds being transferred to the general fund. The balance between the difference of the amounts requested above is the town's restricted park funds. Restricted funds means restricted funds.

It is my opinion all of the amounts passed on Thursday evening Dec 7, 2017 are invalid and should be reversed before the budget is submitted to the State of Colorado. DOLA

1. If you use restricted funds and they are deemed so by DOLA, there are penalties that go to the past and the future. Penalties!

2. There appears to be money for everything and anything except enforcement.

Regards,  
Steve Lucht