

Town of Marble
Regular Meeting of the Board of Trustees
March 7th, 2019 7:00 P.M.

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – The meeting was called to order by Mayor Ryan Vinciguerra at 7:02 p.m. Present: Ryan Vinciguerra, Charlie Manus, Tim Hunter, Emma Bielski and Larry Good. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.

B. Approve previous minutes – Emma Bielski made a motion to approve the February 7, 2019 minutes. Larry Good seconded and the motion passed with Larry abstaining due to his absence.

C. Mayor's Comments

D. Clerk Report

a. Current bills payable 3/7/2019, Ron – Ron reported that the bills are listed on page 10 of the packet. He mentioned that the snow plowing bill was high due to the heavy snow fall. A question was asked as to why Terry Langley is not on the payroll list and Ron explained that she is contract labor and is included on the check register. Emma Bielski moved that the bills be paid as listed. Tim Hunter seconded and the motion passed unanimously with the exception that Emma recused herself on the bill from her.

E. Current Land Use Issues

a. Discussion of Slow Groovin right of way lease agreement, Ron – Ryan Vinciguerra made a motion to move this later in the meeting because Nial O'Connor had not arrived. Larry Good seconded and the motion passed unanimously.

b. Discussion of Short-Term Rental proposal, Larry Good reported on the history of the proposal. He reported that the short-term initiative committee drew up a simple application that includes registering as a business, completing a safety check list, and posting an information sheet for the property. Brian Suter asked why this was included on this month's agenda and Larry explained that other issues have pushed it to this time. Larry said that there are approximately 108 residences within the town and Brian reported that they found eight short-term rentals. Discussion of the definition of short-term rentals followed and Ryan explained that the board can create a definition of a short-term rental. Brian thinks that this creates a new designation of people and needs to come to before the town for a vote. Ryan asked for input from the board as to whether they wished to proceed with the proposal. Charlie discussed the need for regulation and wondered how much the town can require. Charlie asked about the need for a town vote and Larry said this was one idea but that the board can vote this. Ryan suggested contacting the town attorney to answer that question. Tim Hunter feels that the nearby short-term rental owners are doing a great job and he supports the proceeding with the proposal, particularly the safety checklist. Emma supports it and wants to hear what Kendall has to say regarding the need for an ordinance to support it. Ryan supports it and feels registration will help track short-term rentals and that anyone making money from such an enterprise should have

a business license. Brian asked how this would be enforced and Ryan explained that it is on the honor system. Ron will send the plan to Kendall.

a. Discussion of Slow Groovin right of way lease agreement, Ron – Ryan recused himself from the discussion. Ron explained that he had sent the board a copy of the lease proposed last month, a red line copy of the proposed lease with changes suggested by SG's and the town's attorneys and a clean copy incorporating those changes. A discussion about item 2, term of lease, that states it would automatically renew for up to four successive years followed. Charlie suggested discussing and renewing each year. Larry said renewing each year would mean a review and costs from the attorney each year. He suggests changing the date of notice to change or revoke to just before the renewal date. Nial O'Connor said that they had made good faith improvements on the basis of the previously proposed five-year term and he is uncomfortable with the yearly review from a business planning standpoint as well as the possibility of having to go through the discussion each time the board changes. He asks that potential breach of contract issues be spelled out. Mike Yellico said a mechanism to review the lease yearly is important in order to address issues. Tim suggested investigating other encroachment leases and their terms of renewal. He said that the yearly business license provides a check and balance if there are problems. Alex Menard suggested selling the land to Slow Groovin'. Tim explained that the town does not want to vacate any more town land. Charlie said that enforcement through the liquor and business licenses was sufficient. Larry said that he does not feel like \$2000 is enough and he would like to see it at \$2500 per year for a three-year lease. Discussion of other options, including a three-year lease with an auto renewal for another three years, followed. Emma made a motion for Ron to work with Nial on the terms of the lease and the vote be taken next month. There was no second and the motion died. Tim Hunter made a motion that we agree to a five-year lease at \$2500 per year with a 3 % increase per year. Charlie Manus seconded. Emma abstained. The motion passed with Tim Hunter, Larry Good and Charlie Manus voting yes.

c. Discussion of Water Augmentation Plan update, Ron – Ron said that the Marble Water Company (MWC) will not meet with the board in a public meeting and the town will not meet with MWC in a private meeting. John Williams has agreed to meet with two board members and Ron. Two board members can meet outside of a public meeting. Tim said he would agree to this in an effort to move the process forward. Ryan asked why there was a need to meet with MWC and wondered if the Zancanellas could meet with them on behalf of the town. He said there needed to be a specific agenda if there was any meeting. He would like to determine if MWC is meeting with the Zancanellas in good faith before agreeing to a closed meeting. Ron said that there are several reasons to talk with MWC, including alternate well locations, water to East Marble and the augmentation plan. A possible meeting with MWC will be added to next month's agenda.

F. Old Business.

a. Holy Cross broadband report, Bart Weller – Bart was not in attendance so this was tabled.

b. Discussion of Dark Sky Initiative, Alex – Alex reported that Gunnison County has an ordinance covering lighting that covers all Dark Sky requirements in unincorporated areas. Ron

is working on a letter of support and he is working with the attorney is working on an ordinance.

c. Lead King Loop Committee up-date, Ryan – The committee continues to meet via conference call. There is a need to find a facilitator or environment planner to help to develop a plan. Mike Yellico reported receiving a letter from Rob Anderson proposing a gate on both sides of Crystal. Ryan said that this did not come from or speak for the committee. Tim asked if the impacts on hunting had come up. Ryan said that is part of the discussion.

d. Discussion with Gunnison County Sheriff John Gallowich, Re. patrol plans for Marble 2019 – the sheriff did not attend.

G. New Business - none

H. Adjourn – Emma made a motion to adjourn. Charlie Manus seconded and the motion passed unanimously. The meeting was adjourned at 9:23 p.m.

Respectfully submitted,

Terry Langley