

Minutes of the Town of Marble  
Special Meeting of the Board of Trustees  
March 8 2018

A. Call to order & roll call of the Special Meeting of the Board of Trustees – the meeting was called to order 7:05 pm. Present: Mayor Pro Tem Judy Morande, Tim Hunter, Larry Good  
Absent: Mike Yellico. Also present: Ron Leach, Town Clerk, Terry Langley, minutes. Present by phone: Kendall Burgemeister, town attorney

B. Approve previous minutes – Larry Good asked for a correction under the short term rental portion, changing the name Gary Wagner to Gary Bascom. Tim Hunter moved to approve the minutes of the previous meeting as corrected. Larry Good seconded and the motion passed unanimously.

C. Mayor’s Comments – Judy reported that she had talked to Kendall concerning the ordinances. She reported that he advised that no more ordinances be passed until enforcement is in place. He suggested an ordinance officer and a court system. Second, she said she would like to see the final short term rental ordinance on the November ballot so that everyone in town can vote.

D. Clerk Report

a. Discussion of broadband internet proposal for Marble, Bart Wellar & Diane Kruze – They were unable to attend so this item will be on a future agenda.

b. Current bills payable 3/8/18, Ron –Larry Good moved that the bills listed in a packet be paid. Tim Hunter seconded and the motion passed unanimously.

c. Discussion & status report regarding April 3 2018 municipal election, Ron

i. Determination of order of candidates on ballot – The order was determined by random drawing. Names were drawn from a hat by Kosara Gottardo. The order will be: Larry Good, Max Gibbons, Charlie Manus, Judy Morande, Steve Lucht, Mike Yellico.

ii. Consider appointment of Election Judges – Ron reported that there needs to be a minimum of three election judges and that the following people had agreed to serve: Terry Langley, Jon Stovall, and Frances Bogle. Training will be held next week.

iii. Determination of compensation of election judges. – Ron reported that this would be a 14 hour day (one hour before & one hour after polls are open. He asked for approval of a continental breakfast, box lunch & hot dinner to be provided to the judges as well as compensation in the amount of \$15 per hour. Discussion concerning a fourth or alternate judge followed. Judy Morande made a motion that four judges be paid \$15 per hour plus 3 meals. Larry Good seconded and the motion passed unanimously.

iv. Consider date for meet the candidate meeting – Mark Chain has agreed to serve as moderator and the meeting has been scheduled for Wednesday, Mar 21, 2018 beginning at 7:00

p.m. at the fire station. Each of the 7 candidates will have about 3 minutes to give an introduction and opening remarks. Ron and Mark identified 3 issues that the town is facing and each candidate will be asked to give their position on these issues: 1. Enforcement (generic or specific items), 2. Short term rentals, and 3. Relationship between Town of Marble and Marble Water Company. Each candidate will be given 5 minutes per question. Cards will be handed out for the public to record questions and, if there is time, they will be addressed. There will be no open questions or debate among the candidates.

v. Other

d. Discussion regarding Marble Water Company (MWC) report to tap holders –Tim Hunter read a written report concerning issues raised in a letter from the MWC to tap holders, misinformation and rumors being circulated and research he had completed personally. His report is included at the end of these minutes. At the conclusion of his report, questions and comments were taken from the public. Connie Hendrix asked about the opportunity from the past of the town buying the water company. Judy reported that the town board did not choose to go through with it at that time. Connie asked if that could be opened up again. Steve Finn asked if the additional wells originally recommended would be installed by the town. The history of that recommendation was discussed and it was agreed that additional wells should be explored. Jon Stovall suggested hiring a professional mediator to work with the town and the MWC. Judy agreed and said that early summer would be a good time for this. Kendall Burgemeister recommended that, before any mediation or arbitration take place, the town consult with their experts (Paul Rutledge) to see what reasonable actions to be taken are. Larry Good stated that he finds the letters being sent by MWC disturbing in that they are used in a political way, placing blame on the town board and making allegations and accusations. Claudio Gottardo asked if folks could drill their own wells and get away from the MWC. Tim explained that the state would have to issue a permit but that if they are in the service area of a water provider, they have to get the provider's consent.

e. Other

E. Current Land Use Issues -

a. Discussion regarding short term rental issue (STR), Larry – No work has been done since the last committee report given by Gary Bascom at the February meeting. The committee would like to see a complete STR plan on the ballot in November. This would make a survey redundant. They will be working on an information packet and ballot language. Gary Bascom wondered if a vote in November would exclude people who would be out of town at that time. Judy said absentee ballots could be made available. Gary requested that another committee meeting be held asap. The board felt that it should be held after the election so that new board members could be part of the discussion.

## F. Old Business

a. Discussion of court & enforcement issues, Larry – Larry asked if other issues such as the court and enforcement issue should be included on the November ballot to see what the priorities are, such as: 1. Code enforcement 2. Parking tickets. 3. Court/law & order. Kendall said that a STR ordinance on the ballot would give the board direction. With respect to enforcement, he does not feel that there is a great deal of contention about the need, but the issue is finding the resources to do that and that might need to be voted on. Because of the perceived lack of enforcement, there needs to be enforcement in place before issuing things like parking tickets. Kendall said that he could check with some other towns to see what their costs are. Tim said that the discussion of court and enforcement issues has been going on for years. He asked that there be some decisions made on what to pursue and what alternatives might be available. Gary Bascom stated that there are probably issues where there is a general consensus, but there will also be a feeling of selective enforcement and quotas if there is a need to make the system pay for itself. Connie Manus said that there was a judge from Redstone who might be willing to help with the discussion. Kimberly Perrin asked what issues need enforcement and Judy answered: land use codes, zoning and ordinances.

b. Kendall reported said that that we have has received the final decree from the water court in Water Division 5 making a portion of the town's water rights absolute for well #2 and continuing the conditional status of the portion of the water rights decreed to the Marble Town Ditch. This puts us on the next six year cycle to keep and protect those rights. We need to develop a plan to perfect those rights.

b. Other

## G. New Business

H. Public Comment – Ryan Vinciguerra wanted to remind everyone of the election on April 3. He suggests everyone get a copy of the Echo and read about the candidates.

Jon Stovall asked if there was a plan regarding applying mag chloride this summer Tim said that he hoped the new board would stick to the street improvement plan. He said that it included Main Street. Discussion on the dates and frequency of the county's application was also discussed.

a. Other

I. Adjourn – Tim Hunter made the motion to adjourn. Larry Good seconded and the motion passed unanimously. The meeting was adjourned at 8:47 p.m.

Respectfully submitted,

Terry Langley

attachment