

Minutes of the Town of Marble  
Regular Meeting of the Board of Trustees  
September 2nd, 2021

Executive session pursuant to CRS 24-6-402(4)(b) to receive legal advice regarding OWTS applications on nonconforming lots. – The content of the executive session was exclusively client/attorney privileged conversation.

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:24 p.m. Present: Josh Vogt, Larry Good, Ryan and Vinciguerra Absent: Emma Bielski and Tim Hunter. Also present: Ron Leach, Town Administrator

B. Approve previous minutes – Larry Good made a motion to approve the minutes of the Aug. 5, 2021 regular meeting. Josh Vogt seconded and the motion passed unanimously.

C. Mayor's comments – Ryan welcomed everyone.

D. Committee Reports

a. OWTS study group report, Ron – Ron reported that the executive session just held covered OWTS applications on non-conforming lots and that they are working on resolution to the issue. There are 10 lots and the board is working toward rules that are fair and equitable to all of these lots. He thanked the Lawrence's for their patience in regard to their repair permit application.

b. Parks committee/Marble Fest committee reports, Brent – The parks presented a financial report of costs and income for the August Marble Fest. They ended in the black and this can be earmarked for next year's Fest. Amber reported that some of the funds would be used for the waiting list for t-shirts. Ron reported that there was one complaint about the music Saturday night going too late.

E. Land Use Issues

a. Discussion with Pitkin County Commissioner Kelly McNicholas Kury – Zane Kessler with the river district wants to keep the town in the loop regarding the augmentation efforts. Larry asked about the amount per feet needed and Zane said that would be included in a future report.

Kelly said that there are three areas they feel they could partner with the town on: augmentation, Yule Creek realignment, Wild & Scenic designation efforts.

She said that the town has augmentation need and so do some of the additions down the river. The county has looked at the needs from Marble down river. They show, on the conservative end, 150-acre feet that need to be augmented. They have talked with the river district and hope solutions can include Marble. There is a goal of the county and the river district that any augmentation not impact the Wild & Scenic designation. They are including previous work done by the town.

The county has engaged in contact regarding the realignment of Yule Creek by the quarry with the quarry and the Army Corps of Engineers. They would like a broader public hearing process regarding the work being done without permits and compensatory mitigation. They have provided the quarry with ideas regarding mitigation. There is a possibility for a collaborative mitigation with the impacted

groups, including the Crystal River Caucus and Gunnison County. It has not been decided who would host that. Ryan asked for some of the mitigation ideas and Kelly said that some were needs for restoration in Filoha Meadows, riparian areas in Janeway, and Coal and Ditch creek confluence. Larry Darian asked how Pitkin County was affected and why all the mitigation was being requested in Pitkin rather than Gunnison County. Kelly explained that there was a discharge of 100,000 cubic yards resulting in a need to evaluate any damage that occurred further down the water shed, including debris damage, water temperature, turbidity and sedimentation issues that occurred in Pitkin County. Lisa Tasker, a board member on County Healthy Rivers spoke to the need for collaboration between counties to look at the entire watershed and to the expertise available. Larry Darian spoke to the need for work on the mudslide debris along the Crystal. Kelly said that the public notice asked for ideas from the public regarding mitigation needs and that mitigation close to the site would be ideal. Because they are Pitkin County, they focused on needs in Pitkin. Ryan said that the town would like to be involved in any collaborative efforts.

Kelly said that there is an active interest in a Wild & Scenic (W&S) designation on the Crystal River from the headwaters down to the Sweet Jessup ditch. The county supports this effort and would like to see a broad stake holder process that goes beyond Pitkin County. They are asking Marble to participate in the stake holder group with a goal to determine whether this is a direction that needs to be taken. Haddie Johnson of American Rivers reported that Wild & Scenic protects against future dams, diversions and is a local, community-driven process with flexibility to craft a local act. Larry Good asked if Pitkin County would be funding this effort and was told that they had budgeted funds for this and that other entities are willing to help with funding. Josh appreciated that this was a proposal to start the process and that the town is a long way away from making a decision. He feels that considering water augmentation along with W&S is crucial. He and Larry Good support participating in the stake holder group. Larry Darian feels having a facilitator is the way to go to avoid bad feelings such as were generated in the last effort. Zane reported on the Deep Creek effort in Eagle County and the success with collaboration of various stake holders.

b. Discussion meeting date with Marble Water Company, Ron – The meeting will be held September 16, 2021.

c. Discussion regarding road easements, illegally built structures, Mike – This is tabled until the October meeting.

#### F. Administrator Report

a. Current bills & balances August 5th, 2021 – Bills are listed on page 7 of the packet. One additional bill is for \$90 to Catfish for a building inspection. Larry Good made a motion to approve payment of the bills. Josh Vogt seconded and the motion passed unanimously.

b. 2022 Preliminary budget presentation – Ron directed everyone to page 10 of the packet – the income statement through August. It shows that income is on track for the year. Expenditures are on target as well. Regarding revenue, Ron pointed out that intergovernmental severance tax and mineral lease distribution is the money charged to the gas and oil industry in Colorado and is distributed based on how many oil and gas workers live in the community. He just got a letter from the state that says Marble will not get any funds from this this year. Therefore, the \$6000 anticipated for 2021 will not be

coming. The letter stated that it should be back on track in 2022. Ryan asked about the goal of decreasing costs for legal services. Currently, it is right in line with the estimate. Larry asked about the costs of water augmentation and that money was spent in 2020.

G. Old Business

H. New Business

- I. Adjourn – Larry Good made a motion to adjourn. Josh Vogt seconded and the motion passed unanimously. The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Terry Langley

Note: These were transcribed from the recording since Terry was not able to attend the meeting.