

Minutes of the Town of Marble  
Regular Meeting of the Board of Trustees  
September 3rd, 2020

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:06 p.m. Present: Emma Bielski, Ryan Vinciguerra, Larry Good, and Tim Hunter. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.

B. Approve previous minutes – Emma Bielski made a motion to approve the Aug. 6, 2020 minutes. Larry Good seconded and the motion passed unanimously.

C. Mayor's comments

a. Update of sales tax ballot issue 11/3/2020, Ryan – The ballot initiative was passed last month. An increase of 2% was agreed upon. Attorney Kendall Burgemeister has written a formal ballot proposal. Ryan asked if it could include language about the possible uses for the additional sales taxes collected. Ron explained that if such language was included on the ballot then they are required to use the tax money for that. The language as written follows the requirements of the Tabor initiative and he recommends approving it as written. Use of the taxes can be decided and memorialized in the meeting minutes. Information and education can be done separately. Josh Vogt said that, based on his experience, the language on the ballot has to be ambiguous to avoid forcing the tax to be used in a specific fashion.

b. Update of special trustee election 11/3/2020, Ryan – Josh Vogt has put his name on the ballot for the upcoming trustee election that will be included as part of the 11/3/2020 ballot.

c. Discussion of potential purchase of Oren property, Ryan – There is an opportunity to buy some property that is adjacent to the Mill Site park. The purchase is contingent upon receiving a grant that has been submitted. The town will be notified if they get the grant in September. Gary Bascom asked if the land would be attached as part of the park or would it remain a separate parcel. Ryan said this is to be determined. Gary asked about the cost to the town and Ryan said that \$6,000 had been earmarked.

d. Update parking plan, Ryan – Ryan said that the town is close to getting SBA approval. He has been working with the SBA attorney and Kendall has been tasked to develop an agreement. Kimberly Perrin asked how people would know before they get here that there are parking requirements. Ryan said it may need additional signage and perhaps notifying current users as they are frequently repeat visitors. She asked about length of time and the amounts and Ryan explained that this would be a day use and the cost is something that needs to be fine-tuned. She asked about people who park without a permit and was told that that will be dealt with as it occurs.

#### D. Land Use Issues

a. Review SFR & Barn building permit application, Robert Congdon – Ron laid out the blueprints for the storage barn that Mr. Congdon would like to build on State Street west of the school. There will be no living quarters or septic system associated with the building as it is to be a storage building. The lower level would be for storage of construction materials and equipment, the middle level will be a studio for jewelry making/hobby room. This would be three levels of approximately 650 square feet per level. He plans to live in an RV this year and to build a house next year. It will be considered an accessory building to a house, but there is no house to be an accessory to which is a problem. This is a preliminary presentation and no vote or decisions are to be made tonight. Tim asked if he had enough property for this proposal and Ron said that he has plenty of lots. Larry said that he feels the town needs to start considering design and looking at adding design requirements to the code.

b. Consider approval of legal retention of Andy Nathan legal counsel, Lawrence lawsuit, Ron – This would require appropriating funds for retaining legal counsel. The town's insurance provided \$10,000 for legal services and that money is almost used up. Ryan asked if Mr. Nathan has asked for a minimum. Ron said that he had not, but feels \$5,000 should be sufficient. Emma Bielski made a motion to increase the retention fees by \$5000. Larry Good seconded and the motion passed unanimously.

#### E. Old Business

d. Consider approval of amended Fire Department Development Improvement Agreement, Ron – (moved ahead of items below as Emma had to step out for a few minutes) An agreement was signed earlier this year. As part of that agreement, the fire department was going to put in a fire hydrant. Due to unexpected costs associated with the fire hydrant, they would like to remove that from the agreement. Larry asked if the town could go ahead and do it and Ryan explained that the water company wanted to charge what the fire department and the town consider to be astronomical fees. Josh asked for the location of existing fire hydrants. Ron said there are currently 12 hydrants in town. Josh feels this should be tabled to see if anything can be done. Ryan said that he feels that the town is lucky to be getting a larger and improved fire station and should not hold them to this kind of cost. Marble WC wanted 3 tap fees at 7500 each with 3 monthly bills. Brian Sutter asked if there was room for negotiation in conjunction with the water augmentation plan. Larry Good made a motion to approve an amended Fire Department development Improvement Agreement, removing the requirement for the fire hydrant. Emma Bielski seconded and the motion passed unanimously.

a. Discussion of developing Police Station space in office building, Emma – Scott Leon expressed a need for some space with internet access and privacy to conduct any needed interviews. Emma would like to give the sheriff access to the office space, sharing that with the town administrator. She would like to invite the sheriff's office to look at the space to make sure it is acceptable for their needs. Brian Sutter asked if it was legal to provide this type of space since there is no bathroom space and was told that this may not be an issue since the use would be so sporadic. Larry Good said there might be a liability issue that should be pursued with the county. Josh said that anything that makes a sheriff's presence here more attractive is something to encourage. Tim asked if Ron had any problem with sharing the space and he does not. Gary asked when the fire station and their bathrooms would be

accessible. Tim reported that they hope to be able to house trucks by the end of October and would be done by mid-November. Emma will extend the conversation to Marlene Crosby and Kendall Burgemeister.

b. Report on Jail Grant submission, Emma – The bad news is that the grant was not ready for the April submission. The good news is this did not result in losing time on the time line. She needs to get multiple itemized bids and is on schedule to submit it in October. Some of the delay is due to impacts that COVID has had. She hopes to have a formal presentation ready for the November meeting. A discussion of matching funds and the 2020 and 2021 budgets followed.

c. Discussion Black Lives Matter, Emma – Emma explained that she asked to be included on the agenda to explain what this means to her and where she is coming from. She talked about the history of the term “black” and the fact that it is used to oppress and marginalize people, the complicated use of the term systemic racism, the civil rights movement and the need for reform in law enforcement. She feels that predominately white communities such as Marble need to come together and have conversations to learn from and understand each other. Brian Sutter asked if the town had changed their position regarding political issues and that he does not feel the town should have given Emma a platform. Ryan said that he encourages topics of discussion that better the town. He does not feel that the town has changed positions. Larry said that he feels it is important for the mayor to respect the board’s request to present issues of importance to them. Gary Bascom said that he hopes this is the last time this comes before the board as it is a divisive issue. Emma said that it doesn’t have to be divisive and can result in conversations that bring us together. Kimberly feels that the shootings are horrible and that deaths, burning and looting is also horrible. She feels that BLM is divisive due to the tie with Marxism and promoting of destruction by BLM. Karly Anderson appreciated the point about kindness and would like to see us continuing to move in that direction.

#### F. New Business

a. Consider adoption of Town of Marble stage two fire restrictions – Ron explained that Pitkin and Garfield counties, White River National Forest and the Bureau of Land Management have all adopted stage two fire restrictions. Gunnison Co in unincorporated sections of the Crystal River Valley. Rob Goodwin recommends that the town of Marble adopt stage 2 within the town. Ryan and Larry spoke in favor of adopting these restrictions. Tim said they are running fire calls every day and we are in extreme drought. Larry recommends putting this on the fire station blackboard as well as putting up a banner on the website and in the town. Ryan recommends it saying “Fire Ban in Effect” so that it can be used for any stage. Brian said he would like it to go one step further as he can see people using grills. Tim explained that propane fire pits are legal because they do not release embers and that Bogan Flats falls under a different jurisdiction. Larry Good made a motion to adopt stage 2 fire restrictions and to spend up to \$250 for banners to promote the fire ban. Emma Bielski seconded and the motion passed unanimously.

b. Consider approval of Gunnison County 2021 road maintenance agreement – This is the same agreement adopted last year and allows the county to plow Main Street. Larry Good made a motion to approve the Gunnison County 2021 road maintenance agreement. Tim explained that the county is not responsible for damages done while plowing. Tim Hunter seconded and the motion passed unanimously.

c. Informal support for the purchase of the land by White River National Forest - Ryan explained that this concerns the land that was discussed a few months ago with a request for access and a possible campground. It is proposed that the land would become part of the White River National Forest and there would be no access. Larry said that the USFS never has money for patrolling but they do have it for buying land and Corinne Truesdale was explained that these funds are usually Land Trust funds. Emma Bielski made a motion to provide informal or formal support for the USFS purchase of Gunnison Ranch Land Conservation Ranch Land Legacy property. Larry Good seconded and the motion passed unanimously.

d. Gunnison Commissioners are hesitant to have a face to face meeting due to their meeting protocols concerning COVID. They are proposing a Zoom meeting with the town of Marble on October 1. Larry said that the town does not have the capacity for effective Zoom meetings and feels that this would be frustrating and a waste of time for the commissioners. Emma said that it is likely that she will be exposed to COVID and would not be able to attend future meetings in person. Ryan feels that this meeting is difficult to orchestrate in person. He suggests either inviting them for a 10-person meeting that the public can listen in via conference call or postponing the meeting to a later date in the Spring and asking for public input on questions and concerns.

#### Administrator's Report

a. Lead King Loop working group report, Corinne – There was an in person working group meeting two weeks ago and Corinne has submitted a final report. Over 50% were return visitors. Many of the new visitors were hikers. At that meeting, the forest service representative said it would be helpful to hear from both OHV and hikers. Her participation is at an end as she has graduated and will be moving out of state, but Western State will continue their involvement if desired. She said that branding and messaging, including signage, needs to be decided on. The sign at the top of Daniel's Hill needs more clarity. Ryan said that the FS has asked for photos showing the wear and tear and changes over the years. The board thanked Corinne for her work and Ron added his thanks and accolades. He added that the non-profit group Crystal Valley Environmental Protection Association has partnered with the working group and will lend their support and experience.

b. Current bills payable September 3rd, 2020, Ron – The bills are on page 17 of the packet. There are three additional bills: Marble Charter School, \$2000 for an ultraviolet unit; Corinne Truesdale, \$500 and Marble Water Company, \$260. Tim Hunter made a motion to approve the bills. Larry Good seconded and the motion passed.

c. 2021 preliminary budget presentation, Ron – The proposed budget shows an ending balance \$306,467 and meets the goal of keeping \$300,000 in reserve. There is no anticipated additional sales tax or parking revenues included in the budget. Anticipated camp ground revenues are included. He cut many traditional items such as Earth Day. The money (\$6,000) for the land acquisition needs to be added. Tim asked about the water augmentation plan and Ron explained that the study will take a year at least so no expenditures are anticipated. No funds were budgeted for a court system. Larry said that he feels that will go hand in hand with the parking plan. Discussion of park funding followed. The board will take the proposed budget home and study it for next meeting.

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

Respectfully submitted,

Terry Langley