

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
February 2nd, 2023

A. Call to order & roll call of the regular meeting of the Board of Trustees – Mayor Ryan Vinciguerra the meeting to order at 7:06 p.m. Present: Emma Bielski, Larry Good, Amber McMahill, Tony Petrocco and Ryan Vinciguerra. Also present: Ron Leach, Town Administrator; Terry Langley, minutes and Allie Wettstein, administrative assistant.

Ryan announced some agenda changes, moving the parks committee up in the agenda. The minutes reflect the new agenda order.

F. Park Committee report

a. Review organizational process, Emma – Emma asked for this item to discuss the working relationship between the town board and the parks committee and to clarify the decision-making process. Marja O’Conner said that the parks committee acts as an advisory committee. The committee comes to a consensus and then brings recommendations to the town board. Marja said some issues that have come up in their process include term limits and recruiting members. Ryan spoke to the positive aspects and work of the committee, including minutes and having both town board and park representatives at more of each other’s meetings. Emma would like to see the cross representation as a 2023 goal. Emma said she would be presenting some ideas for organizational best practices/flow chart for town entities such as the Marble Board of Trustees, town administrative staff, parks committee and the master planning committee. Emma asked who approves special event permits. Ryan explained that the town administrator approves permits. Ron said that currently the permit requires two signatures: the town administrator and a parks committee member. Ron asked if the board wants a board member signature and the consensus was no. Emma would like more conversation. Larry asked if the event permit application only pertains to parks. Ron explained that the permit is titled “Mill Site Park Application” but there is now the campground and the Children’s Park. Aspen Valley Land Trust (AVLT) owns the property at the Children’s Park but Town has authority in the agreement to regulate activities in the park. Larry asked about permits for events on private property that they had discussed earlier. Ryan said that had been sent to the attorney and they need to pick that back up.

b. Parks Committee Updates, Marja O’Conner – Marja reported that they have been sending out the minutes and will try to have someone at each town meeting. They had started on the master planning process but, since the town is also working on a master plan that could include the parks, they will join with the town. Amber has been working on signs and the park has reviewed the initial layout. They are working on what projects they can work with Roaring Fork Outdoor Volunteers (RFOV) on and hope to have that finalized in May. The dates for the RFOV weekend are June 24 and 25. Ron asked that the town provide free camping spaces to the RFOV on those two nights. Ryan said that Slow Groovin’ has always fed the volunteers. He asked that the town help with some of that expense. Larry Good made a motion that the town donate camping spaces to RFOV on June 24 and 25 and provide from \$150-\$250 to Slow Groovin’ to cover food costs. Amber McMahill seconded. Emma Bielski, Larry Good and Amber McMahill voted yes. Tony Petrocco abstained and Ryan Vinciguerra recused himself. Marja said other projects the parks committee are exploring include the New Year’s bonfire, a town kick ball league, celebrating Earth Day on May 20 and 21. Brad is looking at getting trees and wildflower seeds. The day would include a town cleanup with a pot luck following. They’ve been talking about

fundraising and property acquisition. Monique Villalobos attended the December parks meeting to talk about the Gem & Mineral Show and issues around the permit application, including questions and more information. She will attend the next meeting to finish that process.

d. (Note: change in the agenda order) Discuss plans for 2023 bon fire, Mike Yellico - Mike said that the bonfire that required cleanup was not done by Mike and his "fire committee" nor was it put in the usual spot. They would like stack the wood cleaned out of the park out of the way then go into the park in September to "build" the pile for the fire and then they would clean the site in the Spring. Amber asked if they have done a special events permit. Mike said there had never been one required but they are willing to do that. Amber asked about holding it in another location. Mike spoke to leaving it in the traditional location due to the central location and suggested temporarily moving the woodchips out of the way. Emma spoke to the need for a strong cleanup plan and the positive aspects of bringing people together in the winter. She spoke to the volunteer hours that Mike and Will Handville have spent clearing brush and trees in the park and the fact that the fire is part of what makes Marble unique. Tony said that there needs to be a list of those who are working on it due to liability issues. Larry sees it as a do-it-yourself event rather than a town event but that an event application makes it a town event. He asked about the concern with woodchips. Ryan suggests using the parking lot. He feels that filling out the application is the place to start. Lise Hornbeck said that the parks committee voted unanimously to not allow the bonfire in the Mill Site Park. Sue Blue asked what has to be cleaned up. Mike explained that it was primarily ash, unburned or partially burned material and sometimes nails from pallets. Sue suggested only allowing organic debris (no nails), moving the woodchips aside and holding it in the park. She said the RFOV event could be utilized for cleanup. Brent Compton said that the previous cleanup problem included large logs that had been piled up but not piled and burned. The area is being used more through the summer. The cost for cleanup was around \$5,000. He feels that if this is what the town wants and the proper steps are taken the bonfire could be allowed. Dustin said that he is willing to help with cleanup and feels that there are others in town who would volunteer. Mike repeated that the problem fire was not one the usual committee had anything to do with and there have not been problems with their cleanup of their fires. Ron said it is a town event with town liability and may result in others who want to have large bonfires. Ryan encouraged anyone having bonfires have a permit that the parks committee and town administrator would review and approve. Amber explained that the parks committee created a permit at the request of the board.

c. Update on potential opportunities for the Snowbound property, Brent Compton – Brent explained that the committee looks at sites that might work for parks. The Snowbound property is for sale for \$3.5 million includes Yule Creek, the Crystal River and has 2 ponds. It shares a boundary with the Wetlands Park. Greater Outdoor Colorado (GOCO) told him they could provide 1.5 million and also provides interest free loans. The property is 30 acres with a 4000 sq foot house with several options for use. He has spoken with Aspen Valley Land Trust (AVLT) who is willing to partner or to provide advice. The parks committee is asking if the town is interested in exploring this opportunity. They encouraged contacting Colorado Parks and Wildlife (CPW). The property includes water rights that are currently in a court. Larry asked if Brent had talked to the owners about donating part or reducing the cost and Brent has spoken to the realtor, Jeff Bier, about that. Ron explained that the property includes an eight-acre lake or 40-acre feet, that would probably cover all the augmentation needs for the Crystal River Valley. The town augmentation needs are for ten-acre feet. Ron is willing to work with the committee to explore the possibilities. Emma said she would like to know who is doing the leg work, would fund raising be competing with other fund raising, and what costs would be. She asked if it is appropriate for

parcs committee to pursue land acquisition without including the town. Brent explained that this had come up recently. Ron said the concept deadline for this GoCo grant cycle is today which is why they began work before the town was informed. Dustin asked about the size and the possibility of using part of it for parking. Amber appreciated that the parks committee came with information and possibilities and is in favor of pursuing it. Amber said the property is not officially listed. Ryan encouraged Brent and Ron to continue to pursue it and to come up with some fund-raising ideas. Brent asked if the board thinks he should contact CPW. Ryan encouraged them to do that.

B. Mayor Comments –

a. Discuss letter to Marble Water Company regarding possible acquisition. Ron explained that is still a work product so it will be on the March agenda.

C. Consent Agenda – Emma Bielski made a motion to approve the consent agenda. Larry Good seconded and the motion passed 4-0 with Tony Petrocco abstaining.

- a. Approve January 5, 2023 minutes
- b. Approve January 19, 2023 minutes
- c. Approve Current Bills, February 2, 2023

D. Administrator Report

a. Consider resolution 2023 - to re-appoint Kendall Burgemeister as Town Attorney and Ron Leach as Town Clerk. Ron explained that statutes require a motion to reappoint the Town Clerk and Town Attorney. Tony Petrocco made a motion to approve Resolution 2023. Amber McMahill seconded and the motion passed unanimously.

b. Employee evaluation and payroll raises for 2023 – Ron is requesting a formal employee evaluation for himself. It has been two years since Ron has had a resolution and received a raise. He is proposing a 5% raise for other town employees. This has been included in the previously approved budget. Ryan explained that salaries were budgeted at \$108,000 for 2022 and came in at \$105,000. For 2023 salaries are budgeted at \$118,000. Ryan will send out Ron's job description and solicit comments. Larry asked if there had been any changes to Ron's previous job description and Ron said there had not. He went on to say that any future enforcement would require an increase in responsibilities to the town administrator and a change in job description. Emma Bielski made a motion to approve 5% raises, including Ron Leach pending his employee evaluation. Larry Good seconded and the motion passed unanimously. Ron explained that he is the only full-time employee and the remainder are part time and/or seasonal.

c. Consider approval of Mark Chain Consulting LLC Master Plan proposal, Ron - Amber explained that the Department of Local Affairs (DOLA) said the grant means the town cannot contract with a facilitator until 60 days after the town receives the award letter. They also require that the job be put out to bid. She will be meeting with DOLA for clarification. The board can move forward with forming a committee and can pay Mark directly if needed. Emma asked if there was any work that could be done in the meantime. Amber said that she was told the town can hire Mark in the meantime as long as the town doesn't expect to be reimbursed by the grant. Ryan spoke to the grant implications that might result. There are currently two applicants for the committee and this delay might end up being a positive. Amber explained that the town applies for the grant, GOCO awards the grant and sends a contract and then the town can put out an RFP for a facilitator. If we don't have our own

proposal process on how we require in an RFP, we have to default to the state's process, including requiring accepting the lowest bid that meets requirements. Tony said that they can get others' RFPs for a template. Sue spoke to getting one from a similar town. Amber set that the town can set their own requirements such as being familiar with the town. Ryan suggests looking at others' RFPs. Tony and Emma agreed. This will be an agenda item for March.

E. Master Plan Report –

b. Review Master Plan Committee Applications - Alie Wettstein reported that they have applications from Sam Wilke and Sue Blue. Notice of the openings has been in the Echo, the town newsletter and on the Website. Amber suggested posting a flier at every mail box cluster. The deadline date will remain March 2.

a. Discuss Center for Public Lands, GOCO Planning Grant application, Amber – This grant would pay for data collection and reconvening to check in on progress on the Lead King Loop. The Center will write the grant application and provide the matching funds. They are requesting Marble to be the official applicant. Amber McMahill made a motion that we approve the concept paper from the Center for Public Lands to pursue a GOCO planning grant. Larry Good seconded and the motion passed unanimously.

G. Land use issues - none

H. Old Business

a. 2023 parking plan, Amber – Ryan sent the LKL recommendations to the SBA attorney as well as the work that has been done on parking. He has not had a response from the SBA. Amber asked if they do not hear from the SBA, should they proceed with the parking plan/reservation system but keep it free or if they could charge a fee. Ryan said that continuing as is would be his choice. Larry asked if a nominal charge could be considered reimbursement for town expenses rather than a commercial activity. Amber said she believed that Kendall said this would still be considered commercial. Amber asked that this be on the next meeting's agenda.

b. Sign update, Amber – These are for the Colorado Tourism Office (CTO) grant. She would like approval of the overall design concept so that she can send it to CTO for their approval. It does not include the language. She is working with the town of Crystal as well. The board approved the design.

c. Other – I pads are in. Ron will meet with everyone individually for instruction. Emma suggested having user agreements that include who is responsible for such things as damage to the device.

I. New Business

a. Review 2023 Business License applications - Ron sent out the letter and renewal application and has begun getting them back. He feels that there are some that should be discussed before renewal and some that are straight forward.

b. Consider approval of Raspberry Ridge Café business license application – Ryan recused himself and Emma stepped in as Mayor Pro tem. He reported that he and Nial O'Connor have purchased the Inn at Raspberry Ridge. They would like to have some long-term staff housing in the cabin and bungalow and would like to use the lodge rooms for overnight stays. They plan to have grab & go food café-style service in the kitchen and patio area. They have applied with the health

department for a permit. They will not be adding seating or having full table service. There will be a staff of two and will be open from 8:00 am to 2:00 pm seven days a week, and 10.5 months with seasonal closures in April and November. He will do a short-term rental application for the overnight rooms. They also hope to have space for retail items in the sun room. Sue asked about a previous ordinance concerning the number of non-related individuals that can occupy a unit. Ryan said that he understood this had to do with development and they would not be considered a multi-family dwelling.

Liquor license – Ryan explained that this would not be for a bar, but would be for on-site consumption of retail products. Amber asked about the septic system and Ryan explained that it is a 1200-gallon tank with leach field and it was inspected during transfer of ownership. Ryan will be doing further research and planning on such things as parking, water and septic.

Ron will meet with Ryan at the Inn to review and inspect the property. Ryan said it is mixed use zoning. Dustin asked for an anticipated opening date and Ryan said it was a turn-key operation and is currently being advertised. Tony spoke to the need to review the calculations on the septic prior to approving the application. Ryan explained that the septic inspection done as part as the transfer of ownership and it passed. Larry Good made a motion that the business license application be approved pending Ron’s review of necessary documentation. Amber McMahill seconded and the motion passed unanimously. Larry Good made a motion to approve the Raspberry Ridge Café liquor license. Amber McMahill seconded. Tony asked if the neighbors had been notified. Ryan said he had talked to neighbors. Ron said there was a requirement that the owners be fingerprinted but that the license can be approved before the fingerprints are required. Larry Good amended his motion to approve the liquor license pending requirements have been fulfilled. Tony Petrocco seconded and the motion passed unanimously. Ryan stepped back in to his position as Mayor.

J. Adjourn – Ryan Vinciguerra made a motion to adjourn. Emma Bielski seconded and the motion passed unanimously. The meeting adjourned at 9:37 p.m.

Note: Agenda items for March – Marble letter to the Marble Water Company
RFP for Master Planning facilitator
Parking Plan

Respectfully submitted,
Terry Langley