

Minutes of the Town of Marble  
Regular Meeting of the Board of Trustees  
April 6th, 2023

A. Call to order & roll call of the regular meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:07 p.m. Present: Amber McMahill, Larry Good, Tony Petrocco, Emma Bielski and Ryan Vinciguerra. Also present: Ron Leach, Town Administrator; Alie Wettstein, Administrative Assistant and Terry Langley, minutes.

B. Mayor Comments

a. Pastor Jon and Peggoty retirement, Terry Langley – Terry announced that Pastor Jon’s last Sunday would be April 30 and the service would be followed by a community potluck at 12:30 p.m. at the Fire Station. Michael Mackenzie will be the new pastor and will start sometime in June.

b. Ryan asked that those wishing to speak state their name when making a comment. Speak clearly and direct comments to the board.

C. Public Hearing: Smith/Wilkey request for zoning change, 575 West Park St. – Ryan Vinciguerra made a motion to go into public hearing. Tony Petrocco seconded and the motion passed unanimously. Dustin Wilkey explained that they are building a house and would like a zoning change to allow them to run the Crystal River Jeep Tours (CRJT) from their house. Larry Good asked a question about the parking plan. Dustin explained that it would be on their property with diagonal parking at the office for people seeking information and a second area for designated parking for those taking a tour. He explained that one room in the basement would be for registration and the remaining space in the basement would be a lounge area for their employees. Dustin explained that the current location for the business will not be available in the 2024 season. He spoke to the positive aspects that the CRJT bring to Marble and the Lead King Loop (LKL). Samantha Smith-Wilkey said that they averaged three tours a day with four cars parked for the past two seasons. Ryan opened the hearing for public comment. Those speaking against granting the rezoning request included Mike Evans, Jeff Evans. Concerns included the impact of having the business next door to their home, people wandering around and adversely affecting their privacy, impact on wildlife, possible further rezoning, odor from refueling and the adverse affect on property value. Speakers in favor of the request included Mary Ellen Jones, Josh Stovall, Paul Harris, Joe Brown, Mike Yellico, Shane Rogers, Marian Rogers, Chris Palmer. They addressed and disagreed with the concerns raised regarding customer behavior, impact on wildlife, odor, etc. They spoke to the benefits CRJT bring to the town and their proven track record and the fairness of commercial zoning for some and not others. Michael Lane asked if the city could put limits on the growth of the business. Tony explained that the number of tours are limited by their permit. Samantha said they are limited to 1700 passengers per year. The permit runs from May 1 through November but the weather limits actual use to around Memorial Day through mid-October. They have three tour guides hired and she and Dustin will serve as back up. That will limit the number of tours. Linda Evans asked, if the rezoning request is granted, do they have plans to add other things beyond the jeep business on their lot? Dustin said that they have a carving business, Sawtooth Carving Company that they run through the tour office. They will offer water, soda and some gifts. They do not have plans to expand the business – they want to stay small. Tour guests arrive 30 minutes before the tour and leave right after. They ask that neighbors come to them when there are issues. Further discussion included waiting on the Master Plan process, the affect tabling

the request would have on the construction of the home, whether there was anything CRJT could do to make the Evans feel more comfortable and the legality of spot zoning. Jeff suggested a natural barrier (trees) between the properties. Tony Petrocco made a motion to table the rezoning request. Further discussion involved the timing of both the initial zoning request and the Master Plan process and the need to further understand the legal issues. Larry Good seconded the motion. Dustin said that they have been paying commercial taxes on the property since they purchased it. Historically it was zoned commercial but was changed to residential. The motion passed unanimously. Ryan asked that it be put on the May agenda. Tony explained that, to do this legally, the MP needs to be completed. Amber asked for clarity from Kendall regarding spot zoning and the state statutes. Emma made a motion to end the public hearing. Tony Petrocco seconded and the motion passed unanimously.

D. Public Hearing: Raspberry Ridge Café liquor license application – Tony Petrocco made a motion to go into public hearing. Emma Bielski seconded and the motion passed unanimously. Ryan Vinciguerra recused himself and Emma took the chair as Mayor Pro Tem. Ryan explained the history of the purchase and the reason for the request for a liquor license. They are applying for a hotel/restaurant liquor license. Questions from the public included liquor leaving the premises, traffic flow, barriers to prevent customers from wandering onto surrounding private property, inside dining, external seating/noise effect on property values, increased foot traffic, the need for alcohol at a breakfast establishment and the possible effect on the HUB. Ryan explained that it is currently legal to take liquor off site, the drive might be adjusted in the future, the inside will remain a living room set up, said the property is lined with natural vegetation and there is a fence between the Inn and the Aaron’s property, the feeling is this will naturally be a quiet operation with only morning/lunch hours and that brunch with drinks is the trend. Ron wants it to be clear that if they approve the liquor license, they are approving liquor-to-go. Further questions included town liability, purchase of liquor after hours by overnight guests, and limits on the number of liquor licenses in town in regard to enforcement and safety. Ryan said that the state laws are changing and they will have to delve into that more, they would like overnight guests to be able to but folks other than guests would not be able to. Ron said that the application is complete and the posting of the notice was done correctly. Ron said the owners have been fingerprinted and they have been sent to CBI for the background check but they have not been sent back. He explained that the license can be approved contingent on the background check. Tony Petrocco made a motion to approve the Raspberry Ridge Café liquor license contingent on a positive background check. Amber McMahill seconded and the motion passed unanimously. Amber McMahill made a motion to close the public hearing, Larry Good seconded and the motion passed unanimously. Ryan Vinciguerra resumed the Mayor’s seat.

#### E. Land Use Issues

a. Discussion with Carol Parker re: proposed lot line adjustment – The Parkers were not present. Ron said they got a surveyor and that a copy of that is in the packet. Ron sent them the necessary paperwork.

F. Consent Agenda – Ron reported an additional bill from Daley Properties for snow removal for \$17,979. Tony Petrocco made a motion to approve the consent agenda with the addition of the additional bill. Emma Bielski seconded and the motion passed unanimously.

a. Approve March 2, 2023 minutes

- b. Approve March 15, 2023 minutes
- c. Approve Current Bills, April 6th, 2023.

G. Parks Committee Report, Marja – Richard Wells said the PC are moving forward with finalizing a document of their rules and responsibilities. Park permits were approved for a small blue grass show on July 1 and MarbleFest. Language requiring clean up within 24 hours was added to the permit. They hope to soon have a calendar of events for the parks. Roaring Fork Outdoor Volunteers are scheduled for June 24-25. The bell tower needs maintenance and they are looking into costs. Possible dates for Earth Day in Marble are May 20 or 21. They are still working on the acquisition of the Snowbound property but have found that the pond is not suitable for water augmentation. They want to take ecco shots of Mill Site trails and are working on a Kickball league.

H. CTO grant – Amber explained that they are still working on signage but need an extension on the deadline for billable work required in the grant and they have applied for that extension. There is an educational piece and a signage piece. She explained that delays have been the result the leadership of changes in the Center for Public Lands (the facilitator for the Lead King Loop group) and timing issues around the signage steps: concept, design, language and production. Discussion of the various groups involved, other funding, production, requirements for interpretive signage, and assistance for Amber followed. Larry Good made a motion to work to get the sign project done by the existing deadline. Emma Bielski seconded and the motion passed unanimously.

#### I. Administrator Report

a. Consider approval of the 5 participation forms of new Opioid Settlement Agreement and the Amended IGA with Gunnison County, Ron - Ron explained that Gunnison County has developed a cooperative agreement for the small towns to put their portion of the funds into one pot. This goes toward things like opioid addiction and prevention. The town signed this previously but the agreement has been amended and needs to be approved by tomorrow. It has been reviewed by the town attorney. Tony made a motion to approve the five participation forms of the new Opioid Settlement Agreement and the Amended IGA with Gunnison County. Larry Good seconded and the motion passed unanimously.

b. Update status of Master Plan project, Ron – Applications stand at 14. The RFP was posted on Bidnet two weeks ago and will be there for another week. It has also been posted in the Glenwood Springs Post Independent. There have been no applications yet. An April 20, 5:30-6 at the Firehouse date for the first MP committee meeting was suggested and approved. Emma suggested presenting the previously approved capital projects to the committee.

c. Update status of Wild & Scenic Collaborative, Alie – The first community summit is set for April 27 at the Firehouse.

d. Town Administrator Job evaluation, Ryan – Ryan gave a huge thank you to Ron and said Ron continues to improve. He spoke to Ron's honesty, integrity and efforts and that the town is extremely lucky to have him. Discussion of Ron's raise followed. Staff received a 5% raise both last year and this year. Ron did not receive a raise last year. The compounded amount would be 10.25%. Tony Petrocco

made a motion to give Ron a 5% raise for the previous year and another 5% for this year. After discussion, Tony retracted his motion. Ryan Vinciguerra made a motion to give Ron a 10.25% raise retroactive to the time of the staff increase this year. Emma Bielski seconded and the motion passed unanimously.

e. Discussion of Cares Act Funding 2023 – Last year we applied for Marble’s share of the recovery act with two payments of \$16,800 each: one in 2022 and one in 2023. The 2022 was requested for the Marble Charter School to help with wages for a school counselor. Ryan suggested getting a list of approved projects, include last year’s suggestions, and make a decision when the board is together at the MP meeting on April 20. Amber suggested creating a fund that entities can apply for.

#### J. Old Business

##### a. Lead King Loop working group status, Ron

i. Town of Marble financial contribution to USFS forest protection officer 2023 – Ron is asking of the town wants to contribute. Last year Gunnison County gave \$7,000 and the town contributed \$3,000. The county commissioners have asked if Marble is going to contribute this year. He explained that these funds go to the Forest Service to pay a FS employee to patrol FS land. Ryan thought there was going to be more communication as to the effectiveness of this position previously. Amber spoke to the work Marble is doing in regard to the LKL group’s suggestion and that our resources are going to those efforts. Richard spoke in favor of funding this based on what he has heard about the previous effectiveness. Ron agreed that it made a difference on the LKL but wondered if it made a difference in the Town of Marble. Ryan suggested thanking the county for getting this on the agenda and that the town is exploring other avenues based on the LKL groups suggestions.

##### ii. Other - none

b. Other – Ryan asked about asking Kendall to contact the SBA. Ron has not done that yet, but will.

#### K. New Business - none

L. Adjourn – Tony Petrocco made a motion to adjourn. Larry Good seconded and the motion passed unanimously. The meeting adjourned at 10:35 p.m.

Notes: CRJT request on next month’s agenda.

Cares Act projects to be discussed at the MP meeting April 20

Respectfully submitted,  
Terry Langley

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