

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
January 15, 2026

A. 6:00 P.M. Call to order & roll call of the regular January meeting of the Board of Trustees of the Town of Marble – Ryan Vinciguerra called the meeting to order at 6:03 p.m. Present: Dustin Wilkey, Amber McMahill, Larry Good and Ryan Vinciguerra. Absent: Amy Rusby. Also present: Ron Leach, Town Administrator; Terry Langley, minutes and (attending by zoom) Kendall Burgemeister, Town Attorney.

B. Consideration of an executive session pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions from the Town's legal counsel regarding the West Divide Water Conservancy District (WDWCD) plan for augmentation and the Marble Water Company. Ryan Vinciguerra made a motion to go into executive session pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions from the Town's legal counsel regarding the West Divide Water Conservancy District plan for augmentation and the Marble Water Company. Amber McMahill seconded and the motion passed unanimously. The board went into executive session at 6:05 p.m. Dustin Wilkey made a motion to end the executive session and to return to the regular meeting. Amber McMahill seconded and the motion passed unanimously. The regular meeting of the Town of Marble Board of trustees resumed at 6:40 p.m.

C. Mayor's Comments – Ryan asked that the board avoid repetition and that the meeting be run tightly and cleanly.

D. Discussion of Marble Water Company issues

a. Water augmentation agreement with WDWCD – Ryan explained that WDWCD has been working on this for years. Contracts have been put together and the town knows how much water is needed and the town has sourced their augmentation plan.

b. Jamie Vogt letter regarding MWC issues – Ryan thanked Jamie for his letter. It is included in the packet. He feels that the water rights belong to the town, 100%. He acknowledged that the non-profit model has served the community and was great in its time but no longer makes sense in light of the town growth and drier weather patterns. He does not feel that MWC is operating in the town's interest, in particular with equal access and fire protection. Transparency is an important part of any public service. MWC owns the pipes but does not own the water and they do not offer transparency in regard to management of the system. The current lease agreement expires in 2028 and that will arrive sooner than we think it will. This should not be a back burner issue but should be 100% a top priority. He recognizes

that negotiating with the MWC is a complex issue. He recommends finding a consultant that can help determine the steps and answers to questions including: where are we, what are the options, what are the avenues, what are the contingencies? What if the lease runs out and there is no agreement: will the water be turned off? Larry Good asked if Jamie has any suggestions for a consultant. Jamie suggested the town consult an attorney with knowledge of imminent domain issues and knowledge of the steps to take in appropriate negotiating with the MWC. Amber said the aging of the system and the lack of information regarding maintenance on the system is another issue. There have been incidents of low water and muddy water complaints by citizens. Larry spoke to the help that the Department of Local Affairs (DOLA) had offered, particularly with grant writing. He spoke to only one fire hydrant in East Marble and the fact that the water system has aged past its intended life span of 30 years and is now into 45 years. He feels the town needs to cooperate with the MWC as well as get started on this issue. Larry agreed with Jamie on the need for mapping of the infrastructure and the need for transparency of finances. He would hope for a seamless transition. Dustin is looking for fairness and consistency. He spoke to the MWC plans to use old technology (cast iron piping) and the need to look at current technology and the fact that some people are treated differently. He spoke to working together with the MWC toward 2028. Ron reported that the MWC wants to use their grant for the expansion project in East Marble. They want the town to collect the funds for the bond payment and want assurance that, if the company is acquired by the town, the town will run the company efficiently and hire qualified maintenance personnel. They also want a Plan B for protecting the water quality and safety. Ron feels we can give the assurance that we share these goals, but may have a different approach for reaching the goals. The town has an idea for Plan B (installing another well). Ron is trying to open a meaningful dialogue and negotiations with the MWC. He feels the way forward is to be clear about what the town wants (transfer of ownership) as well as why. He feels that taking the middle path on the augmentation plan shows that they are able to work together. The dialogue has been slowed by the fact that the MWC board is here on a limited basis. He feels that they need to talk more often. He agrees that a consultant is a great idea. Ryan agrees that we need a Plan B and that the MWC wants to know how a Plan B would be taken care of. A consultant can help map out what steps would be taken in case of contamination, particular in regard to immediate action. Dustin spoke to the need for information that the town has asked for from the MWC. Ryan said that the town's due diligence would include full transparency, getting the system assessed and appraised. He would like to send a letter as an invitation to starting the next steps and identifying what steps the town is taking, particularly in regard to Plan B as well as the upcoming end of the current lease. Larry suggested committing some of the reserve fund to working on this. Amber expressed frustration with the lack of progress to this point. Larry suggested scheduling a series of talks with the MWC that include agendas and goals. Ryan feels that addressing the Plan B issue is a good place to start. Amber McMahill made a motion to

direct Ron to speak to Alan Leslie about Plan B options. Dustin Wiley seconded and the motion passed unanimously. Ron suggested a table top exercise to map out what the town would do if there was a bad test tomorrow. He explained that Alan Leslie runs the water systems for Aspen Glen, Roaring Fork Fire District and every major water system in the Roaring Fork Valley. Ryan will work on a letter to be approved by the board and sent to MWC.

E. Discussion of mixed-use corridor proposal – Ryan acknowledged the amount of time that the town has been spent on this. He asked that a motion be made or that the town moves on from this. Dustin showed a zoning map that was part of the master plan and that people want to see growth. Dustin Wilkey made a motion for Ron and Kendall to develop a zoning code that would incorporate mixed use along the black top. The motion died for lack of a second. Amber asked if Kendall felt that this idea was addressed in the current master plan or would require an addendum. She feels that this is primarily addressed through the survey results that show that people support growth but want to see it spread out through town. She feels there needs to be more information/direction in the master plan. Ryan feels the master plan does not give clear direction and that it is up to the board to determine whether to go through with rezoning and then to hear from the public. Larry pointed out that Kendall said that the town needs to draft a concept of what the mixed-use zone would be, identifying allowed uses and what types of restrictions there would be. Ron said they would need to draft an ordinance for the public hearing. Dustin Wilkey made a motion to have Ron and Kendall develop a draft ordinance for rezoning to mixed-use zoning along the paved route through town. Amber McMahill seconded. Larry reminded the board that Kendall said the town needs to decide what the town wants in this ordinance. Dustin said that use by review and use by right is addressed with business licenses and is a separate issue from zoning. He would like to see the uses addressed next month with business license discussion. Amber feels it is a good idea to have a draft ordinance as a starting point for constructive conversations. She said that use by right and use by review are addressed in current zoning. Dustin would like to see this be on the agenda next month. He would then make a motion that the current use by right and use by review guidelines remain and that anything outside of that come before the board. Ryan asked if current zoning codes regarding uses would remain the same. Larry referred to last month's minutes concerning the use by review and use by right response from Kendall. It could be set up so that every use comes before the board and that a decision made on a case-by-case basis, but that he does not feel that is the best way forward. He feels that it could be written so that it comes up within business license application. Larry does not feel there is a need to fast track this as there has been little call for it. Amber would like to see this either done or dropped in order to clear this issue from the agendas. The vote on the motion was: Dustin Wilkey and Amber McMahill yes, Larry Good no. The motion passed two to one.

F. Consent Agenda – Dustin Wilkey made a motion to approve the consent agenda. Amber McMahill seconded and the motion passed unanimously.

- a. Approval of December 4th, 2025 Minutes
- b. Approval of Current Bills, January 15th, 2026

G. Treasurer Report, Amy – In Amy's absence, Ron reported on the year to-date numbers:

- a. Account balances as of 12/31/2025 totaled right at \$500,000.
- b. Year to date, budget vs actual – we are only two weeks into the year so budget and actual are in alignment.

H. Administrator Report

- a. Approve Resolution #2026-1 Public Posting Place – Dustin Wilkey made a motion to approve Resolution #2026-1 Public Posting Place. Larry Good seconded and the motion passed unanimously.
- b. April 7, 2026 municipal election update – Ron reported that there are three petitions out, all for the incumbents (Amy, Amber and Larry).

I. Land Use - none

J. Old Business – Larry asked if there had been any movement on hiring an Assistant to the Town Manager. Ron reported that he does not plan to have a formal job description for a full-time assistant. Charlie Manus will take care of the campground, bathroom and other maintenance. Ron will take care of the campground and other administrative duties. Tina Smith and Karly Anderson will help as needed. The parking program will operate as self-pay. He plans to expand on this in February.

K. New Business

- a. Dustin asked that use by right/review be placed on next month's agenda.
- b. Ryan reported that he will have mulch available and asked if the town could use it. Ron said they would like a truck load. Dustin offered to check on and clear a spot to store some of it. Amber would like some for the preschool.

L. Adjourn – Dustin Wilkey made a motion to adjourn. Larry Good seconded and the motion passed unanimously. The meeting was adjourned at 7:46 p.m.

Respectfully submitted,
Terry Langley