

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

A. Call to order & roll call of the Regular Meeting of the Board of Trustees - The meeting was called to order at 6:00 p.m. Present: Ryan Vinciguerra, Josh Vogt, Tim Hunter, Emma Bielski and Larry Good (by phone). Also present: Ron Leach, Town Administrator and Terry Langley, minutes. Attending by phone: Kendal Bergemeister, town attorney.

Ryan Vinciguerra made a motion to go into Executive session pursuant to CRS 24-6-402(4)(b) to receive legal advice regarding OWTS applications on nonconforming lots. Josh Vogt seconded and the motion passed unanimously. The trustees went into executive session at 6:03 p.m. The executive session ended at 7:09 p.m. The content of the executive session was exclusively client/attorney privileged conversation.

The regular session resumed at 7:12 p.m.

B. Consent Agenda

- a. Approve November 11, 2021 regular meeting minutes
- b. Approve November 11, 2021 work session minutes
- c. Approve Current Bills, December 2, 2021 as listed in the packet.

Tim Hunter made a motion to approve the consent agenda. Josh Vogt seconded and the motion passed unanimously.

C. Review of proposed revisions to OWTS regulation, Ryan – The executive session was held to discuss proposed revisions to the existing regulations. Once there is a finalized draft, it will be discussed in a public hearing. If the revised regulations are approved by the town, they will be sent to the state.

D. Land use issues

- a. OWTS repair permit application, Chris Lawrence, Ron – this is tabled per item C.
- b. Colorado Stone Quarry general updates, Jean St. Onge & Katie Todt – Katie explained that the load out parking has been closed to parking by the public. They have installed signage and security cameras. Town personnel are allowed to drive through to access the Mill Site Park. They have met with local back country skiing users to explain the winter closure schedules. Winter safety closures are to allow for plowing and for avalanche safety. There will be nose-in and parallel parking with signage. For bad parking behavior that affects quarry operations, they will attach a window sticker. They will be making note of license plates and dates. With repeat offenders (at least two warnings), the car will be subject to towing. Any necessary plowing will first involve getting the road open, followed by parking, pull off and public areas. The gate may be closed for plowing or if it is too dangerous to plow. They will not be plowing on the weekends unless there is a large snow amount. The quarry will be closed Dec 23-

Jan 9. They will only plow in the event of large snows during this closure. There have been repairs and culvert replacements and replacement due to mudslides and debris flow. Bridge foundation repair was done per county and CDoT suggestions. Ditch repair and work was also done. For 2022, vegetation reclamation will continue. There will be improvement to the Mud Glutch drainage in August/September. They will be doing work with the Army Corps of Engineers for restoration of the eastern channel of Yule Creek.

Katie also addressed what they see as incorrect information presented by Pitkin County at as the September 2, 2021 meeting and reported in the minutes. She said that the McIntyre cabin was not blown up and was not native to the site. It was brought in after 1993. It was numbered and methodically removed and sold. Prior to diverting Yule Creek onto the eastern side they excavated down to bedrock. There had historically been water flow on both sides of the ridge. They put the creek on the eastern side. The western channel was never exposed to water. The reported 100,000 cubic yards of material is still on site and was not moved into the creek and then the river. Josh asked about the ongoing negotiations (compensatory mitigation) with the Army Corps of Engineers. Katie said that this is ongoing and they have proposed a solution that works with the Forest Service in cooperation with some of their projects. Josh asked about the winter closure and what the guidelines are for closing the road. Katie said that Shane is advising the quarry regarding closure working with the Colorado Avalanche Information Center and the Aspen Snowmass ski patrol. Ron asked for more information on the repairs to the bridge. Katie explained that the north end of the apron had sagged. They pulled back the asphalt, re-packed it and put another layer of asphalt on top. There is a gravel point bar that forces the water to bend around into the north end of the bridge. When the flows are high, it pulls the materials from under the bridge, weakening it. They have installed shock-crete in between the marble blocks to serve as a storm wall. They have authorization from the county to do the work on the bridge but not from the ACoE to place anything like dredge/fill material up or downstream from the bridge. The work was done based on recommendations and the report has been sent to CDoT and to the bridge inspection company but the quarry does not think this work needs a sign-off. Josh asked if there was any opportunity for the board to get a tour in order to be able to answer citizen questions. Katie said they have to limit who comes on site, but they would be happy to arrange a tour in the Spring/Summer for town representatives as a regulatory body/partner. Ron spoke to the work the quarry does for the town behind the scenes and reported that they have been great neighbors. They reimbursed the town for repairs to the bathroom, donated to the jail house fund and adding seating in the Mill Site Park. Josh thanked them for the winter work. Katie reported that they gave maps at the meeting with the skiers. Emma said they would love to have a quarry representative on the historical preservation committee. Katie they are also interested in being involved in the process concerning the possible wild and scenic designation on the Crystal River.

E. Public Hearing to consider adoption of 2022 Budget for Town of Marble – Ryan made a motion to enter into a public hearing to consider adoption of 2022 Budget for Town of Marble. Tim Hunter seconded and the motion passed unanimously.

a. Review 2022 Proposed Budget – Changes suggested in the November work session have been incorporated into the budget. Tim would like to add \$5,000 to the street maintenance budget for maintenance of the east Marble hydrant site. Josh asked about the \$11,000 spent in 2020. Ron explained that this was for improvements on upper 4th street onto West Village Drive up to the town

limits. It also includes regrading Main Street and the bottom part of 4th street. Discussion of the maintenance plan/schedule and the need for maintaining shoulders, intersections/potholes, etc. followed. Ryan would like to see some of the funds be set aside until there is enough to pave problem areas such as 4th Street and Main Street with recycled asphalt. The roads the school bus travels must remain a priority. Emma would like to see the road that is currently paved be widened and/or striped. Tim said widening the road would be too costly, but striping is a possibility. Ron can create a line item for a Capital Improvement fund that can grow each year. Larry agreed that striping should be done and an improvement fund be created. Amber McMahill suggested doing a walk through with a road engineer for suggestions on addressing road degradation. She spoke to the need for any striping to be compliant to regulations. Ron spoke to the need to make repair to the cracks in the asphalt a priority. Josh said that work on the shoulders of the asphalt road needs to be the second priority. Ryan suggested adding \$5,000 to begin a capital road improvement fund. Ron's third priority is parking along Park Street. Mike Yellico said there is a need to replace some of the speed bumps and to add a couple of more. He also said signage and installation is a priority. The road budget will be \$25,000.

Other changes to the proposed budget:

Transfer to the park budget increased to \$3,000.

Snow plowing reduced to \$30,000.

Capital improvement/projects fund - \$13,000.

Earth Day – increase to \$4,000 and hold it in early May.

Historical Park Preservation Planning - \$2,000.

b. Consider approval Ordinance No. 2021-3 re: adopting 2022 Budget – Emma Bielski made a motion to approve Ordinance No. 2021-3 re: adopting 2022 Budget with the modifications made at this meeting. Tim Hunter seconded and the motion passed unanimously.

c. Consider approval Ordinance No. 2021-4 re: certifying 2022 Mill Levy – Josh Vogt made a motion to approve Ordinance No. 2021-4 re: certifying 2022 Mill Levy. Tim Hunter seconded and the motion passed unanimously.

F. Mayor's comments

G. Old Business – Ryan sent an email about the wording for the kiosk educational signage. Larry suggested being specific about the speed limit at 15 mph.

Tim asked if there was enough money in the campground fund to build a fence.

H. New Business

a. Appoint Ron Designated Election Official, 2022 Board Election, 4/5/2022 – Ryan Vinciguerra made a motion to appoint Ron Leach as the Designated Election Official for the 2022 Board Election scheduled for April 5, 2022. Emma Bielski seconded and the motion passed unanimously.

b. Consider approval of 2022 Gunnison County snow plow agreement, Ron – Emma Bielski made a motion to approve the 2022 Gunnison County snow plow agreement. Larry Good seconded and the motion passed unanimously.

c. Mike Yellico asked if anything could be done about Alex Menard's dogs that have attacked at least 4 other dogs while on the leash in the park.

d. Amber reported that there has been a vaccine clinic scheduled for December 11 at the fire station.

e. There will be a Lead King Loop listening session on December 8 at the fire station.

I. Adjourn – Josh Vogt made a motion to adjourn. Emma Bielski seconded and the motion passed unanimously. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,
Terry Langley