

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
September 1, 2022 7:00 P.M.

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:00 p.m. Present: Ryan Vinciguerra, Emma Bielski, Amber McMahill, Tony Petrocco and (by phone) Larry Good. Also present: Ron Leach, Town Administrator.

B. Mayor's comments

a. Welcome Dana Hlavac, Northwest Regional Manager, Colorado Dept. of Local Affairs – Dana was unable to attend.

C. Consent Agenda – Tony Petrocco made a motion to approve the consent agenda. Amber McMahill seconded and the motion passed unanimously.

a. Approve August 4th, 2022 regular meeting minutes

b. Approve Current Bills, August 4th, 2022

D. Administrator Report

a. Consider approval of the Marble Wetlands IGA with Colorado Department of Public Health and Environment (CDPHE) and the Construction Contract with Trout Unlimited (TU). Trout Unlimited representative, Tanner Banks was present on the speaker phone. Ron explained that CDPHE will provide the funds to clean up the site and that the IGA identifies the Town of Marble to serve as the contractor on the project. Trout Unlimited will contract with the Town to do the actual cleanup work. The Trout Unlimited contract is mostly complete. Land Trust Restoration holds the deed on the property and is not part of the IGA. The IGA has a few minor issues to be worked through, according to the Town attorney. The Trout Unlimited contract could be approved at this meeting. Amber asked if they don't need to be done together in light of the fact that one provides the funding and the other provides for the work. Ryan made a motion to approve the Trout Unlimited contract pending final approval of the CDPHE IGA. Tony said there needs to be a contract transferring ownership of the property to Marble. Ryan amended his motion to include a contract transferring ownership of the property to the Town of Marble. Tony Petrocco seconded and the motion passed unanimously. Tanner asked when the approval of the 3 pending contracts could happen and Ryan said it could occur before the October meeting. Ryan stated that a primary goal of the Town is to get ownership of the property.

b. Consider approval of Marble Wetlands contract with Trout Unlimited – see above.

c. 2023 preliminary budget – Ron directed the board to the income statement and the amount of \$164,689.35 collected as of July 31, 2022. This is 60% of the budgeted amount so the town is on target with revenue. Total expenses as of September 1 (75%) of year are 61% of budget so we are under budget with expenses. Ron said that campground revenues are 13% over last year. He complimented Richard on the great job he has done at the campground.

E. Committee Reports – Ryan said Brent has sent a great parks update.

F. Land use issues

a. Consider approval of Lawrence Restrictive Covenant – Chris Lawrence said her attorney asked why, since they had applied a year and a half ago, they should be subject to these restrictions. It was suggested that her attorney talk to the town attorney. She asked if variance requests since then had been subjected to this and Ryan explained that all variance requests are considered on a case-by-case

basis but there had not been any. Ron explained that he has issued an OWTS permit to the Lawrences but they will need to comply with the restrictive covenants, which he stated he should have given them first, or not do the OWTS. Larry Good made a motion to approve Amber seconded and the motion passed with Tony abstaining due to a possible conflict of interest.

b. Consider approval of Colorado State Plumbing Inspection Opt out request – Ron said that this has to do with plumbing inspections for construction – when a construction job needs their roughed in plumbing inspected – Marble can either request an inspection from the State or can opt out and use their own inspector. Requesting an inspection from the state results in a considerable delay. Marble’s inspector is a certified, licensed inspector. Amber asked if there was a cost difference and delays do increase costs. Tony Petrocco made a motion to opt out of Colorado State Plumbing Inspections. Amber McMahill seconded and the motion passed unanimously.

G. Old Business

a. Planning discussion – see below

b. Lead King Loop preparations – Larry Good explained that Amy Rusby had asked for the town’s support regarding parking. Karen Good said they would move the log fence in time for the race. Emma said there is a conflict of interest with the race because the Crystal Valley Music Festival has scheduled their event for the same weekend. Last year the CVMF resulted in the greatest traffic counts for the season. Karly is working with Chris to solve traffic issues around these events.

c. Beaver Lake Retreat business license – Angus Barber said the noise from an event Sept. 13 was excessive. There as an accident on Sept. 19 with a camper turning over and leaking fuel. It was not towed until the following day. He reported on two Google reviews complaining about cleanliness, facilities, water leaks, laundry problems, water being turned off, lack of keys, employees seeming to look in windows and more. Ryan asked that Angus continue to send in formal complaints. He said that the town can only act on issues around the town ordinances. Larry spoke to Vince’s request to receive formal complaints and the appearance of retaliation. He does not feel like Vince has done the things that he said he would do regarding noise, music hours and address changes. Ryan disagreed as Vince had explained that he already had contracts for the 10 p.m. hour and that the apps do direct people to the proper location. Larry also spoke to the similarities between the names Beaver Lake Lodge and Beaver Lake Retreat and the fact that bad reviews on one affect the other. Amber said her concern with the reviews Angus mentioned was the comment about the shaky stairs and possible liability to the town for issuing a business license. She asked that the town attorney be consulted about this. Ryan said that the town does not inspect premises in regard to business licenses and that doing that would increase liability. Angus asked if they were required to have insurance. Ryan said that is not part of the business license. He spoke to the impression that these complaints are only brought to the town when license renewals are reviewed. Angus said he would be bringing up what he feels are transgressions every time they occur. Ryan asked if the most recent complaints had been forwarded to Vince. Ron said they had and that he had talked to him about the fuel leakage.

c. Paul Wahlbrink reported that the Marble Fire Department logged in 81 personnel hours manning the first aid station.

H. New Business

a. Richard Wells asked if the town would entertain Monique Villalobos renting out the entire campground for holding the Rock and Mineral Show so that they could camp right at their vendor spaces. Ryan asked about any deed restrictions with that property.

b. Consider approval of Liquor License Renewal, Slow Groovin' – Ryan recused himself. Tony asked if there had been any complaints and Ron said he had not received any. Tony Petrocco made a motion to approve the Liquor License Renewal. Larry Good seconded and the motion passed unanimously.

c. Planning Discussion– Amber suggested hiring a facilitator, forming a committee and developing goals. Ryan suggested having that on the agenda each month and having better information to give people who might want to serve on a committee. He suggested having a job/committee description to present in October. Emma would like to have a description of 2023 goals. Richard asked if the town envisions this as an advisory committee. Ryan explained that this was the plan with some sub committees that would help develop and facilitate the goals. Amber asked if calling it a Planning and Zoning committee is the correct nomenclature. Tony said that P&Z would make recommendations on the approval process. Amber feels that zoning recommendations/enforcement are not what this committee would be doing. Ryan suggested Planning and Development. Emma spoke to the protection that zoning enforcement would provide the town.

d. Angus asked about the high-speed internet progress. Ron explained that the town gets a monthly update which states that the company is continuing to work with Holy Cross and the Forest Service with no progress.

e. Sue Blue asked about dredging Carbonate Creek. Ryan explained that they had looked at it as a capital expense/project but that it was decided it was more urgent than that. He asked for help with the process. Ron explained they would need a permit from the Army Corps of Engineers. He said it would be nice if someone needs the material. Sue asked about getting a short-term crusher and re-graveling the streets. Tony said that Gunnison County had provided a crusher in the 70's with Marble keeping one load for every four delivered to a location of the county's choosing. He said it was very noisy for a month. Ron would like it to be done this fall, but is not optimistic that it can be done that quickly. It was suggested checking with the quarry to see if they would partner in some way. Sue will find out what the process is for getting a permit from the Army Corps of Engineers. Ron will talk to the county.

I. Adjourn – Tony Petrocco made a motion to adjourn. Emma Bielski seconded and the motion passed unanimously.

Note: next month's agenda should include: 1. Planning – name of the group, job/scope description and goals for 2023; 2. Dredging Carbonate Creek.

Respectfully submitted,

Terry Langley