

Town of Marble

Regular Meeting of the Board of Trustees

January 15, 2026 6:00 pm

Marble Community Church, 121 W. State St. Marble, Colorado

Agenda

- 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
- 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 plan for augmentation and the Marble Water Company.
- C. Mayor's Comments
- D. Discussion of Marble Water Company issues
 - a. Water augmentation agreement with WDWCD
 - b. Jamie Vogt letter regarding MWC issues
- E. Discussion of mixed-use corridor proposal
- F. Consent Agenda
 - a. Approval of December 4th, 2025 Minutes
 - b. Approval of Current Bills, January 15th, 2026
- G. Treasurer Report, Amy
 - a. Account balances, 12/31/2025
 - b. Year to date, budget vs actual
- H. Administrator Report
 - a. Approve Resolution #2026-1 Public Posting Place
 - b. April 7, 2026 municipal election update
- I. Land Use
 - a.
- J. Old Business
- K. New Business
- L. Adjourn

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
December 4th, 2025

A. Call to order & roll call of the regular December meeting of the Board of Trustees of the Town of Marble – The meeting was called to order by Larry Good, Mayor Pro Tem, at 6:09 p.m. Present: Amy Rusby, Amber McMahill, Larry Good. Attending by phone: Dustin Wilkey and Ryan Vinciguerra. Also present: Ron Leach, Town Administrator; Terry Langley, minutes; and attorney Kendall Burgemeister (by phone)

B. Mayor's Comments

a. Consider date change for January 1, 2026 scheduled monthly meeting, Ryan – Amber McMahill made a motion to move the January meeting to Jan. 15, 2026. Dustin Wilkey seconded and the motion passed unanimously.

b. Zoom discussion with Kendall regarding mixed use zoning questions, Ryan – Kendall said he is ready to discuss the possibility of rezoning part of the town to a mixed use zone. He can draft this once he understands more of what the town wants. Larry asked for a general procedural idea. Dustin said the town is looking at rezoning along the pavement from the town limits to the end of pavement at Beaver Lake. Larry asked how that area came to be designated and Dustin said this was the area that has been discussed along. Larry repeated his objection to rubber stamping this entire area as a mixed-use corridor. Kendall said if there is a debate amongst the board regarding this it needs to happen. Kendall asked about the masterplan response and Larry said 57% of responses were negative. Ryan said that the majority of the board is ready to move forward but that Larry has the most reservations and questions that Kendall might help with. Kendall suggested completing the master planning process and if the majority of the board wants to create some mixed-use areas, it can be incorporated into the master plan document and then followed by an official amendment to the zoning code and map. Amber explained that the new master plan was been adopted in February, 2025. Ryan explained that this had been left somewhat open ended. Larry asked that, if a mixed used ordinance was adopted, would residences that chose a new business be required to update to current building standards. Kendall said there are three aspects: zoning of the property, actual use of the property, and what building codes would apply. Simply rezoning any particular parcel would not force the property owner to do anything. Building code requirements depend upon the actual use. A change in zoning does not mean a residence automatically becomes a business that requires building modifications. Larry asked if wanting to have a business would mean having the structure meet building codes. Kendall explained that it depends upon the type of business and any building code requirement for that business. He feels this is a separate issue from the zoning question. Larry said he wants folks to know that anyone opening a

business might have to make building modification. He feels that the existing home occupation code supports small businesses, is very short and clear and is adequate. Larry asked if property taxes across the board would be affected. Dustin said his research shows that taxes would only be affected for those who get a business operate it in their home and only the percentage used for that business would pay commercial taxes. The cost of having a business is not the responsibility of the town board. Larry asked what the advantage of moving on this is. Ryan said that this opens the potential of having a business and gives a route to open a business while discouraging spot zoning. Larry disagreed, saying that the current zoning allows for a home occupied business. Larry asked how many spot zoning requests has the town had in the last 10 years? Amber said there had been four since she was on the board. One of those was approved. There are small businesses that fall in between home occupied and full commercial requirements. She feels commercial taxes will prohibit most people from pursuing commercial businesses but that there needs to be a path for those who do want to open a small business. Larry spoke to the short business window in Marble and that most local businesses are seasonal. Larry asked Kendall if Dustin is correct regarding property taxes and Kendall said that, yes, they are based on actual use not on zoning. Larry asked what the effect might be on property values. Kendall does not have any data regarding this but acknowledged that there might be some who think it will lower their property values. Larry asked for a ball park figure of what the cost of legal and consulting fees might be to make these changes. Kendall said it depends on the scope of work and how much is initially done by the town but probably between \$5,000 and \$10,000. Ryan asked what the next step assuming that this is covered in the master plan. Kendall said drafting a concept of what the mixed-use zone would be and identifying allowed uses such as use by right or by special review and what types of restrictions would there be. Ryan said he would like to see the zoning corridor fall into the existing zoning codes and that this would simply change the geographical location to mixed-use. Dustin agreed. Ryan asked Amber if she would like to see the types of businesses that would fall into this mixed-use as far as use by right or use by review. She feels that using the current guidelines in the mixed use would work. Amber said that the master plan shows people are in favor of more business. She asked if there needs to be more specific language in the master plan. Kendall does not know what the plan says and would have to know that. She asked what the potential process might be for opening a business – would one go to the board to ask to be zoned mixed use? He said it depends on how the zoning code is drafted in the mixed-use area. He said there is usually objective criteria but that it is hard to develop a list that would cover everything. More common is developing objective parameters and constraints such as size and height. If something within the area meets the criteria, they only need to apply for a business license. It can be set up so that every business has to come before the board for a use by review on a case-by-case basis but this is not something he would recommend. How much review does the board want to have? Larry asked Kendall if he thinks this should be a ballot

issue but Kendall feels this should be the decision of the board. He said there is a public hearing process in which members of the community can express their feelings. Larry asked how to get the input from the sixty-eight property owners within the proposed corridor. Kendall said a questionnaire would be one way. Dustin said that seeking input was the reason he asked this be on the agenda each month. Larry feels that most people will wait until they see the final product. Larry asked if this would change the home occupied designation. El Iannios asked if this would affect a business that is grandfathered in. Kendall explained that whatever the use is on the day that this is adopted would be grandfathered in. Kendall emphasized that building and zoning codes are two different things. Dustin asked if they do move forward with this, would applying for a business license be enough or would a zoning request have to be submitted. Kendall said that it depends on how the ordinance is written. Amber said the current codes list types of businesses for both use by right and by review, and asked if this would be needed if there are parameters set. Kendall said the parameters should be enough. Amber asked if anything else that should be addressed. Kendall said that zoning and parameters are the main thing and then what types of uses are allowed and what falls under use by right and use by review. Larry said that the town zoning states that with home occupation a business use is incidental and secondary to residential use. Kendall explained that there are aspects of some businesses that do not fit the home occupation definition and he feels that the current definition should not be diluted and that it is appropriate to keep this designation even if the mixed-use zoning is adopted. Dustin suggested tabling this discussion to next month. Amy asked what the board should do next. Kendall suggested more conversation within the board and once there is a consensus, giving someone direction to begin working on a draft zoning code, reviews and revisions and moving to a public hearing followed by a board vote.

c. Consider approval of reservation agreement with West Divide Water Conservancy District (WDWCD) re: water augmentation – Kendall said that the WDWCD has been working on this for several years with the Town of Marble as a participant. They are asking for a commitment from the town in order to move forward. It requires a deposit of \$1000 by the end of December and asks for the volume of water the town would like to subscribe to. They estimate 10.9-acre feet of water consumed in a year with a full build out, looking at buildable lots. They are assuming a doubling of water taps which includes everyone on a well tapping into the water company. Kendall said that erring on the conservative side would be to sign up for the entire 10.9-acre feet. If the town feels that there is little chance of a full build out, subscribing to a lower amount would mean a smaller yearly charge, although there might not be water available to increase this in the future. They are charging \$550 per acre feet per year, or a total of \$6000-\$7500 ever year after that. This computes to about \$60 per tap per year. Kendall does not feel this plan will be adopted in 2027 or 28 and the water lease is up in 2028. Amber asked what the request is. They want a commitment and what we are requesting at this

time. She asked if the annual payment is to secure our spot, not for any additional water rights and Kendall said that is correct. She asked if there are other options and Kendall does not feel there are other feasible options. He feels that these regional plans run by larger conservation districts are more efficient. Developing our own augmentation would be labor and ongoing cost intensive. Dustin recommends going for it and going for the amount suggested. Kendall suggested a motion to approve and authorize Ryan to sign the reservation agreement with WDWCD and the 10.9-acre feet and pay the \$1000 reservation fee deposit before December 31. Dustin Wilkey made a motion to approve and authorize Ryan to sign a reservation agreement with the WDWCD with a water allotment of 10.9-acre feet before December 31 and to pay the \$1000 reservation fee. Amy Rusby seconded and the motion was approved unanimously.

C. Land Use

a. Dark Sky ordinance update, Larry/Kelsy – Larry attended a zoom conservation with Kelsey Been, Jessa Young, John Armstrong, Ron Leach and other Marble citizens. Michael Rymer is the contact and is very supportive of Marble becoming a dark sky community. Kelsy said there is a group of interested people who joined the meeting. There are many steps to complete before submitting an application. She said they did an audit of our current zoning code and reported on work to be done on that zoning. They will provide technical support, including zoom webinar scheduled for Jan 7 on the lighting code. They recommend community outreach before zoning changes. Another requirement is holding two events a year. Another requirement is for a dark sky monitoring program to measure light with a \$150 monitoring tool. The town can approve a proclamation supporting the effort as an interim step before submitting the application. Amber asked how far off our code is and Kelsy said it is close but there are a few areas that need adjustment. It is felt that community support will result in self-enforcement and is usually complaint driven. Larry explained that this is a 2-3 year process. Amber asked what the frequency of yearly requirements is and Kelsy explained that they are holding two events and ongoing monitoring. Kelsy will share examples of a proclamation. Dustin was asked about his apprehensions expressed last month and said that he is more on board.

b. Thanos 10th Mountain Retreat development update, Kostas Iannios. Kostas introduced the Greens from Blackwater MO. They are coming next spring to help with the work on the Thanos 10th Mountain Retreat development. They presented some of the ideas, including a museum of Thanos' artwork.

D. Consent Agenda – Amber McMahill made a motion to approve the consent agenda. Amy Rusby seconded and the motion passed unanimously.

- a. Approval of November 6th 2025 Minutes
- b. Approval of Current Bills, December 4th, 2025

E. Treasurer Report, Amy – Amy reported that we are 92% through the year. Revenues are at 94% and expenses are at 81%.

a. Account balances, 12/1/25 Accounts total is \$490,469.86.

b. Year to date, budget vs actual - Last year at this time we were at 105% expenses. We have \$104,000 more in our accounts than last year at this time.

F. Open Public Hearing regarding adoption of 2026 Budget, Ryan – Amber McMaill made a motion to enter into public hearing. Amy Rusby seconded and the motion passed unanimously.

a. Public Input – none (the public attending the meeting had all left by this time). Larry asked what the final number is for the grant writing process and it is \$6000. Larry said this is the amount to hire a grant writer and further payment would be included in any awarded grant. If more is needed, a request will be made with the board. He also asked about the budget for legal fees and it is \$15,000. This year the town spent \$10,000 more or less. In 2024, it was \$21,000. Larry asked if, considering the potential for legal fees for mixed use zoning and Marble Water Company issues, should this be increased? It was decided to leave this at \$15,000. Larry spoke to the priorities the board has set previously. Larry raised a question concerning staffing needs. Ron suggests a year-round, half-time assistant town administrator for 2026. It is already included in total wages and benefits.

b. Close Public Hearing – Amy Rusby made a motion to close the public hearing. Amber McMahill seconded and the motion passed unanimously.

G. Administrator Report

a. Consider adoption of Ordinance # 2025-6 Adopting the 2026 Budget and making appropriations for the 2026 Budget Year. Amber McMahill made a motion to adopt #Ordinance 2025-6 Adopting the 2026 Budget and making appropriations for the 2026 Budget Year. Dustin Wilkey seconded and the motion passed unanimously.

b. Consider adoption of Ordinance # 2025-7 Certifying the Mill Levy for the Town of Marble for the 2026 fiscal year. – Amy Rusby made a motion to adopt Ordinance #2025-7 Certifying the Mill Levy for the Town of Marble for the 2026 fiscal year. Dustin Wilkey seconded and the motion passed unanimously.

H. Old Business – Amber asked about the \$5000 designated for the school and it was given in February 2025.

Amber asked about the election and Ron reported that it is in the Echo and on the Website but there have been no requests for petitions to date. They will be available Jan 7 and due Jan 28 (three weeks).

I. New Business – Larry asked to discuss the complaint lodged with the town board by Samantha Wilkey. He asked for clarification on her complaints. Amy feels that she and Dustin need to recuse themselves from the conversation. Amber feels that if this is something Sam wants to pursue, it should be done during business license reviews. She feels that the Rusby’s business is in compliance and that the town staff had put time and effort into their newsletter and did not deserve the criticism. She does not feel it needs to be addressed at this time. Larry invited Sam to come to the next meeting to readdress the complaint. Sam joined the call and expresses support to the Rusby’s business. The zoom time ended.

J. Adjourn – Amy Rusby made a motion to adjourn. Amber McMahill seconded and the motion passed unanimously. The meeting was adjourned at 8:27 p.m.

Respectfully submitted,
Terry Langle

Reservation Agreement
West Divide Water Conservancy District
Crystal River Supply Program

This Reservation Agreement (sometimes referred to as the “Agreement”) dated DECEMBER 4, 2025, is entered into between the West Divide Water Conservancy District (“West Divide”), and TOWN OF MARBLE (“the Reserving Party”), a potential contractee of a water allotment contract for the yet to be decreed and approved Crystal River Umbrella Augmentation Program.

RECITALS

Whereas, West Divide is a Colorado water conservancy district, organized pursuant to C.R.S. 37-45-101 et seq., that is in the process of preparing to file an application for umbrella augmentation plan in Water Court for Water Division No. 5, to augment uses within the Crystal River basin between Carbondale, Colorado, upstream to Crystal, Colorado (the “Augmentation Plan”);

Whereas, the Crystal River is over-appropriated and water users within the Crystal River basin are subject to call from senior downstream water rights;

Whereas, West Divide will be providing service to water users outside its decreed District Boundary via Intergovernmental Agreements between West Divide and the Colorado River Water Conservation District and West Divide and the Basalt Water Conservancy District;

Whereas, service outside of West Divide’s District Boundaries in certain areas lying to the east of the Crystal River between Carbondale and Redstone, Colorado, will require an inclusion of the Reserving Party’s lands within the Basalt Water Conservancy District pursuant to the inclusion process of that District;

Whereas, West Divide anticipates filing the application for Augmentation Plan in December 2025, and will soon thereafter request the approval of a substitute water supply plan from the Office of the State Engineer, Colorado Division of Water Resources;

Whereas, West Divide’s Augmentation Plan will have a limited supply and will provide augmentation contracts on a first-come first-served basis until fully subscribed;

Whereas, West Divide will use its best commercially reasonable efforts to obtain a decreed augmentation plan and temporary substitute supply plan within a reasonable period of time;

Whereas, due to the demand for the augmentation water and to demonstrate to the water court the need for the augmentation plan, West Divide is accepting reservations for water contracts within what will become the Crystal River Umbrella Augmentation Program.

Whereas, the Reserving Party wishes to reserve a contract for 10.9 acre-feet to be contracted by West Divide using its standard water allotment contract pursuant to the terms of this Reservation Agreement.

AGREEMENT

Now, therefore, for good and valuable consideration the receipt and sufficiency of which is acknowledged, the parties hereto agree as follows:

1. Recitals Incorporated. The above Recitals are fully incorporated in this Agreement as if fully set forth herein.
2. Reservation Deposit. Concurrent with executing this agreement, the Reserving Party shall deliver to West Divide \$1,000.00 in good and sufficient funds (the "Deposit") payable to West Divide Water Conservancy District as a deposit for a water allotment contract in the amount of 10.9 acre-feet.
3. Deposit Funds May Be Used by West Divide. West Divide, at its option, may apply the Deposit to cover expenses of the Crystal River Umbrella Augmentation Program and the Reserving Party shall not be entitled to receive interest on the Deposit.
4. Property Held for Reserving Party. In exchange for the Deposit, upon obtaining a temporary substitute supply plan or final decree, whichever occurs first, West Divide shall give the Reserving Party the first right to enter into a water allotment contract for 10.9 acre-feet of augmentation water. The water allotment contract shall be issued at West Divide's Crystal River Umbrella Augmentation Program's established rate set forth in the attached 2026 Rate Sheet. The water allotment contract shall be fully executed by the parties within 90 days of West Divide obtaining a final decree or temporary substitute supply plan. If the parties fail to enter into a water allotment contract within said 90 days, this Agreement shall automatically terminate and 50% of the Reserving Party's Deposit shall be returned within thirty (30) business days and West Divide shall have no obligation to enter into a water allotment contract or provide water augmentation services to the Reserving Party.
5. Water Allotment Contract. Upon the parties entering into a water allotment contract, this Reservation Agreement shall automatically terminate and West Divide shall credit the \$1,000.00 Deposit towards the cost of the Water Allotment Contract.
6. Extra-Territorial Service. In the event the property being served by West Divide's augmentation plan lies outside of West Divide's District Boundaries, the Reserving Party may need to obtain an inclusion of the Reserving Party's lands within the Basalt Water Conservancy District pursuant to the inclusion process and expenses of that District. Once West Divide determines the location of service, West Divide will advise as to whether an inclusion into the Basalt Water Conservancy District is required.

7. Termination Upon Failure to Obtain a Temporary Substitute Supply Plan or Water Court Decree. Should West Divide fail to obtain final approvals of a Temporary Substitute Supply Plan or final water court decree adjudicating the Crystal River Umbrella Augmentation Program, this Reservation Agreement shall terminate and West Divide shall refund 50% of the Reserving Party's Deposit within thirty (30) business days of such failure. In this event, the parties unconditionally and irrevocably release and discharge each other and any of their successors, assignees, affiliates, subsidiaries, owners, partners, principals, trustees, shareholders, officers, directors, attorneys, agents, representatives, employees, managers, members, and administrators and each of them respectively, from and against any and all claims that the parties have or may have had against each other in connection with or arising from this Agreement.
8. Counterparts. This Reservation Agreement shall be fully binding and effective if signed fully in Counterparts. Facsimiles and scanned versions of the Agreement and its execution in Counterparts shall also be fully binding. All Parties waive a challenge to the validity of this Agreement based on execution in Counterparts, Facsimiles, or Scans. The Parties agree that faxed, scanned, or digitally-reproduced signatures to this Agreement shall be deemed original signatures for all purposes. The Agreement may be executed in any number of counterparts, each of which, when executed and delivered, shall be deemed to be an original instrument, but such counterparts shall together constitute one and the same instrument.
9. Venue, Jurisdiction, and Choice of Law. This Agreement is governed by Colorado law. The Parties consent to jurisdiction in Colorado and venue shall be exclusively in Garfield County.
10. Entirety of Agreement. This Agreement constitutes the entire agreement between the Parties concerning the subject matter of this Agreement, and supersedes all prior written or oral agreements, representations, negotiations, and discussions related to the subject matter of this Agreement. No waiver or modification shall be effective unless executed in writing by the Parties hereto.
11. Attorneys' Fees. In the event of any dispute between or among the Parties or court action over any of the terms and conditions of this Agreement, including any action taken to enforce this Agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and costs incurred by such party in such action.
12. Severability. If any provision of this Agreement is declared unenforceable or invalid for any reason, such declaration shall effectively terminate this Agreement.
13. Other Acknowledgements. The Parties acknowledge that:

- a. Each has entered into this Agreement voluntarily, without coercion or undue influence, and upon full and mature consideration.
- b. Each has read this Agreement in its entirety and understands the terms and conditions of this Agreement.
- c. Each has no reason to believe that any other party does not understand fully the terms and effects of this Agreement, or any other party does not freely and voluntarily execute this Agreement.
- d. No provision of this Agreement is to be interpreted for or against any party because one of the Parties or one of their legal representatives drafted the provision.
- e. A Party's failure to insist on compliance or enforcement of any provision of this Agreement shall not affect the validity or enforceability, or constitute a waiver of future enforcement, of that provision or of any other provision of this Agreement by that Party or any other Party.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first written above.

WEST DIVIDE WATER CONSERVANCY DISTRICT

By: _____

ATTEST: _____

RESERVING PARTY

By:  _____

Name: TOWN OF MARBLE, Reserving Party

Amy J. Rusby, Trustee

Hi Ron & Town Trustees,

Kelsy and I received the annual Marble Water Company annual assessment from the Town and it was a reminder that I've had a lot on my mind about the Marble Water Company that I wanted to share with you and the Board. While I appreciate the role the MWC has had in the past, I believe the time for a privately held municipal water supply has passed and the Town should take proactive and aggressive action to ensure the citizens of Marble have a clean, reliable, and accessible domestic water supply - town wide. Several items have stuck out to me that make the current water distribution arrangement in Town strange and concerning to me:

1. This annual assessment: This is part of MWC's operations and yet the town spends staff time and resources to collect this fee. Operationally, this does not make sense. Also, while I commend the changes to the rate structure for the annual assessment, it is still not fair. One of the main arguments for collecting the assessment is for fire protection, and yet the vast majority of fire hydrants are clustered in the west half of Marble.

2. Water rights and use: I understand 100% of the water that MWC uses is actually the Town of Marble's water rights that have been ceded to MWC. I believe the town of Marble should manage their own water rights and not hand them off to a third party.

3. Public safety: As I mentioned above, nearly all of the fire hydrants in town are clustered in West Marble. I believe that there is actually only one hydrant east of Carbonate Creek; this poses a serious risk to public safety and community readiness if there were a home or wildfire situation in East Marble. I have not heard that MWC has any concrete plans to add fire hydrants throughout East Marble. Also concerning for the public's safety, is that MWC has struggled with running their operation in compliance with state clean water laws. When we have seen MWC's reports, there have been notes that they have shown reporting errors and violations.

4. Past & future water system development: To me, it seems the water system has been developed largely piecemeal over many years. It does not seem that the water system was designed to modern municipal supply systems such as water main loops, causing supply and pressure problems at various places throughout town. Also, the limited water mains in east marble cause unreasonable costs for people to bring taps to their houses when they need to run water lines hundreds of feet, if not even further, to connect to the water system. Also, it seems that the location of many of the water mains are not actually well known; when Beaver Lake Lodge added a waterline to their under construction annex building this Fall, MWC & the Lodge's contractor struggled to find the existing water main, causing delays in the road closure, but more importantly, is simply concerning because the actual location of the water main infrastructure is not well documented! Also, much of the water system in the ground is now quite aged; I am concerned about the long term viability of the system as it currently exists. I have had plumbing fixture valves ruined by sediments in our lines and flushing this material out of our home's plumbing system is a regular maintenance item I haven't experienced living

anywhere else. If and when the Town takes over this infrastructure, I urge you to spend extra due diligence understanding the condition of the system and necessary investments that will be required to get this hodgepodge system up to a modern standard.

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5. Financing: I do not know if MWC refinanced their tank loan when rates were at historic lows, but if they did not, that would be a waste and misuse of water users funds. As a water user and when I was a Town Trustee, I have never seen anything from MWC on their finances; they do not appear to be open book with their operating costs, what their officers earn, or what they know about the condition of their system. Having a municipality that will actively manage the water system, managing costs in an open book manner is good stewardship for the Town's citizens. Also, if MWC is a non-profit while the Town is a governmental entity. Typically, governments will have access to more financing, grants, and funding opportunities, often at more favorable rates than non profit and private organizations. If the water supply was controlled and managed by the Town, there would be more external funding opportunities to improve and expand the water system (like adding fire hydrants and reasonable access for new taps in East Marble)

6. Arbitrary Management: MWC does not manage use or charge fees and rates consistently across their users. MWC charges \$65/mo to users regardless of their actual use. However, depending on the quality of a user's relationship with the MWC's town employee dictates your allowed use and how you are charged for water. The MWC's in Town employee has consistently policed our water use and threatened to not allow us to water outside while other properties in town use water with impunity. I don't have a Kentucky bluegrass lawn, any watering I've done outside it to establish new trees or native grass seed. Several years ago, MWC implemented a requirement to have water meters installed on all homes using their system under penalty of double the \$65 rate for non-compliance. I received the double fee for months while trying to acquire a water meter and getting a plumber to install it; I ultimately had to install the water meter myself, with an investment of over \$1000 in the meter, only to be told "I don't like those meters" from the local employee. This situation was beyond frustrating to hear given MWC's complete lack of guidance on solving the water meter requirement. To this day, my water meter has never been read or used at all, while I've heard from several folks in town that they do not have water meters installed on their house and have never been charged the double fee for not having a water meter. This "buddy system" with a complete lack of tracking of actual water use is no way to manage a municipal water supply system - especially in the drying West - everyone should be held to the same standard, and if a requirement should be set for MWC users, there should be a reason for it (like tracking and charging for actual water use).

The current arrangement for municipal water supply in Marble is a relic of the past. While it served a common good at one point, its effectiveness has run its course and action should be taken to ensure the status quo does not continue to persist in the

future. If the MWC is uncooperative in an amicable exchange of the control of water delivery in Marble, I would strongly encourage using eminent domain or any other levers available to the Town to ensure a reliable, safe, and equitable water delivery and fire protection system exists across all of Marble. I know MWC has been on past agendas and topics of conversation with this board and I commend you for making sure you are reviewing this arrangement with MWC and taking proactive steps to address this antiquated agreement that no longer serves in the best interest of all citizens of our wonderful little Town.

Thank You for your time, consideration, and service,

Jamie Vogt
213 E Marble Street
720.257.2700

Town of Marble

Deposit Detail

December 2025

DATE	TRANSACTION TYPE	CUSTOMER	VENDOR	MEMO/DESCRIPTION	ACCOUNT	AMOUNT
*General Fund -0240						
12/03/2025	Deposit			DEPOSIT	*General Fund -0240	30.00
				DEPOSIT	Other Revenue: Parking Program Revenue	30.00
12/03/2025	Deposit			DEPOSIT	*General Fund -0240	155.00
				DEPOSIT	Other Revenue: Parking Program Revenue	155.00
12/03/2025	Deposit			DEPOSIT	*General Fund -0240	10,567.02
				Plumbing Permit	Licenses & Permits: Building Permits	233.00
		Gunnison County		DEPOSIT	Intergovernmental: General Sales Tax	2,471.02
			Colorado Stone Quarry CSQ	DEPOSIT	Other Revenue: CSQ Lease Agreement	3,247.25
			Martha Desmond		Licenses & Permits: Building Permits	4,615.75
12/26/2025	Deposit			DEPOSIT	*General Fund -0240	3,936.51
		Gunnison County		DEPOSIT	Intergovernmental: General Sales Tax	3,115.97
		State of Colorado		DEPOSIT	Intergovernmental: Grant Revenue	820.54
12/31/2025	Deposit			INTEREST PAID	*General Fund -0240	0.73
				INTEREST PAID	Other Revenue: Interest Income	0.73
Money Market -1084						
12/05/2025	Deposit	State of Colorado		DISTRIB CO DOR CIGARETTE CCD XXXXXXXX7008RLAC	Money Market -1084	15.45
		State of Colorado		DISTRIB CO DOR CIGARETTE CCD XXXXXXXX7008RLAC	Intergovernmental: Cigarette Tax	15.45
12/08/2025	Deposit	State of Colorado		DISTRIB CO DOR SALES TAX CCD XXXXXXXX7003RLAS	Money Market -1084	16,277.34
		State of Colorado		DISTRIB CO DOR SALES TAX CCD XXXXXXXX7003RLAS	Intergovernmental: General Sales Tax	16,277.34
12/10/2025	Deposit	State of Colorado		ACH ITEM COLORADO SURPLUS CCD	Money Market -1084	356.94
		State of Colorado		ACH ITEM COLORADO SURPLUS CCD	Property Taxes	356.94
12/31/2025	Deposit			INTEREST PAID	Money Market -1084	360.61
				INTEREST PAID	Other Revenue: Interest Income	360.61
Water Fees -0873						
12/31/2025	Deposit			INTEREST PAID	Water Fees -0873	0.21
				INTEREST PAID	Other Revenue: Interest Income	0.21

Transaction List

Town of Marble

December 2, 2025-January 12, 2026

ITEM SPLIT ACCOUNT	DATE	VENDOR	MEMO/DESCRIPTION	ACCOUNT FULL NAME	AMOUNT
Expense					
Campground/Store Revenues	12/02/2025	MTOT Disc Bankcard	MTOT DISC BANKCARD CCD XXXXXXXX0012837	Campground Account -6981	-114.09
Campground Expenses	12/02/2025	Colorado Department of Revenue	TAXPAYMENT CO DEPT REVENUE CCD XXXXXXXX5010LIC	101001 *General Fund - 0240	-16.00
105125 Utilities	12/02/2025	Holy Cross Electric	ELEC PAYMT HOLY CROSS ENRGY CCD XXXXXXXX3402	101001 *General Fund - 0240	-26.06
Recycle Program	12/03/2025	Valley Garbage Solution, LLC	PAYMENT VALLEY WASTE SOL CCD XXXXXXXX06158	101001 *General Fund - 0240	-463.50
Campground Expenses	12/03/2025	Valley Garbage Solution, LLC	PAYMENT VALLEY WASTE SOL CCD XXXXXXXX03806	101001 *General Fund - 0240	-31.67
Campground/Store Revenues	01/02/2026	MTOT Disc Bankcard	MTOT DISC BANKCARD CCD XXXXXXXX0012837	Campground Account -6981	-112.28
Recycle Program	01/05/2026	Valley Garbage Solution, LLC	PAYMENT VALLEY WASTE SOL CCD XXXXXXXX06158	101001 *General Fund - 0240	-463.50
Campground Expenses	01/05/2026	Valley Garbage Solution, LLC	PAYMENT VALLEY WASTE SOL CCD XXXXXXXX03806	101001 *General Fund - 0240	-31.67
Total for Expense					-\$1,258.77
Credit Card Expense					
105025 Office Expenses	12/02/2025	Amazon		Alpine Credit Card 2	13.33
105025 Office Expenses	12/02/2025	Amazon		Alpine Credit Card 2	59.32
Campground Expenses	12/11/2025	Reservation Nexus		Alpine Credit Card 2	37.50
105140 Dues & Subscriptions	12/12/2025	Adobe		Alpine Credit Card 2	23.99
Campground Expenses	12/12/2025	Starlink		Alpine Credit Card 2	108.00
105140 Dues & Subscriptions	12/18/2025	Adobe		Alpine Credit Card 2	19.99
105025 Office Expenses	12/21/2025	JustAnswer		Alpine Credit Card 2	55.00
105025 Office Expenses	12/24/2025	Intuit		Alpine Credit Card 2	64.00
105025 Office Expenses	12/27/2025	HughesNet		Alpine Credit Card 2	111.51
105025 Office Expenses	12/29/2025	Walmart		Alpine Credit Card 2	189.83
Total for Credit Card Expense					\$682.47
Tax Payment					
QuickBooks Tax Holding Account	12/05/2025	QuickBooks Payroll	Tax withdrawal	101001 *General Fund - 0240	-871.40
Federal Taxes (941/943/944)	12/15/2025	IRS	Tax Payment for Period: 11/01/2025-11/30/2025	QuickBooks Tax Holding Account	-1,385.08
QuickBooks Tax Holding Account	12/19/2025	QuickBooks Payroll	Tax withdrawal	101001 *General Fund - 0240	-928.30
QuickBooks Tax Holding Account	01/05/2026	QuickBooks Payroll	Tax withdrawal	101001 *General Fund - 0240	-879.28
CO Income Tax	01/08/2026	CO Department of Revenue	Tax Payment for Period: 10/01/2025-12/31/2025	QuickBooks Tax Holding Account	-813.00
Total for Tax Payment					-\$4,877.06
Check					
105110 Engineering Services & Insp. Accounting	12/16/2025	Sopris Engineering LLC	CHECK - INCLEARING ITEM 12219	101001 *General Fund - 0240	-2,986.95
	01/12/2026	Ragged Enterprises, LLC		101001 *General Fund - 0240	-112.50
Marble Hub Donation	01/12/2026	Marble Hub	Visitor Center Donation	101001 *General Fund - 0240	-10,000.00
Alpine Credit Card 2	01/12/2026	Alpine Bank	Acct. # ending: 6434	101001 *General Fund - 0240	-833.05
Maintenance - Park Fund	01/12/2026	Aspen Maintenance Supply LLC	Invoice# 71590	101001 *General Fund - 0240	-238.87
	01/12/2026	Mountain Pest Control, Inc.	Acct# 112500	101001 *General Fund - 0240	-61.00
105100 Snow & Ice Removal	01/12/2026	Daly Property Services, Inc.	Inv# 6997	101001 *General Fund - 0240	-2,558.40
	01/12/2026	Marble Water Company	Inv# 24560	101001 *General Fund - 0240	-180.00
105125 Utilities	01/12/2026	Century Link		101001 *General Fund - 0240	-132.30
Total for Check					-
TOTAL					\$17,103.07
TOTAL					\$22,556.43

Town of Marble

Payroll summary report

From Dec 02, 2025 to Jan 13, 2026 for all employees from all locations

Pay date	Name	Hours	Gross pay	Pretax deductions	Other pay	Employee taxes	Aftertax deductions	Net pay	Employer taxes	Company contributions	Total payroll cost
Total		362h	\$10,750.51			-\$1,977.87		\$8,772.64	\$820.46		\$11,570.97
01/13/2026 Direct deposit	Anderson, Karleen	25.5h	\$637.50			-\$70.58		\$566.92	\$48.77		\$686.27
01/05/2026 Direct deposit	Leach, Ronald S	80h	\$2,332.21			-\$477.70		\$1,854.51	\$178.42		\$2,510.63
01/05/2026 Direct deposit	Manus, Charles R	29.75h	\$1,001.20			-\$148.54		\$852.66	\$74.62		\$1,075.82
12/19/2025 Direct deposit	Langley, Theresa A	5h	\$121.55			-\$9.85		\$111.70	\$9.30		\$130.85
12/19/2025 Direct deposit	Leach, Ronald S	80h	\$2,332.21			-\$484.36		\$1,847.85	\$178.41		\$2,510.62
12/19/2025 Direct deposit	Manus, Charles R	30h	\$983.70			-\$155.37		\$828.33	\$75.26		\$1,058.96
12/19/2025 Direct deposit	Smith, Christine	4h	\$100.00			-\$8.10		\$91.90	\$7.65		\$107.65
12/05/2025 Direct deposit	Leach, Ronald S	80h	\$2,332.21			-\$484.37		\$1,847.84	\$178.42		\$2,510.63
12/05/2025 Direct deposit	Manus, Charles R	27.75h	\$909.93			-\$139.00		\$770.93	\$69.61		\$979.54

Town of Marble

Budget vs. Actuals: General Fund

January - December 2026

	TOTAL			% OF BUDGET
	ACTUAL	BUDGET	REMAINING	
Income				
Intergovernmental				
Cigarette Tax	12.76	200.00	187.24	6.38 %
General Sales Tax	5,885.36	170,000.00	164,114.64	3.46 %
Grant Revenue		5,000.00	5,000.00	
Highway Use Tax (HUTF)		14,000.00	14,000.00	
Mineral Lease Distribution		0.00	0.00	
Severance Tax		0.00	0.00	
Total Intergovernmental	5,898.12	189,200.00	183,301.88	3.12 %
Licenses & Permits				
Building Permits		4,000.00	4,000.00	
Business Licenses		1,000.00	1,000.00	
Other Licenses & Permits		500.00	500.00	
Septic Permits		2,000.00	2,000.00	
Short term rental Licenses		350.00	350.00	
Total Licenses & Permits		7,850.00	7,850.00	
Other Revenue				
Campground/Store Revenues	612.82	59,000.00	58,387.18	1.04 %
CSQ Lease Agreement		34,000.00	34,000.00	
CSQ Maintenance Payments		3,600.00	3,600.00	
Donations		1,000.00	1,000.00	
Holy Cross Electric Rebates		500.00	500.00	
Interest Income		5,000.00	5,000.00	
Marble Fest		16,000.00	16,000.00	
Non-Specified		1,000.00	1,000.00	
Parking Program Revenue		16,000.00	16,000.00	
SGB Lease Agreement		3,000.00	3,000.00	
Transfer Water Fund, Admin Cost		1,000.00	1,000.00	
Total Other Revenue	612.82	140,100.00	139,487.18	0.44 %
Property Taxes				
Property Taxes	161.76		-161.76	
Additional License Tax		1,000.00	1,000.00	
General Property Tax		41,000.00	41,000.00	
Property Tax Interest		500.00	500.00	
Specific Ownership Tax		1,500.00	1,500.00	
Total Property Taxes	161.76	44,000.00	43,838.24	0.37 %
Total Income	\$6,672.70	\$381,150.00	\$374,477.30	1.75 %
GROSS PROFIT	\$6,672.70	\$381,150.00	\$374,477.30	1.75 %
Expenses				
General Government				
Campground Expenses	31.67	25,000.00	24,968.33	0.13 %
Church Rent		720.00	720.00	
Civic Engagement Fund		1,500.00	1,500.00	

Town of Marble

Budget vs. Actuals: General Fund

January - December 2026

	TOTAL			% OF BUDGET
	ACTUAL	BUDGET	REMAINING	
Donation to AVLT Childrens Park		2,000.00	2,000.00	
Dues & Subscriptions		2,000.00	2,000.00	
Elections		3,000.00	3,000.00	
Food		2,000.00	2,000.00	
Grant Expenditures		5,000.00	5,000.00	
Jailhouse		0.00	0.00	
Legal Publication		1,000.00	1,000.00	
Marble Fest Expense		16,000.00	16,000.00	
Marble Hub Donation	10,000.00	10,000.00	0.00	100.00 %
Master Plan		0.00	0.00	
Office Expenses	64.00	9,000.00	8,936.00	0.71 %
Office Maint.	61.00	8,000.00	7,939.00	0.76 %
Parking Program Expenses		2,000.00	2,000.00	
Recycle Program	463.50	4,000.00	3,536.50	11.59 %
Transfer to Park Fund		20,000.00	20,000.00	
Treasurers Fees		500.00	500.00	
Unclassified		0.00	0.00	
Vehicle Expenses		1,000.00	1,000.00	
Workshop/Travel		3,000.00	3,000.00	
Total General Government	10,620.17	115,720.00	105,099.83	9.18 %
Other Purchased Services				
Earth Day Expenses		10,000.00	10,000.00	
Grant Writing		6,000.00	6,000.00	
Liability & Worker Comp Insc		7,000.00	7,000.00	
Utilities	132.30	4,000.00	3,867.70	3.31 %
Total Other Purchased Services	132.30	27,000.00	26,867.70	0.49 %
Payroll Expenses				
Taxes	301.81		-301.81	
Wages	3,945.22	143,000.00	139,054.78	2.76 %
Total Payroll Expenses	4,247.03	143,000.00	138,752.97	2.97 %
Purchased Professional Services				
Accounting	112.50	10,000.00	9,887.50	1.13 %
Audit		14,000.00	14,000.00	
Engineering Services & Insp.		8,908.00	8,908.00	
Legal - General		15,000.00	15,000.00	
Municipal Court		0.00	0.00	
Total Purchased Professional Services	112.50	47,908.00	47,795.50	0.23 %
Roads				
Asphalt Road Repair		0.00	0.00	
Snow & Ice Removal	2,558.40	30,000.00	27,441.60	8.53 %
Street Maintenance		30,000.00	30,000.00	
Total Roads	2,558.40	60,000.00	57,441.60	4.26 %

Town of Marble

Budget vs. Actuals: General Fund

January - December 2026

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% OF BUDGET
Total Expenses	\$17,670.40	\$393,628.00	\$375,957.60	4.49 %
NET OPERATING INCOME	\$ -10,997.70	\$ -12,478.00	\$ -1,480.30	88.14 %
NET INCOME	\$ -10,997.70	\$ -12,478.00	\$ -1,480.30	88.14 %

Town of Marble

Budget vs. Actuals: Park Fund

January - December 2026

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% OF BUDGET
Income				
Conservation Trust Income - CTF		1,500.00	1,500.00	
Transfer In - Park Fund		20,000.00	20,000.00	
Total Income	\$0.00	\$21,500.00	\$21,500.00	0.00%
GROSS PROFIT	\$0.00	\$21,500.00	\$21,500.00	0.00 %
Expenses				
Park Fund Expenses				
Maintenance - Park Fund	238.87	11,535.00	11,296.13	2.07 %
Total Park Fund Expenses	238.87	11,535.00	11,296.13	2.07 %
Total Expenses	\$238.87	\$11,535.00	\$11,296.13	2.07 %
NET OPERATING INCOME	\$ -238.87	\$9,965.00	\$10,203.87	-2.40 %
NET INCOME	\$ -238.87	\$9,965.00	\$10,203.87	-2.40 %

Town of Marble

Water Fund: Budget vs. Actuals

January 1-12, 2026

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% OF BUDGET
Income				
Water Fund Income				
Water - Fees For Service		21,000.00	21,000.00	
Total Water Fund Income		21,000.00	21,000.00	
Total Income	\$0.00	\$21,000.00	\$21,000.00	0.00%
GROSS PROFIT	\$0.00	\$21,000.00	\$21,000.00	0.00 %
Expenses				
Water Fund Expenses				
Fire Protection/Water Tank		20,000.00	20,000.00	
Water - Administration Costs		1,000.00	1,000.00	
Total Water Fund Expenses		21,000.00	21,000.00	
Total Expenses	\$0.00	\$21,000.00	\$21,000.00	0.00%
NET OPERATING INCOME	\$0.00	\$0.00	\$0.00	0.00%
NET INCOME	\$0.00	\$0.00	\$0.00	0.00%