

Town of Marble  
Regular Meeting of the Board of Trustees  
May 7th, 2020

NOTICE: DUE TO THE CURRENT COVID SITUATION AND RESTRICTIONS, THE MAY 7th, 2020 MEETING OF THE MARBLE BOARD OF TRUSTEES WAS HELD VIA CONFERENCE CALL ON THE REGULAR DATE & TIME. THE CONFERENCE CALL WAS OPEN TO THE PUBLIC TO CALL IN.

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – Present: Mayor Ryan Vinciguerra called the meeting to order at 6:34 p.m. Present: Ryan Vinciguerra, Larry Good, Emma Bielski, Tim Hunter, and Charlie Manus. Also present: Ron Leach, Town Administrator, and Terry Langley, minutes. Ryan Vinciguerra moved to go into executive session pursuant to CRS 24-6-402(4)(b) to receive legal advice regarding Lawrence pit privy and Case No. 20CV30012. Larry Good seconded and the motion passed unanimously.

The board went into executive session at 6:35 p.m. This was attorney/client communication and no minutes were taken.

The executive session ended and the regular meeting resumed with a call to order by Ryan Vinciguerra at 7:04 p.m. Present: Ryan Vinciguerra, Tim Hunter, Larry Good, Emma Bielski. Joining later, Charlie Manus.

B. Approve previous minutes – Emma Bielski made a motion to approve the minutes. Tim Hunter seconded and the motion passed unanimously.

C. Mayor's comments - none

D. Administrator Report

a. Administer Oath of Office to Trustees & Mayor, Ron Lawrence Good, Tim Hunter and Emma Bielski individually took the oath of office for town trustee and Ryan Vinciguerra took the oath of office for Mayor.

b. Current bills payable April 2, 2020, Ron – The bills are listed on page 7.5. Larry Good made a motion to pay the bills as listed. Tim Hunter seconded and the motion passed unanimously.

c. Discussion of continuity of government during COVID, Ron – The board of trustees faces some unique challenges this summer due to the virus. With the COVID rules and regulations there will probably be an increased call for enforcement and increased anxiety. Ron recommends the town err on the side of caution and expect the unexpected. Discussion concerning the following issues followed.

Campground – Ron recommends the campground remain closed all summer. Enforcement issues and friction in the town are some of the issues to be faced if the campground opens.

Recycle – Ron recommends opening Saturday and going back to the Tues/Sat 9-11 a.m. schedule. He plans to man it with Charlie for the first month as he does not want to expose volunteers due to lack of workman's comp for volunteers. Larry asked if council members were covered and he volunteered to help when Ron said that they are. Emma recommended the public maintain social distancing and wear masks. Ryan pointed out that the dumps are back open and recycling is also available there.

Mill site Park bathrooms – opening the bathrooms will increase Charlie’s exposure when he cleans. Keeping them closed means more trailside use for waste elimination. It was reported that porta-potties are available for \$75 per week with weekly pumping. Cost for the summer would be about \$2000. Ryan feels that the town has an obligation to provide clean facilities and opening the bathrooms with daily cleaning is safer. Tim said that public bathrooms are closed across the western slope. The public should take their own precautions when using the restroom and that the porta potties are the better way to go. Larry recommends better signage communicating the lack of public restrooms. Ron agrees with doing some cleaning of the porta johns daily – spraying bleach/disinfectant, etc. There are 4 provided by CPW at Beaver Lake. Cindy Fowler reported that more than 50 non-residents were at the lake on Sunday. There is a need for more time from the sheriff’s deputies. Ron agreed that, if cleaning was going to happen daily, we might as well open our restrooms. This will mean personal protective equipment (PPE) for Charlie Manus. Larry feels that keeping the restrooms closed will be a small deterrent to people visiting Marble. Ryan suggests getting the supplies but waiting until high season to open the restrooms. Tim and Larry went on record as being against opening the restrooms. They are agreeable to porta johns until at least July 1. Mike Yellico recommends porta potties at the park. Larry spoke to the liability issues. Ryan said that the town has a responsibility to clean whatever restrooms are provided. The board agreed to table the issue until next month. Tim suggested revisiting this every 30 days. Larry asked that No Public Restrooms be added to the sign. Jamie Fisk suggested adding it to the web site. Emma agreed with adding to the website but that the current No Services sign is sufficient. Tim suggested adding more No Services signs. Richard Wells would like to see restrooms available if the parks are open. Carol Parker said the existing signage didn’t make a difference last weekend.

Board of Trustees role regarding tourism this year – Our local small businesses need our support at the same time that we need to keep citizens safe. Ron feels that we can do both. Ryan said that we do have an increased sheriff’s presence and that we need to follow the county’s guidelines. Tim said that there are things the town can control, such as wearing masks. Discussion in support of this followed. Jamie asked that young people step up and volunteer for such things as cleaning bathrooms in order to protect our older citizens. Emma spoke to the mixed messages of bringing customers and employees from out of county when asking others to stay away. She suggests talking to the county. Larry reported on the phases of reopening lodging in the county, beginning with 25%. Ryan suggested coming back to COVID later in the meeting.

#### E. Land Use Issues

a. Consider approval Carbondale Fire District Development Improvement Agreement, Mark Chaim – Mark reported on the proposed agreement, including expansion and additions with locations, and construction management. It has been reviewed by Ron and Kendall. Ryan asked the trustees for comments and questions. Tim addressed the parking for the project and reported that 9 spaces would be added. More marble blocks will be requested for the new spaces. Emma asked that the contractors and subcontractors follow proper PPE protocol. Ron explained that there are construction waivers available and they are specific as to what is allowed and prohibited. Mark explained that the project would follow public health orders and they would obtain and follow any necessary waivers. Rob said that the contractor is currently complying with the appropriate counties’ orders on their other jobs and they are prepared to do the same on our project. There were no comments or questions from the public. Mark said that there were four small wording changes suggested by the attorney. Emma Bielski

made a motion to approve the agreement. Larry Good seconded and the motion passed with 4 voting yay. Tim Hunter abstained due to his connection with the fire district.

b. Discussion of proposed access agreement, Aaron "Huck" Huckstep – Jim Maynard would like to purchase some land-locked property across the Crystal River. He is asking for access across some town property. See letter in packet. Ryan asked if they had explored any other options. Huck said there do not appear to be any others as they would require a bridge. The most logical access would come across the town property just the other side of the existing bridge. Tim said that the access as shown would involve deed restrictions by the SBA. Huck asked if the town had plans for the property. Ryan explained that the deed restriction was to ensure the park remain a park with limited development. Huck said they would just like to know if there was any possibility of the agreement being approved. Ryan said that he is initially reluctant but willing to look at the plan/proposal. Tim agreed and said that working with the SBA can be a long process. Huck asked what they wanted in terms of a plan – if they wanted to see the plans for the property. Larry agreed saying he is reluctant but curious. Mike Yellico said that the property was in a traditional avalanche path. Huck said that they had been in conversation with Gunnison County as to where the best location for development was. He feels they can work together. Ryan asked for a time line for answers. Huck would like to know by mid summer, if possible. Ryan said that the water augmentation piece needs more exploration and that a mid summer timeline might be too aggressive. Huck said they are not looking for immediate approval but just to know if there was a level of comfort with the possibility of granting access. Ryan suggested tabling this until they can hear from the attorney. Tim Hunter asked if he could walk the property. Jim said he had permission to grant that permission. Huck asked that this be on next month's agenda. Ron will email Huck the SBA deed.

c. Discussion of broadband proposal, Visionary Communications (VC), Ron – Andrew Eubanks spoke to VC's history and possibilities for bringing broad band high speed internet to Marble. After discussions with Holy Cross and Pitkin County, they began devising a plan for a fiber trunk line that follows the Holy Cross poles into Marble. They would continue to follow the Holy Cross lines where possible outside of Marble. Customers would pay to have it brought to their business or homes either along the lines or underground. Fixed wireless for those who cannot be reached by fiber would be available as well. Larry asked about costs, town requirements, and the plan. Andrew said this would be an \$800,000 – \$1 million project. Ron asked what that would cover, such as Serpentine. It does not, but Andrew said that they would look at DORA grants, other grants and they would be responsible for 25% of the cost. They estimate 200 homes with fiber and 136 with fixed wireless and a 5-6 year payout. Larry asked if both types were necessary – if one didn't work would they abandon the other? Andrew said it was a symbiotic project that would need both. Discussion of service to outlying areas followed. Letters of support factor into grant decisions and they do not yet have those from the town or the county. Ron pointed out that they can only give a letter of support for the town proper. He asked how the residents within the town would be served. Andrew estimates 80% would have access to fiber, 20% to wireless. Ron estimates that 50% of those out of Marble would not have access to fiber. Glenn Smith asked if they had estimates of the costs to consumers and where letters of support should be sent. Andrew said established prices range from \$69.95-79.95 for the upper end gig package and \$49.95-59.95 for 100 meg packages. Wireless packages are a bit more expensive due to issues with putting up the wireless. Phone and fax can be added. They do not data cap as you have with satellite. Latency or time to communicate is longer with satellite. Letters of support can be sent to the company, attention Aaron MacEllery or Macie Ramsey. Bart asked if they had talked with HC about partnering with the

investment. Andrew reported that they have been talking with Bob Farmer of HC. Andrew explained that trenching and burying the fiber is generally cheaper than erecting poles. Ron asked about tower sites. Aaron said they had identified two: at the water tank and near the quarry road. Ron will write a letter of support from the town.

d. Review proposed OWTS repair permit & variance request, Mario – Mario Villalobos' leach field is failing. The gallery and house are on two separate lots. The field would be in between the two lots and the gallery and house would share the same field. An easement between the two would be required. The proposed field would need to encroach on the set back line and maybe into the mill site park about 10-15', which would require a variance. This will require an easement. There may be a need for a variance due to the location of the well relative to the field. Ron pointed out that the town is facing other OWTS issues and that there is a need to look at how to deal with the nonconforming lots. Ron proposed appointing a commission or panel of 3-5 people to look at and make a proposal on how to deal with the issues. He suggested the make-up of that committee include an OWTS engineer, a planner with municipal and OWTS experience, the Town Administrator and a trustee. Alan Leslie was suggested.

e. Other – Ron reported that the fire department had hired a plan reviewer and inspector – Bruce Staubach. Ron would like to work toward Bruce doing Town of Marble building inspections in the future as Ron does not feel qualified to do the inspections on newer and larger structures. Ron would continue to do the administrator services. Costs would be borne by the applicant. He will have a proposal for the trustees in June.

#### F. Old Business

a. Parks committee report, Amber

Project: Marble Mill site Liability Entrance Sign(s). Summary: Signs located at the park entrance and the entrance to the historic section of the park stating that it is unsafe as well as the rules of the park. This is a request from the town's insurance company. Action/Request: We would like to proceed with designing, ordering, and placing two signs in the Mill site Park during the month of May. We are requesting a \$300 budget. Proposed Wording: The Marble Mill site Park is a 25 acre park owned by the Town of Marble and is listed on the National Historic Registry. It is the remnants of an industrial site left in its historic condition and may contain many hazards.

Proceed at your own risk.

Stay on designated trails.

Children should be under close supervision at all times.

Absolutely no climbing on pillars or walls.

Dogs must be on leashes.

Removal of marble, artifacts, or plants is illegal and will be prosecuted.

#### Cost Estimate:

Sign 5'x 3' at Entrance to Historic Mill site. - \$170.00

Sign 2'x 3' at Park Street Entrance - \$80.00

Mounting to marble block, post and misc hardware - \$50.00

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Total = \$300

Larry Good made a motion to approve the purchase and installation of the signs. Emma Bielski seconded and the motion passed unanimously

Project: Tree Removal - Summary: During a walk of the mill site it was determined that a cottonwood located near the stage posed a safety risk, it is in poor condition and might fall on the stage or people around the stage. Its removal would also allow for better visibility of the stage. It is our wish to remove the tree. Action/Request: We would like permission to pursue removal of the tree with a budget not to exceed \$600. Mike Yellico and Tim Hunter volunteered to remove the tree. Emma Bielski made a motion to approve the tree removal. Charlie Manus seconded and the motion passed unanimously.

Project: Marblefest Stage - Summary: The stage was built two years ago for the 2018 Marblefest by Mario. It was originally intended as a temporary structure but has become an asset to the community. We would like to bring the structure up to code, obtain a building permit and make the structure a permanent fixture in the park as well as repay Mario for the current stage. This is also a request from the town's insurance company (that it have a building permit). Action/Request: We would like permission to get cost estimates for design by an engineer and advice on steps to bring it up to code. Actual costs and permission to hire said engineer will be requested at the June meeting. It was suggested to find an engineer in the community who would be willing to volunteer to do this. Tim suggested waiting on this due to the uncertainty of town funding. It was decided to proceed with getting an estimate.

Project: Trail Work within the Mill site Park - Summary: Designated trails are hard to distinguish and until a historic grant is received to truly restore the Mill site (a huge project) it needs current trails marked and maintained. Marja has contacts with the Roaring Fork Outdoor Volunteers (RFOV) a non-profit organization that is excited to help. Action/Request: We would like permission to work with RFOV, and Emma to assess the current trails and possible new trails and then work with RFOV to fix, build and maintain trails. Emma asked that the crumbling wall to the east be roped off for short term preservation.

Project: Purchase of Land Adjacent to the Mill Site Park Summary: I have contacted a representative from GoCo about a land acquisition grant. She stated that they are meeting June 11th to determine what programs will receive funding this cycle. Action/Request: None at this time, unless you think a town representative reaching out to the current owner to make him aware of our intentions would be helpful to the symposium or ourselves. Madeline Weiner reported that the owner has filed a lawsuit against the institute. The institute can offer \$170,000 for one parcel. Total asking price for the two parcels is \$350,000.

Project: Storage Shed - Summary: We would like to build a storage shed to hold any tools, equipment, etc. purchased in the future by the town. Action/Request: We would like to work with a town representative to decide on location for the shed and any needed permits etc. for building the shed. They will look at this when they walk the Mill Site trails.

b. Summer road repair plan discussion, Ryan – Ryan reported that the county had applied Mag Chloride on Main. East State Street at Thompson Park and 4<sup>th</sup> Street from Main to the town gate (1/4 mile) need road base. Either of these two will take the majority of the \$20,000 budgeted amount. Discussion of priorities followed. Because 4<sup>th</sup> has been started and there are a number of residents, it was decided to do that one first. The other will be the priority next year.

c. Other: Charlie expressed his pleasure at working with the trustees these past years.

G. New Business

- a. Tim reported that he picked up the hammer drill for installing the speed bumps. They will be in as soon as possible.
- b. Emma said that most decisions the trustees makes for the foreseeable future must take into account the current county regulations and what is best for the health and safety of the community over tourism. Ideas – writing to commissioners, contacting Deputy Leon, CPW, US Forest Service.

H. Adjourn – Larry Good made a motion to adjourn. Tim Hunter seconded and the motion passed unanimously. The meeting was adjourned at 10:42 p.m.

Respectfully submitted,

Terry Langley