

PITKIN TOWN MEETING
At the Newcomb Community Center

October 10th, 2017 at 7:00PM

MINUTES

1. **CALL TO ORDER**/Roll Call and Pledge of Allegiance - Mayor Rachel New called the meeting to order at 7:00 p.m. Trustees Chris Nasso, Eddy Balch, Ralph Bush, Debbie Henley, Cory Nasso, and Brad Wick were present

Present/Approve Minutes of the August 7th work session

Motion to approve minutes of the August 7th work session made by trustee Brad Wick. Seconded by Trustee Eddy Balch. Motion carried 4-0. Trustees Eddy Balch and Debbie Henley abstained.

Present/approve minute September 12th regular meeting - Clerk/Board

Motion to approve minutes of the September 12th regular meeting made by Trustee Debbie Henley. Seconded by Trustee Brad Wick. Motion carried 6-0.

2. **TOWN REPORTS:**

Clerk's Report – Sara Gibb – Petitions to recall were submitted two additional times. Both times they were disapproved as to form. Meeting packets will be on the website on the Thursday prior to the meeting. All documents are in draft form. The agenda and treasurer's report may change between Thursday and the time of the meeting.

Treasurer's Report/Approve Disbursements – A calculation error was discovered on a treasurer's report and all reports have been fixed. Corrected reports are online.

Motion to approve the disbursements as presented made by Trustee Eddy Balch. Seconded by Trustee Ralph Bush. Motion carried 6-0.

Mayor's Report – Rachel New – October 24, 25 or 26 are options for rescheduling the work session that was postponed last night. DOLA's new regional director, Kimberly....

Attorney's Report – Jim McDonald – no report other than a reminder that next month's meeting is on the 6th (first Monday) instead of 2nd Tuesday.

3. **COMMISSIONER AND COMMUNITY REPORTS:**

Building Inspector – Rand Makowski – Four permits issued in September.

Fire Department – Rand Makowski – Training is over for the year

Zoning Board – Ralph Bush – A quorum was not met so a scheduled meeting did not take place. The request for a setback was not addressed because it's not within the scope of the Zoning Board. It will be addressed by the Board of Trustees.

Cemetery – James Sharpton – No report

Environmental Health – Gayla Gibb – No report per Rachel New. EHA not present.

PHCA – Kandy Nasso – No report

Town Hall – Juliet Serrato (not present) – Report given by Clerk Sara Gibb. Exterior Town Hall repairs are complete. Scope of work for interior has been approved.

Ditches – Cory Nasso – no report

Streets – Jesse Garetson – No report per Jerra Garetson. Streets commissioner not present.

Parks & Rec. – Sara Lamar – Report given by Mayor Rachel New – benches will stay out longer due to nice weather

4. **PUBLIC COMMENTS TO THE TOWN COUNCIL:**

Ramon Reed wanted to clarify that several complaints against short-term rentals have been made.

5. **SPECIAL ADDITION TO THE AGENDA: none**

6. **FOR POSSIBLE ACTION:**

- Discuss and vote to approve Josiah Gibb as OWTS inspector

Motion to approve Josiah Gibb as OWTS inspector in the Town of Pitkin made by Trustee Ralph Bush. Seconded by Trustee Eddy Balch. Motion carried 6-0.

Letter from Gary Winget RE: Josiah Gibb's training read by Clerk Sara Gibb.

- Discuss and vote to approve Resolution 2017-11 (Resolution to amend budget – Town Hall)
Motion to approve Resolution 2017-11 as amended to add decimal point and numerals made by Trustee Brad Wick. Seconded by Trustee Ralph Bush.

Motion amended – Motion to approve Resolution 2017-11 as amended made by Trustee Brad Wick. Seconded by Trustee Ralph Bush.

Motion carried 6-0.

Public comments: Pete Olson, Ramon Reed

- Discuss and vote on request from Dan Hoffelder (to level unimproved section of Armstrong)

Motion to approve indemnification agreement without insurance requirements made by Trustee Ralph Bush. Seconded by Trustee Chris Nasso. Motion carried 6-0.

Trustee Brad Wick pointed out that the Board will be allowing Mr. Hoffelder the ability to improve a street to improve his parking. He wonders if the Town plans to do this for others. Trustee Ralph Bush stated that the Town has, at its expense, opened up alleys for others.

There was lengthy discussion regarding an insurance requirement. Clerk Sara Gibb will contact CIRSA regarding a private citizen improving the Town right-of-way.

Public comments: Rand Makowski, John Wise

- Discuss and vote on variance request at 909 State Street.
Item tabled. Will be the subject of a public hearing at the next monthly meeting.
- Discuss snow plowing in the Town of Pitkin with possible Executive Session, pursuant to: 1) C.R.S.24-6-402(4)(e) to determine positions, develop a strategy and instruct negotiators, Regarding: snow plowing in the Town of Pitkin

Report of the snow plow committee given by Pete Olson. The committee suggests the council considers – periodic communication with the county RE: changes in Town (i.e. someone who has left for the winter), service will be provided to the street address of a property, a policy RE: parking on plow routes during a storm should be created, property owners will be asked to avoid plowing or snow-blowing into plowed streets (snow waste should be downstream and to the middle of property), Town will need to remove several obstacles in public right-of-way, monetary return to the county. The County as proposed to plow approximately 80% of the Town. Routes will minimize backing movements.

A final proposal from the county should be available within the next two weeks. Mr. Olson and the rest of the committee are pleased with the progress that has been made in negotiations.

Trustee Ralph Bush wondered about driveway clearing and what triggers a plow event. Mr. Olson stated the county will not clear driveways and four inches of snow will trigger a plow event.

Public comments: Mark Hughes, Robbin King

Motion to move to executive session pursuant to: 1)C.R.S. 24-6-402 (4)(e) to determine positions, develop a strategy and instruct negotiators regarding snow plowing in the Town of Pitkin made by Mayor Rachel New. Seconded by Trustee Debbie Henley. Motion carried 6-0. The Board moved to executive session at 8:09 p.m.

Regular meeting resumed at 8:32 p.m.

Board was polled as to whether there was deviation from the subject matter of the executive session.

Trustee Chris Nasso – nay, Trustee Eddy Balch – nay, Trustee Ralph Bush – nay, Trustee Debbie Henley – nay, Trustee Cory Nasso – nay, Trustee Brad Wick - nay

- Discuss and vote on OWTS ordinance revisions
 - Reductions in soil treatment size allowed vs. not allowed. An oversight program is required for reductions to be allowed. The Board will no longer allow reductions in soil treatment size.
 - Section 3 – last statement was removed because an engineer's plan is always required
 - Reg 43 does not require a permit to clean/pump a septic, the ordinance will default to the language in Reg 43.
 - Section 8(a)(1) - Gunnison County and the State of Colorado do not have offer inspector certification. NAWT certification is suggested by Mr. Cousino. Trustee Ralph Bush believes that due to the increased complexity of

current systems, and the situation in Pitkin, NAWT certification would be a reasonable requirement for the Town of Pitkin. Trustee Brad Wick wonders about the cost to inspectors and constituents. Trustee Eddy Balch believes that cost of training should not be a factor, instead, the Town should consider doing the inspections the right way.

- NAWT certification was suggested by Mr. Cousino. Septic tanks and fixtures within structure. Soil treatment area evaluation was added. Trustee Ralph Bush suggests requiring NAWT certification for inspectors. Trustee Eddy Balch agrees with NAWT training for inspectors. Trustee Brad Wick has an issue with the cost involved if inspectors are NAWT certified.
- Section 7(d) language added from Reg 43
- Section 8(a)(1) – language added to include evaluation of soil treatment area. Already on inspection sheet, just not referenced in the ordinance
- Fee section – Permit fees and fees for other services will be set by the Board of Health, \$10 will be invoiced to property owner for Town. Trustee Debbie Henley believes the Town should set a standard fee for inspections.

Trustee Ralph Bush thinks the Sanitarian's requirements should also include certification. Trustee Eddy Balch believes training should be required.

Public hearing will be held in November.

Attorney Jim McDonald would like to understand the interaction between the Sanitarian and the Environmental Health Agent. Who is supposed to implement the OWTS ordinance? Trustee Brad Wick stated that historically this has been the Sanitarian. In section 5 – is the Town Sanitarian the designee of the EHA? Also, just above the top of Section 8 it reads, "the variance and any conditions thereof must be recorded on the deed to the property..." - you cannot record anything on the deed because the deed is already recorded.

Use "are incorporated and set forth fully herein" vs. "are made a part of this ordinance"

- Discuss and vote to publish STR ordinance

A lengthy, point-by-point review of Attorney McDonald's comments took place. **Item tabled** – work session November 7th, 2017.

- Discuss and vote on private improvements on Town right-of-way

Item tabled

Attorney Jim McDonald counsels against allowing an easement. Instead, the Town should enter into a revocable permit agreement. One has been drafted and distributed to the Board for review. A provision will be added prohibiting the right to rebuild should the structure be destroyed or rendered unusable.

- Discuss and vote on business licenses in the Town of Pitkin

Item tabled

An ordinance was drafted.

Attorney Jim McDonald pointed out in number 8 – Town enforcement officer, who/what is this?

In section 9b – should say "REFRAIN FROM all illegal and unlawful practices."

In section 11 it must clarify that this ordinance is "applicable to business, owners, shareholders, members or anyone holding an ownership interest"

7. **DISCUSS AND VOTE ON COMPLAINTS FILED WITH THE TOWN OF PITKIN: one complaint filed regarding trustee conduct and was mitigated according to the code of conduct**

8. **FOR DISCUSSION/UPDATE:**

- Discuss 2018 Budget

Trustee Debbie Henley wondered if the fire department could provide an accounting of how funds were being used. Mayor Rachel New stated that all commissioners will be asked for an accounting of their funds.

Mayor Rachel New stated that neither the County nor the PHCA have plans to plow at the NCC this winter. Trustee Eddy Balch suggested obtaining estimates for plowing at NCC to assist in setting the budget.

Treasurer Sara Gibb reviewed several line items and the new budget format. Treasurer Sara Gibb will prepare a proposal for potentially moving funds to higher interest earning accounts.

Public comments: Marie Rossmiller, John Wise

- Discuss restrooms in the Town of Pitkin

Board approves the beginning of grant seeking for public restrooms.

9. ADJOURN MEETING: Meeting adjourned at 10:32 p.m.

The next regularly scheduled meeting will be held Monday, November 6th at 7:00PM at the Newcomb Community Center. Council meetings are scheduled to adjourn at 9:00PM. At the council's discretion agenda item(s) not addressed by this time will be tabled until the next regular meeting. Approved minutes, ordinances, resolutions, future agendas, and other Town of Pitkin public notices can be found at Colorado.gov/pitkin

To add an item to the agenda, please submit it in writing to the Town Clerk at thetownofpitkin@gmail.com no less than **48 hours** before the next regularly scheduled meeting. If the requested agenda item has supporting documentation it must be submitted no less than five (5) days before the next scheduled meeting.

**Public comment to the Board of Trustees is encouraged. Public comments on agenda items will be taken by the Mayor before final action on the item is taken. Comments may be limited at the mayor's discretion*

If special accommodation or handicapped access is required, please contact the Town Clerk at thetownofpitkin@gmail.com or (970)787-0968 at least 48 hours prior to the scheduled meeting