

TOWN OF PITKIN
SPECIAL MEETING
Newcomb Community Center

May 22nd, 2017 at 7:00 PM

MINUTES

1. **CALL TO ORDER/Roll Call** - Mayor Rachel New called the meeting to order at 7:00 p.m. Trustees Chris Nasso, Cory Nasso, Shawn Cleveland and Ralph Bush were present. Trustee Brad Wick participated via telephone.

2. **Discuss motion for disqualification (potential for executive session)**
Motion postponed until it is determined whether there will be recusals.

A request for recusal was filed by Luke Danielson on behalf of Ramon Reed. The three trustees who are requested to be disqualified are Ralph Bush, Cory Nasso and Chris Nasso. The individual trustees will be making this decision. The hearing scheduled for June 6th must be suspended until the issue of disqualification has been resolved. Ultimately the allegations are that the trustees have certain personal issues that suggest conflict of interest.

Trustee Brad Wick provided a comment which was read by Mayor Rachel New.

Mayor Rachel New suggested seeking legal advice.

Motion to adjourn executive session for 20 minutes to seek legal advice from the Town Attorney on how to proceed with possible recusal or disqualification in regards to the upcoming hearing. Seconded by Ralph Bush. Motion carried 4-0. Adjourned to executive session at 7:07 p.m.

Board of trustees meeting resumed at 7:27 p.m. Mayor Rachel New polled the Board whether there were any discussions within the executive session that were outside of the motion made. All Board members present and Trustee Brad Wick (via telephone) answered "no."

Trustee Cory Nasso stated that he would like to hear the opinion of the ethics board (which has been contacted by Ramon Reed.) Mayor Rachel New clarified that the request for disqualification filed by Ramon Reed has not been followed up on. Once the ethics commission provides their input, the decision on recusals will be made and it will be determined whether there is a quorum for the Board of Health.

The hearing is suspended until further notice, due to the filing of the motion for disqualification.

3. **Discuss and vote on resolution to appoint alternate members to the Local Board of Health**
Item tabled.

If there are recusals and the Board of Health no longer has a quorum, this resolution allows for alternate members for the Board of Health. Attorney Jim McDonald suggested that this issue be postponed.

Trustee Cory Nasso wondered how long an alternates' terms would be.

Comments from Trustee Brad Wick read by Mayor Rachel New. He suggested either the remaining members (after recusal) complete the hearing if a quorum is met, or elect the alternates.

4. **Discuss and vote on appointing alternate members to the Local Board of Health**
Item tabled.

5. **Discuss and vote on complaints filed with the Town of Pitkin**

Clerk Sara Gibb read complaints and presented Town paperwork related to subject properties.

Trustee Ralph Bush reported that Thomas Kelley has an inspection scheduled to determine what type of septic is in place. This will happen on the 14th of June. Mayor Rachel New would like to see if it's possible to have his septic looked at more quickly. Trustee Cory Nasso would also like this information at the next Board meeting.

Comments from Trustee Brad Wick read by Mayor Rachel New. Trustee Brad Wick suggests that these complaints be looked at by the local Board of Health.

The Board would like the Radoviches to place an occupancy limit within their advertisement based on 3 bedrooms unless they can provide documentation of a larger septic system. Clerk Sara Gibb will contact the Radovich family with this request.

EHA Gayla Gibb wondered if the ordinance requires advertisement or prevents advertisements of over-occupancy. It was clarified that the ordinance prevents advertisements of over-occupancy.

The owners of the properties in question will be given a chance to provide documentation to support their septic systems or to come into compliance.

Rand Makowski suggesting rating every tank as 1,000 gallons unless the owner can prove otherwise because this is the smallest size tank available.

6. Discuss and vote on Zoning Board recommendations (if appropriate)

Mayor Rachel New wonders if the Zoning Code would stand up to defense if the Board opts to rule on the zoning complaints.

Ralph Bush spoke on behalf of the Zoning Board. The Zoning Board recommends that the Board of Trustees review the zoning aspect of the complaints. There are concerns regarding the adoption of the 2015 amendments to the Zoning Code as well as ambiguity within the language of the Zoning Code.

Attorney Jim McDonald does not believe the 2015 Zoning Code amendments are invalid. Trustee Cory Nasso would like to verify the timeline again.

Attorney Jim McDonald will verify the adoption of the 2015 amendments to the Zoning Code.

7. Discuss authorized Town Agent

This would be a volunteer position and will be set up by ordinance. Trustee Shawn Cleveland suggested this be a paid position.

8. Meeting adjourned at 8:30 p.m.

The next regularly scheduled meeting will be held Tuesday, June 13th at 7:00PM at the Pitkin Town Hall. 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 pitkincolorado.com under "Government" or at pitkin-news.com under "Pitkin's Government."

To add an item to the agenda, please submit it in writing to the Town Clerk at thetownofpitkin@q.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@q.com or (970)787-0968 at least 48 hours prior to the scheduled meeting