

Town of Pitkin
Regular Meeting of the Board of Trustees
Town Hall, December 13, 2016

Minutes taken by Clerk Sara Gibb

Full and timely notice of this meeting was given to the public pursuant to CRS 24-6-402(2)(c).

Mayor Pinkston called the meeting to order at 7:00pm

Roll Call: Trustees Rachel New, Eddy Balch, Chris Nasso, Brad Wick, Cory Nasso and Matt Buchanan were present.

Approve minutes of November 8th regular meeting: Motion to approve minutes made by Eddy Balch. Seconded by Matt Buchanan. Motion carried 7-0.

Clerk's Report: Clerk would like to make the move to using a Gmail account for email. The current email account does not always accept emails from commissioners and only intermittently sends to the attorney. Also, emails have disappeared and this is problematic.

Clerk would like to know if in the future trustees would like the Town to provide copies of all minutes, reports, etc. at each meeting. Brad Wick and Matt Buchanan indicated that they typically print everything out at home and bring it. Clerk Sara Gibb requested that preferences be emailed to her.

Treasurer's report: Motion to approve treasurer's report made by Cory Nasso. Seconded by Eddy Balch. Motion carried 7-0.

Mayor's report: Mayor Steve Pinkston would like the Council to think about approving an occupancy limit of 2 persons per bedroom in short-term rentals. This will be on the agenda in January.

Attorney's report: Response in regards to regulation 86: Attorney Jim McDonald read the definition of graywater from regulation 86. Based on the definition, and based on previous comments from James Sharpton, it is Attorney McDonald's understanding that there are no graywater systems in Pitkin and therefore no local graywater rules are necessary.

In regards to the letter to the State: Several letters have been received from Luke Danielson, who is representing individuals who complained about 724 State Street. Attorney Jim McDonald recommends that the complaint be specifically addressed at the January regular meeting.

Building Inspector: No report. Building inspector not present.

Fire Department: Fire chief not present. There was one fire, which was extinguished.

Zoning Board: No report.

Cemetery: No report.

Environmental Health: EHA Gayla Gibb is still waiting to hear how the Board would like to address alternative waste systems.

PHCA: Friday night, December 16, a community potluck will be at the Newcomb Center. Crafts begin at 4:30, the meal begins at 6:00. New Year's Eve dance will begin at 8pm on the 31st. Bring snacks. Alcohol can be brought, not sold, and must be consumed inside the Newcomb Center.

Town Hall: Town Hall has been decorated and all batteries in smoke alarms have been changed.

Ditches: Ditches are off.

Streets: No report. Streets commissioner not present.

Parks and Rec: Grant submitted, budget required resubmission but everything else looked good. Workout classes have started at the Newcomb Center. Tuesday is exercise at 9:30, Thursday is yoga at 4pm. All are welcome.

Public Comments: Patrice Boyd suggests that snow should not be plowed from residences where the owners are not present, at least not without first contacting the owner and obtaining permission.

Suzy Metzler brought two photo collages of previous melodramas that belong to the Town, which had been housed in Ramon Reed and Patrice Boyd's garage. Suzy is concerned that commissioners who pass along their positions are not providing enough information to those who take over. She suggests an official document be given to the Clerk that lists information on each position.

Old Business:

Discuss and vote on municipal court ordinance: Item tabled.

Attorney Jim McDonald provided an ordinance repealing Ordinance 2015:3 because it was erroneously adopted, and adopting the correct wording.

Trustee Chris Nasso wondered whether section 6 provided for the hiring of a judge. Attorney Jim McDonald stated that this ordinance allows for a judge to be hired at such a time that a case is set in the Municipal Court.

Mayor Steve Pinkston wondered if Pitkin would be able to enforce any ordinances without a municipal court. Attorney Jim McDonald stated it is possible to charge cases within the county district court. This would be more time consuming and expensive. A municipal court would reflect the perspective of Pitkin.

Trustee Eddy Balch wondered if a judge is required by statute. It was recollected by Trustee Matt Buchanan that a municipal court was required but not a judge.

Attorney Jim McDonald will respond to questions RE: performance bond for court clerk, the percentage of municipalities without court and fees/expenses involved.

Discuss and vote on 2017 Budget and resolutions: Motion to approve Resolutions 2016:17, 18, 19 as they relate to the 2017 budget made by Matt Buchanan. Seconded by Rachel New. Motion carried 7-0.

Budget resolutions read aloud by Sara Gibb.

CTF fundraising – if not enough is raised then Sara Lamar will work with the individuals at the grant to form a plan B.

Discuss and vote on Town restrooms: No vote taken.

Ralph Bush is going to put together an estimate to have someone build a building rather than purchasing a building.

Discuss and vote on whether to do a full 2016 audit: No vote taken, no full audit.

Trustee Brad Wick would like to adopt a policy that requires regular review of the financials by a board member. Trustee Brad Wick has volunteered to be the first board member to meet with Treasurer as a trial to determine the best way complete the reviews.

Discuss and vote on inspections for alternative waste systems: No vote taken.

Per EHA Gayla Gibb, all waste disposal falls under regulation 43. She would like clarification of what would be the examining criteria regarding alternative systems. Section 3-a of regulation 43 requires at minimum: permitting, design, performance, location, construction, alternation, inspection and maintenance of all wastewater systems.

EHA Gayla Gibb suggests NAWT (National Association of Waste Treatment) certified inspectors. No systems would need to be replaced and brought up to code unless they have failed. How will the Town determine failure if they are never inspected?

Mayor Steve Pinkston suggests that a certified inspector should draw up criteria for inspection rather than the Board.

Trustee Eddy Balch suggests a committee be formed to develop the criteria for inspections for alternative waste systems.

Trustee Matt Buchanan wonders if Reg 43 requires inspection of holding tanks. EHA Gayla Gibb states that inspections are not required, but that holding tanks are regulated. Pitkin has decided to inspect and holding tanks fall under the category of systems requiring inspection.

Trustee Eddy Balch is NAWT certified and is willing to serve on a committee to prepare inspection criteria. James Sharpton is willing to serve on this committee. EHA Gayla Gibb will serve on the committee. Clerk Sara Gibb will contact Shawn Cleveland and see if he's willing to serve on the committee.

Discuss and vote on town business licenses: No vote taken.

Trustee Cory Nasso wonders the purpose of requiring a business license. Trustee Brad Wick suggests that the fee for a business license should be higher.

John Wise wonders why the definition of a business isn't straightforward.

Mayor Steve Pinkston believes business licenses should remain voluntary.

Discuss and vote on GCEA franchise agreement: Motion to approve the Town Clerk to fill out the notice of application and provide it to the Gunnison Country Times for publication three times pursuant to statute made by Matt Buchanan. Seconded by Brad Wick. Motion carried 7-0.

A draft ordinance was prepared by Attorney Jim McDonald.

GCEA would be happy to have a representative discuss the redline agreement at the next town meeting.

For a franchise agreement, the notice of application should be published three times and will be paid for by GCEA. It would be provided to the paper by Pitkin and the cost would be reimbursed by GCEA. The draft ordinance would then be read and approved and there would be subsequent publication (3 times.) Prior to approving the ordinance would be read a second time.

Discuss State response to Pitkin's letter on Reg. 43:

Attorney Jim McDonald provided the letter to the State and attachments. Meg Parish provided an email response which was read by Clerk Sara Gibb.

Attorney Jim McDonald reiterated that the complaint regarding 724 State Street be addressed at the next regular town meeting to determine if any action needs to be taken.

Trustee Eddy Balch suggested that the Town needs to have the same regulations for all homes and not only apply the limit of 2 people/bedroom to short-term rentals. Trustee Cory Nasso suggests that this will create an unenforceable ordinance.

New Business:

Discuss and vote on lease agreement for structures on Town property: No vote taken.

Governmental immunity act provides considerable protection for the town, however, more protection is preferable.

Clerk Sara Gibb provided a list of possible properties/structures but each will need to be verified.

Attorney Jim McDonald stated that a starting point would be to have a comprehensive list of structures. He suggests an ordinance to describe how the Town will handle these properties. He also suggests a date by which property owners should reach out to the Town to notify the Town if they have a structure on Town property.

Discuss and vote on Town website: No vote taken.

The Town would need to maintain the website. Training is available online.

Clerk Sara Gibb will follow up with questions regarding the amount of data that can be hosted on the website.

Meeting adjourned at 9:07 p.m.