

# PITKIN TOWN MEETING

February 11<sup>th</sup> 2019 at 7pm

At the Newcomb Community Center

## MINUTES

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Full and timely notice of this meeting was provided pursuant to C.R.S. 24-6-402(2)(c).

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2. **Call to Order** and Pledge of Allegiance: Mayor Rachel New called the meeting to order at 7:06pm. Trustees Suzy Metzler, Cory Nasso, Steve Pinkston and Brad Wick were present. Attorney Jim McDonald was present. Minutes taken by Clerk Sara Gibb.
3. **Public comments:** John Wise comments read by Clerk Sara Gibb, Chris Nasso, Suzy Metzler

Agenda reorganization was discussed, please note that the minutes will not exactly follow the sequence of the posted agenda. No new items were added.

4. Sheriff Gallowich introduction and preliminary discussion  
Sheriff John Gallowich of Gunnison County stated he would like to establish a good line of communication with the Town of Pitkin.

Trustee Steve Pinkston asked if the Sheriff's office would be able to enforce any traffic laws or ATV usage laws in the Town of Pitkin. Sheriff Gallowich stated that speeding is enforceable under state statute.

Attorney Jim McDonald asked if the Gunnison County Sheriff's department would be willing to consider an IGA that would allow deputies to enforce Town of Pitkin regulations. Sheriff Gallowich stated that the county commissioners would need to be involved with any kind of contractual agreement with the Town. [07:18pm]

Trustee Brad Wick stated that the highest activity is usually during the weekend and the concern is the rate of speed at which ATVs enter the Town, despite the speed limit sign at the entrance of Town. Sheriff Gallowich believes that if the speed limit sign is regulation size and properly posted, the speed limit can be enforced.

Enforcement of the 15 mph ATV speed limit will need to be revisited. Sheriff Gallowich mentioned a radar unit that may be appropriate to bring to Pitkin. This would help establish a time of most need for enforcement.

Sheriff Gallowich requested a single contact person from the Town of Pitkin.

**Motion to accept ordinance 2019-1 as presented in the documentation to the Trustees made by Trustee Brad Wick. Seconded by Trustee Suzy Metzler. Motion carried 4-0.**

2-4 Discuss enforcement in the Town of Pitkin with discussion and vote on Ordinance 2019-4 (Repeal Ordinance 1987-6 Dangerous Animals) and discussion about the repeal of the nuisance ordinance

Mayor New asked if the Board wanted to establish an RFP for an attorney to act as judge. She asked how the Town intends to pay for municipal court.

Attorney Jim McDonald stated that the Mayor should not reach out to potential judges if she is not authorized to undergo contract negotiations. He also stated that if the municipal court is a court of record, the judge must be a licensed attorney. If the municipal court is not a court of record, any high school graduate can act as judge.

Trustee Suzy Metzler asked if the cost would be greater if a summons is to county court. Attorney Jim McDonald stated that the Town of Pitkin would not be involved in this process.

Trustee Brad Wick would like to know the pros and cons of being a court of record.

**Motion to table item for further discussion made by Trustee Suzy Metzler. Seconded by Trustee Brad Wick. Motion rescinded by Trustee Suzy Metzler.**

**Motion to adopt Ordinance 2019-4 (Repeal Ordinance 1987-6 Dangerous Animals) made by Trustee Suzy Metzler. Seconded by Trustee Brad Wick. Motion carried 4-0.**

Attorney McDonald stated that one of the pros of a court of record is that there is no question as to what was said. In the case of an appeal, if a court is not of record, the case starts again from the beginning and does not consider the initial trial. For a court of record, possible procedural defects are examined by an appeals court.

The Board will consider the creation of a court not of record.

Trustee Steve Pinkston pointed out that no one in Town has the training or equipment to handle a dangerous animal. Anyone in need of assistance would call the sheriff anyway.

Trustee Brad Wick wondered if the Board could task a citizen and a trustee to look at the nuisance ordinance and report back to the Board. Trustee Suzy Metzler volunteered and she will find someone to work with her.

Public comments: Jesse James Garetson

5. **Town Attorney Report:** No report. **Attorney Jim McDonald was excused from the meeting at 8:03pm**
6. **Snow Plow Committee Report** and Board discussion regarding snow plowing in the Town of Pitkin

Trustee Brad Wick reviewed the task that was given to the snow plow committee, and the snow plow committee's written response to concerns that were provided by the community.

There is no funding mechanism to pay for snow plowing in the Town of Pitkin. Trustee Brad Wick discussed a summary of snow plowing cost analysis.

Trustee Brad Wick does not want to invoke a policy that is not sustainable. He wants to separate essential from non-essential services to the Town.

Trustee Cory Nasso asked why the snow plow committee did not look into purchasing plowing equipment. Trustee Brad Wick discussed the cost and concerns related to maintenance of Town-owned equipment. Trustee Cory Nasso would like to see the numbers that the snow plow committee considered.

Trustee Suzy Metzler would like the Town to plow to everyone's driveway who lives here during the winter. She stated that if the Town is ever audited we may be in trouble because we could not account for some of our funds. No one has asked for these funds back. We would then no longer be able to be a Town.

Trustee Steve Pinkston suggested adopting the policy that allows for the lesser amount of plowing, then figure out how to raise the money for more plowing.

Mayor Rachel New stated that the snow plow policy must be written in a form that can be adopted.

Trustee Cory New wants to do a thorough job of educating property owners on the needs of the Town.

Trustee Brad Wick would like the Board to consider tasking the snow plow committee to work toward an ordinance, tax increases, and limited future agendas.

The snow plow committee will turn the policy into ordinance form.

Public comments: Jesse James Garetson, Tom Gibb, Mark Hughes, Ramon Reed, Linda Hughes, Debbie Henley, Chris Nasso, Kandy Nasso, Sara Gibb

7. **For Council Action\*\*:**

2-1 Approve meeting minutes: January 14<sup>th</sup> regular meeting, January 7<sup>th</sup> special meeting and January 22<sup>nd</sup> special meeting

January 22<sup>nd</sup> minutes were not reviewed by the Board and will be approved at a later meeting.

**Motion to approve minutes for January 14<sup>th</sup> and January 7<sup>th</sup> special meeting made by Trustee Steve Pinkston. Seconded by Trustee Brad Wick. Motion carried 4-0.**

12-2 Discuss and vote on Ordinance 2019-2 (formerly Resolution 2018-14) AN ORDINANCE BY THE BOARD OF TRUSTEES OF THE TOWN OF PITKIN, COLORADO, ESTABLISHING POLICY AND PROCESS FOR PAYMENT OF PERSONNEL COMPENSATED BY THE TOWN OF PITKIN), *Trustee Brad Wick*

**Motion to adopt Ordinance 2019-2 as amended made by Trustee Suzy Metzler. Seconded by Trustee Steve Pinkston. Motion carried 4-0.**

Instead of providing a template, reference a timesheet "as defined by Board resolution."

Mayor New asked who is responsible for this paperwork. Trustee Brad Wick stated that the paperwork is the responsibility of the employee and should be attached to the monthly disbursement statement.

Public comments: Sara Gibb, Ramon Reed

1-2 Discuss and vote on attorney contract and compensation. Possible executive session pursuant to C.R.S. §24-6-402(4)(f) - personnel matters

**Item tabled**

2-2 Approve February 2019 Disbursements: Review of Treasurer's Report and approval of monthly disbursements

**Motion to approve February disbursements made by Trustee Brad Wick.  
Seconded by Trustee Suzy Metzler. Motion carried 4-0.**

2-5 Discuss Ordinance 2019-3 (Mayor and Trustee term lengths)

Ordinance was presented in draft form.

Trustee Brad Wick would like to table this item until June.

**8. Reports:**

- Town Mayor – Met Rec does not fund grants, they assist communities fund matching funds for grants. Mayor New drafted a use agreement for PHCA. Attorney Jim McDonald is reviewing this document. Mayor New reported the downstairs meeting room doorway is wide enough to allow wheelchair access. The ramp does not meet standards. The project to make the ramp accessible is approximately \$5,000.
- Town Clerk – Clerk requests suspending Town Hall hours until summer. The Board agrees.

The following reports were provided in written form:

- Building Inspector – Rand Makowski
- Fire Department – Rand Makowski
- Zoning Board – Brian Holt
- Cemetery – James Sharpton – graveside service for Ralph Jaynes will be June 29<sup>th</sup>.
- Environmental Health – Cyndi Wick
- Streets – Steve Pinkston
- Ditches - vacant
- Town Hall – Juliet Serrato
- Parks and Rec – Sara Lamar
- PHCA – Kandy Nasso – potluck and games at Newcomb Center 2/16/2019.
- Discuss future agenda items and work sessions

Chris Nasso's septic permit request needs to be addressed. A variance will be required, per Trustee Brad Wick. A hearing will be scheduled.

Trustee Brad Wick would like to hold a special town meeting to discuss short-term rentals on Wednesday 2-13-19. He would like the Board and the constituents to come prepared with lists of what a short-term rental requires.

Public comments: Sara Gibb

## 5. Adjourn: Meeting adjourned at 9:36pm

The next regularly scheduled meeting will be held **Monday, March 11th** 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, agendas, and other Town of Pitkin public notices can be found at <https://www.colorado.gov/pitkin>.

To add an item to the agenda, please submit it in writing to the Town Clerk at [thetownofpitkin@gmail.com](mailto: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*

*\*\*Any item on the agenda may be subject to an executive session*

If special accommodation or handicapped access is required, please contact the Town Clerk at [thetownofpitkin@gmail.com](mailto:thetownofpitkin@gmail.com) or

(970)787-0968 at least 48 hours prior to the scheduled meeting