

Town of Pitkin
Regular Meeting of the Board of Trustees
Newcomb Center, April 11, 2017

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 Pro Tem Rachel New called the meeting to order at 7:06

Trustees Eddy Balch, Matt Buchanan, Chris Nasso, Cory Nasso and Brad Wick were present.

Approve minutes of March 14th regular meeting and March 28th special meeting:

Motion to approve minutes of March 14th regular meeting as amended made by Eddy Balch. Seconded by Brad Wick. Motion carried 5-0. Matt Buchanan abstained.

Trustee Brad Wick pointed out that the March disbursements were approved and the wording should be changed.

Motion to approve the March 28th special meeting made by Matt Buchanan. Seconded by Brad Wick. Motion carried 5-0.

Clerk's Report: No report

Treasurer's Report: Report on situation with wage withholding error – Wage withholding forms were filed using the wrong EIN. Clerk/Treasurer Sara Gibb is in the process of correcting this error with the IRS.

Motion to approve disbursements for April made by Matt Buchanan. Seconded by Eddy Balch. Motion carried 6-0.

Mayor's Report: May meeting will likely be held at Town Hall, weather permitting.

Attorney's report: No report

Building Inspector: Permit issued to QCC. Two applications are out.

Fire Department: No report

Zoning: No report

Cemetery: No report

Environmental Health: Thirty-one letters were mailed for this summer's inspections. Educational flyer was included.

PHCA: Many have been playing Pickleball in the Newcomb Center. Friday at 4:30 there will be an Easter egg hunt at the Newcomb Center along with crafts. A potluck will follow at 6pm.

Town Hall: No report

Ditches: No report

Streets: No report. A request was received to consider mag chloride on River Street.

Parks and Rec: No report

SPECIAL ADDITION TO THE AGENDA:

Discuss and vote on Mayor position: Rachel New was voted in as mayor 5-0.

Matt Buchanan resigned his position as Trustee, effective immediately.

Discuss and vote on Trustee position: Suzy Metzler received 1 vote. Ralph Bush received 3 votes. Ralph Bush was sworn in as trustee and Rachel New was sworn in as Mayor.

Regarding the newly vacated trustee seat, attorney Jim McDonald believes that the Board has the responsibility to approve a replacement and that one replacement should be appointed tonight, notice of a second vacancy posted, and a second trustee appointed after the opportunity is given for additional volunteers.

Mayor Rachel New would like to post the vacancy and elect a trustee at the next regular meeting. The Board agrees.

Discuss and vote on Resolution to honor Steve Pinkston: Motion to approve Resolution 2017:2 made by Brad Wick. Seconded by Eddy Balch. Motion carried 5-0.

Mayor Rachel New presented Steve Pinkston with a plaque from the Town of Pitkin. Thank you to Anne Possien for providing the artwork.

OLD BUSINESS:

Committee report on Town restroom research: Trustee Ralph Bush presented. A report document was provided by the restroom committee.

Two preferred sites are 9th Street and Town Park. The least favorable of three proposed sites is the Town Hall site.

James Sharpton pointed out that State approval is required for a variance to the OWTS ordinance.

Discuss and vote to adopt Ordinance 2017:2 (repealing Ordinance 2015:3): Motion to approve Ordinance 2017:2, repealing Ordinance 2015:3 made by Eddy Balch. Seconded by Chris Nasso. Motion carried 3-1. Trustee Brad Wick cast the nay vote. Trustee Ralph Bush abstained.

Trustee Brad Wick pointed out that this leaves the Town of Pitkin without a municipal court. Without a court, Pitkin will not have the ability to enforce fines if needed.

Mayor Rachel New suggested a work session to discuss a municipal court in Pitkin.

Trustee Ralph Bush wonders if an ordinance that was passed with an error is really in effect. Attorney Jim McDonald stated that it is. He also stated that he believes the wrong ordinance was signed.

Ramon Reed read from the August 2015 minutes. He disagrees that Ordinance 2015-3 was signed in error.

Discuss and vote to adopt resolution for OWTS complaint hearing protocol: Motion to adopt Resolution 2017-3 OWTS Complaint Hearing Protocol made by Eddy Balch. Seconded by Cory Nasso.

Motion amended: Motion to adopt Resolution 2017-3 OWTS Complaint Hearing Protocol as amended made by Trustee Eddy Balch. Seconded by Trustee Chris Nasso. Motion carried 5-0.

Mayor Rachel New read the amended portions of the resolution.

Ramon Reed believes there are mistakes to be corrected. He suggests mailing the complaint to the address of record rather than “the address of the property.” He believes the packet with witness statements, etc. should be distributed to the Board prior to the hearing. He suggests striking #5 and adding to #8 that the Town Clerk will distribute the packets prior to the hearing. He wonders if the exhibits will be available to both parties prior to the hearing.

Attorney Jim McDonald suggested the language, “The hearing packet will be distributed to the local board, the petitioner and the respondent no less than 48 hours prior to the hearing” be added under #8.

A special meeting was scheduled for April 17th at 6:45 to set a hearing date.

Discuss and vote on proposed ordinance(s) to restrict advertising of residential rentals in the Town of Pitkin: Motion to publish Ordinance 2017-3 as read made by Cory Nasso. Seconded by Eddy Balch.

Motion amended: Motion to publish Ordinance 2017:3 as amended. Seconded by Eddy Balch. Motion carried 4-1. Nay vote cast by Trustee Brad Wick.

Ordinance 2017-3 as amended read by Clerk Sara Gibb.

Mayor Rachel New read amendments based on State suggestions.

Trustee Brad Wick suggested a fine schedule rather than inserting fines within this document. He believes the letter sent from Meg Parrish indicates that more is expected from the Board than just this ordinance.

Trustee Cory Nasso believes that the State wants to revisit how the Town has dealt with Mr. Reed’s complaint, not review what ordinances/resolutions the Town has passed. He would also like the fines to be in a fee schedule.

Attorney Jim McDonald agrees that the State plans to follow up to ensure that the Town is following through with their intentions to address issues.

NEW BUSINESS:

Discuss and vote on 2017 Intergovernmental Agreement regarding undesirable plant management:

Motion to accept Intergovernmental Agreement Regarding Undesirable Plant Management made by Brad Wick. Seconded by Ralph Bush. Motion carried 5-0.

Robbin King would like to know what kind of chemicals are being sprayed.

Trustee Brad Wick points out that this is required by the State of Colorado.

Patrice Boyd reports that the State gave her the option to pull her own weeds and they would not spray on her property if she put up a notice.

Discuss and vote on resolution to designate signatories on Town accounts: Motion to approve Resolution 2017-4 made by Brad Wick. Seconded by Eddy Balch. Motion carried 5-0.

Discuss and vote on ordinance(s) to regulate/classify commissioner and contract positions for the Town of Pitkin:

Attorney Jim McDonald advised that the Town is allowed by statute to appoint commissioners and contract with providers.

Mayor Rachel New suggested job descriptions to facilitate clear expectations and the provision for commissioner terms to exceed one year when appropriate.

Attorney Jim McDonald read from the CO revised statutes. He suggested the Town have an agenda item next month to address ordinances regarding the appointment of commissioners, attorney, building inspector, etc.

Trustee Brad Wick suggested a way to stagger the 4 zoning board seats that are up for renewal.

Trustee Ralph Bush suggested looking further into the requirements of the Building Inspector and Assistant Building Inspector.

There were several suggestions to revamp the building permit application form.

Building Inspector/Assistant Building Inspector positions tabled until an ordinance is drafted.

Discuss and vote on commissioner and board positions:

All commissioner positions appointed for a one-year term

Town Hall: Juliet Serrato (with the assistance of Kathy Rose) appointed by a vote of 5-0

Parks and Rec: Sara Lamar appointed by a vote of 5-0

Environmental Health: Gayla Gibb appointed by a vote of 5-0

Streets: Jesse Garetson appointed by a vote of 4-1 (Lisa Stonequist received 1 vote)

Building Inspector: Tabled pending ordinance

Assistant Building Inspector: Tabled pending ordinance

Ditches: Cory Nasso appointed by a vote of 4-0. Cory Nasso abstained.

Zoning Board: Jesse Garetson appointed with 3 votes, Ralph Bush appointed with 4 votes, Wayne Bush appointed with 3 votes, Dave Hoskins appointed with 4 votes.

Ralph Bush will serve for 3 years. Jesse Garetson and Dave Hoskins will serve for 2 years. Wayne Bush will serve for 1 year.

Cemetery Board: Harold Archuleta and James Sharpton will serve on the cemetery board. Each received 5 votes.

Mayor Rachel New adjourned the meeting at 9:38 p.m.