

PITKIN TOWN MEETING
At the Newcomb Community Center

May 9th, 2017 at 7:00PM

MINUTES

1. **CALL TO ORDER**/Roll Call and Pledge of Allegiance - Mayor Rachel New called the meeting to order at 7:02 p.m. Trustees Chris Nasso, Eddy Balch, Cory Nasso, Ralph Bush were present. Shawn Cleveland was sworn in as trustee during this meeting.
Minutes taken by Clerk Sara Gibb.

Present/Approve Minutes of the April 11th regular meeting and April 17th special meeting. **Motion to approve minutes of the April 11th regular meeting and April 17th special meeting made by Ralph Bush. Seconded by Eddy Balch. Motion carried 4-0.**

Present/Approve Minutes of the April 17th work session. **Motion to approve minutes of the April 17th work session made by Eddy Balch. Seconded by Cory Nasso. Motion carried 3-0. Trustee Ralph Bush abstained.**

2. **TOWN REPORTS:**

Clerk's Report –Several complaints were received via USPS. They will be scanned and emailed tomorrow. Website is progressing. Request for photos to put on website – please email them to the Town. Need CORA request form. Will put one together for approval at the next meeting.

Treasurer's Report –IRS issue has been resolved. Payment for wage withholding taxes was credited to the Town of Pitkin.

Motion to approve May disbursements made by Eddy Balch. Seconded by Cory Nasso. Motion carried 4-0.

Mayor's Report –consider holding a banquet to thank Town volunteers/commissioners. Report on Mayors/Managers meeting.

Attorney's Report –no report

3. **COMMISSIONER AND COMMUNITY REPORTS:**

Building Inspector – One permit issued.

Fire Department – Richard Henley checked fluids and tires on trucks Transmission leak to be fixed on first responder truck. New tires and windshield on truck parked outside.

Zoning Board – Zoning Board meeting not properly noticed today. Meeting will take place end of May.

Cemetery – No report. Meeting planned for June. New interest in restoration and upkeep of cemetery area.

Environmental Health – No report

PHCA – No report

Town Hall – Kathy Rose will be coordinating with Juliet to start clearing winter debris

Ditches – Working to clear ditches. Will turn on Sunday, weather permitting (at least Main St. if not all)

Streets – Jesse James is very pleased with his crew who is helping

Parks and Rec – No report

4. **SPECIAL ADDITION TO THE AGENDA**

- **MARLENE CROSBY** from Gunnison County. Sparky Casebolt – operations manager, Jim Kent of Gunnison County also present.

Department is funded by gas tax dollars, which is virtually unchanged since the 90s, despite changes in cost of operations. From January 1st – January 20th there were 1400 hours of overtime. Fuel usage was \$17,922 which is 3x typical costs. Snow removal equipment costs in January \$168,000. Job cost system tracks where money is spent. Sand truck not charged to Pitkin. Half of county road charged to Pitkin, half charged to county. Pitkin charged for motor grader, loader. Mt. Crested Butte pays for all the services provided and the Town of Marble (most comparable to Pitkin) paid for diesel for the roads plowed by the county. They hire private plowing for all of their streets. Pitkin is unlike any other municipality in services that are provided. County proposes that Main St, State St. up to trailhead are plowed by county and any other plowing handled by the Town beginning in 2017.

Approximate cost per mile? Marlene will email this information.

Could the County continue to do the side streets at an additional cost to the Town? Marlene states this may not be the best solution for either party.

Are any subdivisions having a reduction in service? No, except that it will be considered a reduction in service to have a change of policy in one subdivision.

What piece of equipment would you recommend for the task? Something with a blower. Initial pass with a snow blower may take longer if there is over 4-6 inches. A blower may take up to 2x as long but there won't be as much time spent pushing banks back afterward.

5. PUBLIC COMMENTS TO THE TOWN COUNCIL:

Robbin King – Passed out a prepared statement encouraging everyone to work together for Pitkin

John Wise –Listed alleged violations by the Board of Trustees of the Colorado Revised Statutes, Zoning Code, Oath of Office, Code of Conduct and others. Copy of statement and other documents provided.

Ramon Reed – Believes the Board does not provide enough information to the public

6. SPECIAL ADDITION TO THE AGENDA:

- Discuss and vote on trustee position
Three individuals expressed interest. Suzy Metzler, Debbie Henley and Shawn Cleveland addressed the Board.

Shawn Cleveland was voted in as trustee with 4 votes. Neither Suzy Metzler nor Debbie Henley received any votes.

Shawn Cleveland was sworn in as trustee.

7. OLD BUSINESS:

- **Discuss and vote to adopt Ordinance 2017:3 (restricting advertising of residential rentals)**
Motion to adopt Ordinance 2017:3 made by Eddy Balch. Seconded by Chris Nasso. Motion carried 5-0.

Trustee Brad Wick provided comments via email to Mayor Rachel New. He is concerned that the ordinance doesn't mention occupancy limits. Trustee Eddy Balch believes the ordinance is clear. Trustee Brad Wick is also concerned about what enforcement will look like. The ordinance calls for a fine if a violation occurs.

Ramon Reed pointed out that the ordinance doesn't address actual occupancy – it only addresses advertising. How will the Board of Trustees determine that there has been a violation?

Robbin King wonders how and when the Town will decide whether short-term rentals are wanted in Pitkin.

Mayor Rachel New pointed out that this ordinance was not designed to address short-term rentals, but all rentals.

- **Discuss and vote to adopt a fine schedule**

Fee schedule would be by resolution and would contain fines for all ordinances/resolutions that require fines. Zoning violations will be separate. CORA fees can also be in the fee schedule.

Clerk Sara Gibb will locate fee schedule and email it to the Board.

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

Clerk Sara Gibb will obtain job descriptions from previous and current commissioners. Building Inspector job description will be obtained.

Trustee Cory Nasso wondered if commissioners should be included in this same document. Attorney Jim McDonald pointed out that commissioners also need to have an ordinance to regulate their appointment, duties, etc. He does not believe that the Board has enough information to put together an ordinance for commissioners at this time. Once this information is obtained, it should be put into a separate ordinance.

Trustee Eddy Balch wondered if having the building inspector bonded would better protect the Town. Attorney Jim McDonald doesn't believe that the Town could be held liable if there is a problem with construction.

- **Discuss and vote on structures on Town property**

Clerk Sara Gibb stated that a complete list needs to be created. The Board should decide whether it wants to collect insurance riders, have property owners sign waivers to release the Town from liability, or both.

Trustee Shawn Cleveland wondered about adverse possession. Attorney Jim McDonald stated that this doesn't usually run against a government entity. He also pointed out that if the property owner allows their structure to become a hazard the Town will need some recourse so a yearly waiver may be logical. He also stated that the Town may consider collecting a fee. Mayor Rachel New agreed with attaching a small fee to these structures to cover the cost to the Town.

Ramon Reed suggested defining what type of structures the Town is concerned about.

Attorney Jim McDonald stated that it is important to make the relationship clear if someone is encroaching on Town property.

Trustee Ralph Bush suggested that the Town needs a release from liability if someone's structure on Town property is damaged by the Town's activity on its own right-of-way.

Trustee Eddy Balch suggested that the task of making the list of structures be given to the Zoning Board.

Board agrees to pass the task of creating a list of structures on Town property to the Zoning Board.

7. NEW BUSINESS:

- **Discuss and vote on request from Stacy Long (wedding)**
Motion to set a \$200 fee plus costs (road closure) made. All present members of the Board are in agreement.

Request for Main St. to be diverted from 12:00p.m. to 5:30 p.m. for the ceremony on June 23rd, 2018.

Traffic would be diverted from 6th Street to 9th street because 7th and 8th are not thru streets. Trustee Cory Nasso suggested a closure to thru traffic but not local traffic. Trustee Ralph Bush suggested that notice be provided to potentially affected neighbors. He believes that the Archuleta's home is the only one affected (no alley access.)

Clerk Sara Gibb pointed out that this request was originally sent in January but it was not received due to the problematic email program the Town is using.

Conditional approval – reach out to neighbors 700 block of State for concerns, Town will obtain detour and road closure signs/barricades – cost will be covered by wedding party – Road will be closed 12:00-5:30 only, Jesse James will put together an estimate of actual cost and provide it to the Board and Stacy within 2 weeks.

Robbin King requested that all establishments be provided notice of the wedding details.

- **Discuss and vote on summons from district court regarding quiet deed to property located in La Veta placer. Possible recess for executive session.**

Attorney Jim McDonald could not find any record that this property is in the Town of Pitkin. Also, it is in a different tax zoning district than the Town of Pitkin. The Town of Pitkin is not an appropriate defendant to this action. Attorney Jacob With is willing to provide a document stating that the property is not in the Town, releasing the Town from participation in this litigation. Board is in agreement.

8. ADJOURN MEETING:

Meeting adjourned at 9:30 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