

Town of Pitkin  
Special Meeting of the Board of Trustees  
Town Hall, February 21, 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 Pinkston called the meeting to order at 8:18 p.m.

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

**Old Business:**

**Discuss and vote on ordinance concerning advertised rental occupancy limits and STR occupancy limits.** Motion to table this item made by Eddy Balch. Seconded by Chris Nasso. Motion carried 7-0.

**Local Board of Health:**

**Discuss and vote on resolution relating to OWTS hearings protocol.**

Motion to table this item made by Eddy Balch. Seconded by Chris Nasso. Motion carried 5-2. Nay votes cast by Matt Buchanan and Brad Wick.

Trustee Brad Wick pointed out that all suggestions made by Ramon Reed during the work session are already incorporated in the resolution.

Trustee Cory Nasso wonders when the Board would vote to approve an emergency hearing. He believes this should be spelled out more clearly.

Trustee Rachel New wondered if the Chairman could contact Board members individually to determine if an emergency hearing take place? Cease and desist language is in Reg. 43 but does it need to be spelled out in this resolution more clearly? She liked the wording in Mr. Reed's letter for defining the roles of the Clerk and the Chairperson at the meetings. It should be spelled out as clearly as possible. Also, the hearing extension protocol is not addressed. If for some reason the hearing is not concluded, there should be provision for this.

Mayor Steve Pinkston said the Board would have to have an emergency meeting to vote.

Would a hearing or meeting be required to issue a cease and desist?

Board is in agreement with: hearing extension protocol being added, clarifying the role of the Chair, clarifying the role of the Clerk, cease and desist abilities being defined (i.e. who issues this order? The Board of Health? The Health Officer?)

Ramon Reed stated that the current resolution can be adopted tonight and additions made at a later time.

James Sharpton read from Reg. 43 - 4 - Q (pg. 25) regarding “cease and desist” orders. He believes that the health agent can issue a “cease and desist” order.

Trustee Brad Wick read from the second paragraph (Reg. 43-4-Q) stating that this can only happen after a hearing. He wonders if the town wants to have a health officer or reserve these duties for the local Board of Health.

Trustee Eddy Balch stated that the health office initiates the process of issuing a cease and desist order, per Reg. 43. A cease and desist order can only be issued after a hearing, per Reg. 43.

**Discuss and vote on complaint concerning 724 State Street**

Motion to table this item made by Brad Wick. Seconded by Eddy Balch. Motion carried 7-0.

James Sharpton would like documents to be available to the public.

**Meeting adjourned at 8:48 p.m.**