

PITKIN TOWN MEETING

Newcomb Community Center

May 10th 2021 at 7pm

Minutes

1. **Call to Order and Pledge of Allegiance:** Mayor pro tem Tom Gibb called the meeting to order at 7:07pm. Trustees Ramon Reed and Jerra Garetson were present. Mayor Eddy Balch was present via telephone until approximately 7:28pm. Attorney Chris Mochulsky was present via telephone. Minutes taken by Clerk Sara Gibb.

2. **Public comments*:** None

3. **Town Attorney Report**:** No report

4. **For Council Action**:**

5-1 Approve meeting minutes: April 12th regular meeting

Motion to approve the April 12th minutes as amended made by Trustee Ramon Reed. Seconded by Trustee Jerra Garetson. Motion carried 3-0.

4-4 Discuss and vote on moving Town of Pitkin operating funds to an alternate bank

Clerk/Treasurer Sara Gibb reviewed updated information. She will obtain information from an additional institution, Community Banks of Colorado, and bring the updated chart to the next meeting.

Item Tabled

5-2 Discuss and vote on street closure for Kandy Nasso's Celebration of Life

Motion to approve the street closure made by Trustee Jerra Garetson. Seconded by Trustee Ramon Reed. Motion carried 4-0

Street Commissioner Jesse James Garetson reported that in the past, the County has cooperated well with the Town for street closures and provided barricades and detour signs.

Public comments: Marie Rossmiller

5-3 Discuss and vote on approving an easement for an OWTS at 909 Alpine Lane

Trustee Ramon Reed stated that the cost of the recording of the easement should be paid by the applicant. Mayor pro tem Tom Gibb stated that he does not see any reason not to approve the easement. Trustee Jerra Garetson stated that it was her understanding that as soon as the Town approves the easement, the Environmental Health Agent will approve the OWTS permit.

Motion to approve an easement for the OWTS at 909 Alpine Lane at the expense of the applicant made by Trustee Jerra Garetson. Seconded by Trustee Ramon Reed. Motion carried 3-0.

Trustee Ramon Reed pointed out that the EHA communicated with Chuck Cousino at the State, and Mr. Cousino's response to the EHA's plan to request an easement was, "Yes, a legally described easement that is attached to all property deeds is a must." He believes a previous situation where an easement was not required was a mistake.

Trustee Ramon Reed further stated that he was unsure if it was right to permit an OWTS at a property that has no water source. He does not believe this is clearly addressed in Regulation 43 or the local OWTS ordinance.

Public comments: Jesse Garetson

1-8 Discuss and vote on adopting the Town of Pitkin liquor licensing procedure

Motion to approve the liquor license application procedure as drafted for 5-10-2021 made by Trustee Ramon Reed. Seconded by Trustee Jerra Garetson. Motion carried 3-0.

Mayor pro tem Tom Gibb stated that he reviewed the policy that was edited by Attorney Mochulsky. He asked if any board members had heard feedback from the community regarding the policy. He has received one positive comment. Trustee Ramon Reed stated that he preferred not to discuss this issue outside of the meeting because it is a quasi-judicial procedure. Trustee Ramon Reed asked if there has been any change in the intention of the applicant. Clerk Sara Gibb stated that she has not received any communication that the desires of the potential applicant have changed. Trustee Jerra Garetson asked about the requirements under "Additional Information." She said the requirements sound subjective. She also wondered why financial information was to be included. She later stated that she does not want to hold up the policy on account of those items.

Trustee Ramon Reed asked when additional information can be requested by the Board. Is this prior to the public hearing or at the public hearing? Attorney Mochulsky stated that additional information may be requested prior to the public hearing.

Trustee Ramon Reed asked about the 'fees' to be collected. He also asked when the fingerprinting and background checks occur. Attorney Mochulsky described the fees to be collected, which are set by the State and the local Board. He also stated that the fingerprinting and background check must be completed as part of the initial application packet, which will be submitted to the Town prior to the public hearing.

Public comments: Jesse Garetson, Todd Adams

- 2-3 Discuss and vote on updates to the Town of Pitkin fee schedule and Resolution 2021-5 Fee Schedule (THIS IS ONLY IF LIQUOR PROCEDURE IS ADOPTED)

Motion to approve the Town of Pitkin fee schedule (with the exception of the building permit fees, which remain unchanged until the adoption of the 2021 Zoning Code) made by Trustee Ramon Reed. Seconded by Mayor pro tem Tom Gibb. Motion carried 2-1. Trustee Jerra Garetson cast a "no" vote.

(NOTE: The fee schedule dated 5/10/21 was amended to include fees for liquor licensing)

Trustee Ramon Reed questioned whether \$500 is enough to charge for an application fee. He also stated that the State application fee is waived for the remainder of 2021, as is the license fee. He wants the Town's fee to be high to cover its costs, especially because it is not going to be cheap to complete this process.

Mayor pro tem Tom Gibb stated that it doesn't take many beer sales to cover the cost of the license. He is not in favor of a \$100 application fee. Also, he stated that individuals who are pursuing a license have already seen the State's fee schedule, which is heftier than the Town's. He views \$500 as reasonable. Trustee Jerra Garetson does not want the fee to be higher than \$300. Trustee Ramon Reed stated that liquor sales are incredibly high where they exist. He stated there is a lot of public information available on this. In Gunnison County, the income from liquor sales is higher than any other industry in the county. He will bring the Board information from the County regarding sales tax from liquor sales.

Public comments: Jesse Garetson, Todd Adams, Suzy Metzler, Thomas Kelley, Gayla Gibb

- 5-4 Review treasurer's report. Vote to approve May 2021 disbursements

Motion to approve disbursements made by Trustee Jerra Garetson. Seconded by Trustee Ramon Reed. Motion carried 3-0.

Treasurer Sara Gibb asked if the Board would like to renew the Bank of Indiana

cd. The Board concurred that the cd should roll over and stay at First Internet Bank of Indiana.

Updates/Planning/Discussion:**

- Discuss updates on PVFD request for donation of land and building

A discussion about paying legal fees related to this request occurred. Clerk Sara Gibb stated that the Town had already incurred approximately \$135 in legal fees and the estimate moving forward is \$375-\$625. Mayor pro tem Tom Gibb suggests reducing the Town's monetary donation to the PVFD by whatever amount is used for legal fees.

Mr. Todd Adams stated that he is willing to cover the legal fees on behalf of the PVFD. The Board thanked Mr. Adams for his offer to cover the legal fees incurred by the PVFD request. **Clerk to notify attorney to move forward.**

Public comments: Todd Adams, Jesse Garetson

- Set work sessions and discuss future agenda items

Item tabled – set by email

5. Reports:**

- Town Mayor – Eddy Balch – no report
- Town Clerk – Sara Gibb – internet update – It's possible that GCEA can apply for federal broadband funds. The internet committee is looking into this option.
- Building Inspector – Tom Gibb – no report
- Sanitarian – vacant
- Fire Department – Rand Makowski
- Zoning Board – Jesse James Garetson
- Cemetery – Mark Rossmiller
- Environmental Health – Cyndi Wick
- Streets – Jesse James Garetson
- Ditches – John Rowan
- Town Hall – Garry Winget
- Parks and Rec – Sara Lamar

9. Adjourn: Motion to adjourn made by Trustee Ramon Reed. Seconded by Trustee Jerra Gareton. Motion carried 3-0. Meeting adjourned.

The next regularly scheduled meeting will be held **Monday, June 14th** at 7:00PM. 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://townofpitkin.colorado.gov>