

MINUTES

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1. **Call to Order and Pledge of Allegiance:** Mayor pro tem Tom Gibb called the meeting to order at 7:02pm. Trustees Ramon Reed, Ed Pianalto, and Jerra Garetson were present. Minutes taken by Clerk Sara Gibb.
2. **Public comments\*:** Linda Cole provided an update on the Kandy Nasso memorial park. She also provided handouts to the Board of Trustees.
3. **Town Attorney Report\*\*:** No report
4. **For Council Action\*\*:**
  - 8-1 Approve meeting minutes: June Regular Meeting; June 24<sup>th</sup> Special Meeting; June 24<sup>th</sup> Work Session; July 1<sup>st</sup> Special Meeting

**Motion to approve the minutes of the June 17<sup>th</sup> Regular meeting as corrected made by Trustee Ramon Reed. Seconded by Trustee Jerra Garetson. Motion carried 4-0.**

**Motion to table the approval of the minutes of the June 24<sup>th</sup> Special meeting made by Trustee Jerra Garetson. Seconded by Trustee Ramon Reed. Motion carried 4-0.**

**Motion to approve the minutes of the July 1<sup>st</sup> Special meeting made by Trustee Ed Pianalto. Seconded by Trustee Ramon Reed. Motion carried 4-0.**

**Motion to table the approval of the minutes of the June 24<sup>th</sup> Work Session made by Trustee Ed Pianalto. Seconded by Trustee Jerra Garetson. Motion carried 4-0.**

- 8-2 Discuss with possible action: Appointing a mayor for the Town of Pitkin (to serve until the April 2026 regular election)

Trustee Jerra Garetson asked if this item could be switched with item 8-3. Attorney Buchner stated that a trustee could not be seated where there is no seat. The Board has the authority to appoint a trustee when a seat is open. Trustee Tom Gibb is acting as Mayor but is still a Trustee.

Trustee Ed Pianalto stated that this could have been averted. In the June minutes Trustee Ramon Reed stated that he would be unavailable but he was in Town. He is disturbed that a Board of Trustee possibly created a diversion to not have a meeting so they couldn't take care of business in the Town of Pitkin.

Trustee Ramon Reed stated that he was unavailable. He did not ever state that he would not be in Town.

Trustee Ed Pinalto stated that the requirements to hold municipal office include that the nominee must reside in the municipality for 12 consecutive months prior to the date of election. Trustee Pinalto presented that Mayor pro tem Tom Gibb resides in Kimberly Placer outside of the Town of Pitkin, which makes him ineligible for the Mayor position and the Board of Trustee position. He stated he would like to know where Mayor pro tem Gibb's residency is. Mayor pro tem Tom Gibb stated that he is a snowbird, he comes this way for the winter. Then when he can he heads back to the ranch. He snowbirds back and forth. Trustee Ed Pinalto stated, "So you have not been a resident on Sage Lane, which is your residency that you claim in the Town of Pitkin for the past 12 months." Mayor pro tem Tom Gibb stated that Sage Lane is his permanent residence. Trustee Ed Pinalto asked how he could live at Sage Lane when it has been rented to two different people. He asked the Town Attorney to weigh in on this.

Attorney Buchner stated that in Colorado, the threshold for claiming residency is very low. The courts have determined that a person who has the intent of returning to Colorado can be a resident. Being a 12-month resident has to do with what you claim as your permanent residence, which can be shown on your Driver's License or taxes, etc. There is case law wherein a person moved out of State for a couple of years but with the intention of returning and who was considered a resident of Colorado for election purposes. According to Colorado law, if Mr. Gibb has claimed residence in the Town of Pitkin for the last 6 years, whether or not he's here for a week at a time, 8 months at a time, or 365 days per year, that's his residence according to Colorado law.

Trustee Pinalto asked if this was referring to voting rights and under 31-10-301?

Attorney Bucher stated that yes, they are talking about legal residence, which doesn't mean presence. He has looked into this several times and this is always the answer. He doesn't know of any case law that states otherwise.

Trustee Jerra Garetson asked if our local ordinances say anything about that. She asked if reside means the same as residence. Attorney Buchner stated that it has to do with where someone claims as their permanent residence.

Trustee Ed Pinalto stated that after living within the Town of Pitkin for the last two years as a full-time resident, he would stand as the mayor to support the property owners of the Town of Pitkin and to not be selective on which ordinances should be enforced. He believes we should be equal to all parties in the Town.

Mayor pro tem Tom has been acting mayor since June. Since that time, he has received one complaint. He acted on this complaint and should he be elected mayor, he will farm those out. He will pursue farming complaints out so he would not be the only one under the gun with what ordinances are supported and which ones are not. He supports the Town of Pitkin. That's why he's been on this board; because he does have a love for

Pitkin. He will stay with it as long as he is able. He would like to see some things carried on and completed in Town.

Trustee Jerra Garetson stated that to her “reside” means “live.” Attorney Buchner stated that the statute is interpreted that residence is no longer tied to where you lay your head every night. He offered to write a memo. Trustee Jerra Garetson stated she knew it was that way for voting purposes but she was unclear that it was the same for officials. Attorney Buchner stated that it is the same. The Board has the option to make it more stringent for elected officials but they must think of many scenarios and address them.

At Trustee Pinalto’s request, Attorney Buchner responded to a question from the public about the word “intent.” Attorney Buchner read from an overview of the statute for determining residence which states, “a primary place of abode is a location of fixed habitation where a person intends to return if ever absent for any length of time.”

Trustee Ed Pinalto asked about 31-10-301, which states that it needs to be 12 consecutive months, not an intent to return or that you’ve lived 2 or 10 of the 12 months. Attorney Buchner cautioned that if the statute were to be interpreted that literally, any person who took a vacation for over 24 hours outside of Town might be considered as not being a permanent resident for those 12 months.

Trustee Ed Pinalto asked how a person can be considered as residing in a residence if they’ve had it rented out.

Attorney Buchner stated that this is the state law in Colorado. Reside is not physical, full-time presence.

**Votes were cast by written ballot as follows: Tom Gibb – 2; Ed Pinalto – 2. Tie vote, no new mayor appointed.**

Public comments: Jesse Garetson, Todd Adams, Marie Rossmiller, Starlene Varnell

8-3 Discuss with possible action: Appointing a trustee for the Town of Pitkin (to serve until the April 2026 regular election)

Mayor pro tem Tom Gibb stated that this item would be tabled. Trustee Jerra Garetson took issue with that. She stated that because there is a quorum, she would like to fill the Board. She asked the Attorney if the Board was “stuck.” This makes no sense to her. They should be able to fill their Board tonight. Mayor pro tem Tom Gibb stated that this would go to an election and the Town would decide. Attorney Buchner clarified that Mr. Gibb is in a Trustee position but acting as Mayor pro tem because he was appointed to do so and there is no longer a seated Mayor. The position open is a

Mayor's position. If there is no consensus, the Board can do a "shuffle" as explained earlier or hold a special election for the Mayor position. That's a rule.

Attorney Buchner clarified again that Mr. Gibb is in a Trustee position but is acting as Mayor since the mayor is no longer seated. He stated that the Board could do something unconventional such as drawing straws. The entire board would have to agree and they would have to support the outcome.

There was discussion about statutory law requiring a replacement to be appointed within 60 days.

Trustee Ramon Reed would like to review with the Board the timeline for a special election. Clerk Sara Gibb shared rules with regard to the timing of an election in relation to the general election and provided dates during which an election could not be held. The earliest possible date would be December 10<sup>th</sup>, however, that may be incorrect based on what it means to "call" an election.

Attorney Clay Buchner stated that he needs to review the statute for appointment because he has not seen a new exception to the 60-day rule.

Trustee Jerra Garetson stated that putting this off is not good. Sometimes the letter of the law does not make common sense. There has to be a better solution for the betterment and the good of this town. Can anyone on this Board rectify this? Can Tom pull his name from the mayorship? If I [Trustee Jerra Garetson] resign can we do something?

Trustee Ed Pianalto stated that the only resolution he sees is if Tom or he pulls their name out of a hat. He refuses to pull his name out of the hat because he knows that he lives here. He said that, "Tom cannot say that with a straight face and look at anyone in the eyes and say he's lived here for 12 consecutive months." He says that's the facts.

Trustee Jerra Garetson takes issue to the fact that every trustee on this Board was not willing to meet last month.

**Motion to set a time and proceed with holding a special election to fill the vacancy of the Mayor made by Trustee Ramon Reed. Seconded by Mayor pro tem Tom Gibb. 2-2. Trustees Jerra Garetson and Ed Pianalto voted no. Motion failed.**

Trustee Jerra Garetson asked Mayor pro tem withdraw his name from the running. Trustee Ramon Reed asked that Trustee Ed Pianalto withdraw his name.

Attorney Buchner stated that by law, the Clerk must set an election if no mayor is appointed. It doesn't matter if the Board votes or not.

At the request of Trustee Pianalto, Attorney Buchner responded to a question from the public by stating, "There's no vacant trustee position, so you cannot appoint a trustee. You have to appoint a mayor and then you can appoint the vacant trustee position."

Public comments: Chad Varnell, Pete Olson, Cory Nasso, Suzy Metzler, Bob Taylor

8-4 Review Treasurer's Report. Discuss and vote to approve August 2024 Disbursements

Clerk Sara Gibb stated that the Attorney's fee has been added to the disbursement list.

**Motion to approve the August 2024 disbursements made by Trustee Jerra Garetson. Seconded by Trustee Ed Pianalto. Motion carried 4-0.**

8-5 Discuss with possible action: Allowing the Pitkin Hotel to assume responsibility and ownership of the street light at Main and 4<sup>th</sup>.

Hotel owner Bob Taylor stated that the street light is at the front right corner of the hotel. He requests that the Hotel pays for that electricity via the hotel's meter. That would eliminate two tracks of overhead lines – one along the hotel and one along toward Tom's house. It would alleviate both of those. It would save the Town of Pitkin money on electricity.

Trustee Jerra Garetson asked if the reasoning was for aesthetic purposes with the overhead lines. Bob Taylor confirmed that the primary reason is for aesthetic purposes. It would also save the Town money. He described the locations of the lines that would be relocated.

Trustee Ramon Reed stated that the street lights are the responsibility of the Town and they are there for safety. He is also concerned about the light being turned off. Bob stated that the junction box is in the hotel basement. Trustee Reed suggests having the line buried at the Town expense. He believes the line needs to remain under the jurisdiction of the Town. Bob will not change anything on the on/off switch of the light; it's currently on a photo cell and it provides security to their parking lot.

Trustee Jerra Garetson requested clarification of the request. Mr. Taylor clarified his request. Mr. Taylor's plan would require approximately 20 feet of digging vs. possibly 250 feet of digging that would be required if the Town buried the wire.

**Motion to allow the Pitkin Hotel to assume responsibility and ownership of the light at Main and 4<sup>th</sup> made by Trustee Jerra Garetson. Seconded by Trustee Ed Pianalto. Motion carried 4-0.**

Public comments: Jesse Garetson, Todd Adams,

8-6 Discuss with possible action: Approving an easement request from Lumen/Centurylink to place a utility line

Clerk Sara Gibb stated that in an email, Lumen/Centurylink stated they would order a survey once the Board approved.

Trustee Ed Pinalto asked if this easement would prevent any other company from obtaining an easement in Town. Mayor pro tem agrees. He does not want to be exclusive.

Trustee Ed Pinalto would like to have the attorney review the agreement. Two questions should be addressed: Why are the poles included when they are asking for an underground line and does this agreement prevent other companies from running lines? Is Exhibit A the site and length or does the easement extend further because of how it is written?

Trustee Ed Pinalto asked if it would be better for the line to be placed on the other side of State Street where there is more area. There was discussion about which side of the road should be used for the easement. Trustee Ramon Reed stated that the line continues past 12<sup>th</sup> Street. He believes the line goes up to at least the two properties NE of Town on the County road. At that point it also crosses the road overhead and provides both telephone and electricity to the other side of the road above Town. He discussed the original plat vs. current location of State Street.

Trustee Ramon Reed asked if Mr. Varnell went through the 811 process prior to digging his fence post. Mr. Varnell stated that he called and waited 72 hours before digging. No one came to verify where underground lines may be buried.

Trustee Ramon Reed asked if the Attorney would comment on how to ensure that this doesn't happen again. What is the legal aspect of the 811 process. Mayor pro tem Tom Gibb stated that there is no way you can make someone call 811.

Mayor pro tem asked if the Town should request liability insurance from Centurylink/Lumen so the line can be fixed in its current location because Mr. Varnell stated that had they shown him insurance, he would have allowed them to fix the line.

Trustee Ed Pinalto asked why the phone company didn't have an easement agreement in the first place. Trustee Ramon Reed stated that in the past there was discussion about creating a blanket easement but no action was taken.

There was discussion about telephone service in the Town of Pitkin.

Trustee Ramon Reed stated that not giving the easement to move the line underground could be a problem. Having the line over the ground has caused multiple telephone problems, including the ability to call 911. The ability to call 911 is not working properly in the Town of Pitkin. The Town should do what it can to get it working right. Additionally, he would like the survey to be completed first. He would like the attorney to review the easement document.

Mayor pro tem suggested requesting a letter demonstrating insurance, which is even possible from a self-insured company. With this proof, only a small fix would be required. This is preferable to the easement.

The Board directed the clerk to send an email to Lumen asking if they would provide proof of insurance to Mr. Varnell.

Public comments: Chad Varnell, Jesse Garetson

5-9 Discuss with possible action: Responding to Zoning Board recommendation on a fence permit appeal for 428 State Street (tabled from June 2024 regular meeting)

The Town has received a diagram requesting a land trade. Mr. Varnell declined to present to the Board, stating that he “presented it on paper.”

Mayor pro tem Tom Gibb asked if everyone on the Board had looked at the request prior to the meeting. The Board members confirmed that they had.

Trustee Ramon Reed asked if Mayor pro tem Tom Gibb and Trustee Ed Pianalto had gone to look at this. Mayor pro tem Tom Gibb looked at the site. Trustee Ed Pianalto did not. Trustee Ramon Reed does not see in the presentation where the actual roadway is.

Mayor pro tem Tom Gibb stated that Mr. Varnell bought a piece of property with a road across it that had been there a long time. The Town’s attorney affirmed several times that this tract complied with the Colorado statute of being a public thoroughfare or “highway.”

This tract utilizes between 125-150 square feet on Mr. Varnell’s property. Use of this property went away a long time ago for anything except public right of way. It was there with the two previous owners. What we have is a Colorado statute. Because no one before complained, it is solid and the way things are.

Mr. Varnell has proposed a land swap. The land swap is hugely excessive in his opinion. If you were going to trade 125-150 feet of ground, why would there be an expectation to trade for more than that. He sees an offer to trade 712 square feet on the bottom end for 712 square feet on 5<sup>th</sup> Street with 0 setbacks on the lower end of the property and

with the caveat of the line being a 0 setback. He doesn't see this as doable or a benefit to the Town.

Trustee Ed Pianalto stated that the agenda item was to discuss Zoning Board recommendations. The recommendations were to approve the fence with a 5' setback or to do a land swap. The options are to approve the permit with the fence 5' off the property line or to approve the land swap. He recommends approving the building permit if the land swap is excessive.

Mayor pro tem Tom Gibb stated that it's dangerous ground to approve a building permit on public right of way. He doesn't see that the Board has any business going there. He does not see this as a benefit to the Town. He thinks it's hugely excessive. He said it's almost like having leverage because of a little bit of public right of way and holding up the Town for 712 feet on 5<sup>th</sup> Street. He disagrees with Trustee Pianalto and says that it sets a bad precedent.

Trustee Pianalto asked what mayor pro tem Tom Gibb thinks the measurement is. Mayor pro tem Tom Gibb stated that the first post downstream is 5 feet off the property line and it is in the grass. The next 3 are in the edge of the grass line and it's not until the last post that you find the drivable surface makes a turn. He stated that the bridge guardrails stick out into Quartz one to one-and-a-half feet. That little bit of ground is important for maneuvering and driving. Not the whole block, just 25-30 feet of it about 12 feet wide. That comes out to between 125-150 square feet, depending on how generously you want to measure it. He is going to advocate that currently, Mr. Varnell has a post planted in a public highway, per State statute. He should pull the post before winter, right away and either give up on it or come up with a more agreeable solution. He suggested that Mr. Varnell could get an agreement that would give him a reduction in setbacks from the property line in the future. That would be good for him and it wouldn't impede on the public highway.

Trustee Ed Pianalto stated that at the last meeting he suggested that he, Mayor pro tem Tom Gibb and Chad measure the gravel and come to a consensus. No one ever called him. He believes this is ex parte communication and would exclude him from the vote. He is sorry that Mayor pro tem Gibb chose to do that. He further stated that this is a conflict of interest. He will let the Town Attorney weigh in on what he just stated.

The one-man building inspector who reports to the Board of Trustees denied the permit, according to Trustee Ed Pianalto.

Mayor pro tem stated that he knew from past experience that this request should not be approved because he knows the rules about public highways. Trustee Ed Pianalto stated that because the permit is across from Mayor pro tem Gibb's son, that he should have recused himself from the permit and sent it to the Zoning Board. Mayor pro tem



Tom Gibb asked what Trustee Pianalto would have done with it? There are things Trustee Pianalto doesn't know, and he would have passed this on a public highway.

Trustee Jerra Garetson is upset because this could have been handled months ago. We asked the Zoning Board and they worked on this. After the Attorney said, "no land swaps" she asked the attorney if there wouldn't be an amenable conclusion to this. He said yes. She cannot understand how we got here and why. She would like to hear from the attorney.

Attorney Buchner stated that building fence posts in the road is a problem. The road has been used for the past 50 years at least in that location. There can be variances, land swaps, easements, etc. It's very dangerous to just let someone do what they want without permission from the Board first. No one should be able to hold leverage over the Town by doing the wrong thing. On the issue of conflict – If there is a personal conflict that's not a per se conflict – it's a small town, there are going to be people with friends and family that have houses close by that could or could not be a conflict. That is going to be up to the individual trustee unless there is overt evidence that there is a conflict meaning that it's their adjacent property or someone stands to gain something directly. If a land swap or dismissing a land swap or allowing a family member to increase land value or volume of land, that could be a conflict. From the drawings he's seen, it is not happening this way. He sees a current violation of state statute and town ordinance by the homeowner. He suggests the homeowner remove the obstructions in the road to start, and then have a conversation about how to possibly make this right. Houses and roads will not perfectly match the plat of a town. Many were made without geography or topography in mind. The Town could end up with a road snaking in and out and possibly many easements variances based on where the road was built 50-100 years ago. He agrees with Trustee Garetson that there are probably half a dozen ways to get to an amenable answer but he doesn't believe the Board is in a place where that's going to happen. Some sort of easement is possible and a setback agreement are possible in the form of a variance. A land swap is possible – you could swap land on the entire block on one side for the other. The Board is not in a good position to make a determination because of the current situation.

Trustee Ed Pianalto asked why he could not have any Board of Trustees or Zoning Board visit his property for his variance but in this case Mayor pro tem Tom Gibb could take it upon himself to look at this property. He wants Attorney Buchner's input on the ex parte communication aspect.

Attorney Buchner stated that if this was for a variance or something that involves public hearings, it is not advisable to do your own investigation because you have created your own subjective perspective and at a future hearing you're only supposed to take into account what is presented to you by Town staff and the interested party.

The fence permit is one thing, a future variance or easement is another. Mr. Gibb may have excluded himself from future a quasi-judicial hearing on the matter. A fence permit is different. The question is whether it meets the Town parameters. He is somewhat confused about the question. It looks like a fence permit but there are complicated drawings about a land swap. Right now, the Board should be talking about the fence permit appeal. Depending on this, the Board will have to decide whether it wants to do something else such as an easement or a variance.

Trustee Ramon Reed shared an example of a land swap plat/survey that was drawn up for a land swap in Pitkin. He referenced the information that was presented to the Board for this swap. Regarding this item on the agenda, he only has the information presented. He keeps hearing things that aren't true. He referenced a statement made by Jesse Garestson that the Town Board asked the Zoning Board to deal with this and that is not true. The request was directly from Mr. Varnell to the Zoning Board. He's not going to deal with people making things up to sound better from their side. This whole thing never should have gone to the Zoning Board unless it came here first and this Board asked the Zoning Board to deal with it, which never happened. Trustee Reed is trying to state that as a Town Board, there is an obligation to serve the public. Information must be dealt with that is adequate to make proper decisions. The Board hasn't had that. He has repeatedly asked for the full information and he's not getting it. He does not want to make a decision on this until he gets that information.

Mayor pro tem Tom Gibb asked if two Board members could measure the site and come up with a proposal?

Attorney Buchner stated that Mr. Varnell would have to agree...in case he was given a quasi judicial hearing on the matter. Two would not violate open meetings law but it is technically taking those two trustees out of the loop as far as a possible future hearing. If Mr. Varnell agreed on record that he wouldn't pursue a violation of interest then you could do it if everybody agreed to it and that was the solution.

Trustee Ed Pianalto asked if two Zoning Board members, himself excluded, go with Mr. Varnell to measure and plot it and see if they could reach an agreement between the three there.

Attorney Buchner stated that the Town is bending over backwards to help someone, which he admires, but they are trying to fit square pegs into round holes. The Zoning Board can go do that but then there would be no appellate authority on the Board's decision other than the District Court. That's the Board's choice but it may cut out an administrative option. As soon as you start sending Trustees there, they're not be able to vote on a quasi-judicial matter in the future.

Mr. Varnell stated that he would be agreeable to have any two or any three Trustees, excluding Tom Gibb because he believes there is a conflict of interest. Any zoning board member, any town council member. He does not want Mayor pro tem Tom Gibb's input. He won't sue or do anything between the Zoning Board or Town Council excluding Tom, they can come up with any solution and he will be agreeable to it, excluding Tom. He does not want Tom's input in it. Whatever the Zoning Board or the Town Council comes up with, including leaving things just the way they are, he is perfectly fine with whatever they come up with.

Mayor pro tem Tom Gibb stated that if Trustees go to measure, Mr. Varnell would have to forgive ex parte communication. Mr. Varnell stated, "I will forgive it." Mayor pro tem Tom Gibb stated that when the time comes for them to vote they will not be excluded. Mr. Varnell stated, "Sure, whatever." Trustee Ed Pianalto is willing to measure. Mayor pro tem Tom Gibb would like to send Trustee Reed as well. They can come back with a report on what it is exactly, square footage wise. And they can come back with a report or recommendation. Trustee Ramon Reed declines to go. He is not qualified to develop the information he has been asking for. Trustee Jerra Garetson stated that she is certainly not qualified.

Trustee Ed Pianalto would like either Zoning Board member Jesse Garetson or Ed Herman to accompany him to measure. Zoning Board member Ed Herman will accompany Trustee Ed Pianalto to measure the site with the property owner.

Mayor pro tem Tom Gibb asked if the Board needed to vote to send these two guys down there to measure and make diagrams so the Board could see exactly what is involved in this public highway that crosses the corner of Mr. Varnell's property? Trustee Jerra Garetson asked if this fit with the agenda item. Trustee Ed Pianalto stated that they are just trying to decide who can go and look at it with the property owner. Mayor pro tem stated that the action would be to send these guys to get some clarification. Trustee Jerra Garetson said that would be ok for some clarification.

Attorney Buchner stated the Board had consensus and they are just giving direction so no vote is needed.

**Motion to table this item until the next meeting made by Trustee Jerra Garetson. Seconded by Trustee Ed Pianalto. Motion carried 4-0.**

Public comments: Jesse Garetson, Chad Varnell

##### **5. Updates/Planning/Discussion\*\*:**

- Discuss plan to address the following action items (from Board of Trustees/Zoning Board work session, previous Trustee meetings)
  - Enforcement discussion

- Develop/approve job descriptions for commissioners, Building Inspector, Clerk/Treasurer
- Approve process for adding items to agendas (Zoning Board meetings/Regular Town meetings/Board of Health meetings)
- Appeals processes - Review processes and steps and identify what is missing – Attorney input required
- Compensation for mayor, trustees, commissioners

**6. Special Additions to the Agenda\*\*:** None

**7. Reports\*\*:**

- Town Mayor – Mayor pro tem Tom Gibb received a complaint. He reported as follows: Complaint received, checked out, offender given copy of ordinance and they moved. Trustee Ed Pianalto asked about complaints filed in June. He stated that he wants the complaints filed in June to be addressed in the next 30 days. The Town owes it to them to do the proper thing. Trustee Jerra Garetson wants to go on record to state that the complaints are not being handled properly.
- Town Clerk – Sara Gibb – The Town Clerk requires an updated computer. The current computer has been used for more than 8 years and is in poor condition. The Town has budgeted \$1,000 for a computer and the Clerk will remain within this limitation. The Town Clerk will purchase a year’s subscription to Zoom for the Town.

***Please see written report for the following:***

- Building Inspector – Tom Gibb
- Zoning Board – Ed Pianalto - Read approved Zoning Board Minutes at: <https://townofpitkin.colorado.gov/documents/approved-meeting-minutes>
- Cemetery – Mark Rossmiller
- Environmental Health – Gayla Gibb
- Streets – Vacant
- Ditches – Vacant
- Town Hall – Ramon Reed
- Parks and Rec – Josh Ackerman

**9. Adjourn: Meeting adjourned at 10:12 pm**

The next regularly scheduled meeting will be held **Monday, September 16<sup>th</sup>** 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>

# Reports

## Commissioner and Community

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- **Building Inspector** –Tom Gibb – August 11----Bob and Pam Taylor, final inspection passed, the Hotel in business. An admirable job; July 3-----Phil Figueiredo, Plan change on garage approved; Aug 12----Bob Taylor, Hotel, Permit approved for building storage under rear deck directly against rear wall
- **Zoning Board** – Ed Pianalto – The Zoning Board of Adjustments held their monthly meeting on August 12th, 2024. There have been no variances requested by property owners during July or August. The main focus of the August agenda was to continue updating the 2022 Zoning Codes. It's anticipated that the updates should be completed and will be ready to send to the Board of Trustees after the regular September meeting.
- **Environmental Health** – Gayla Gibb – Two OWTS pressure tests were observed. Both of those systems were approved.  
Something for the BOARD to consider:  
Currently, on the year when the OWTS requires an inspection, there is a deadline of September 15 for that inspection. If this office has not received any reports of these inspections, they may or may not have happened. It takes time to find out since most of the communication has to take place via US Post. If the owner has just forgotten, this leaves little to no opportunity for this inspection to be completed the year it is required. If no inspection, a \$500 fine is imposed. If the deadline were by the end of July, there would be more time to remind those needing inspections that there are costly consequences for not making arrangements for the inspection. If the property owner wants to schedule a later inspection, that would be fine as long as there is communication.  
What are the thoughts of the BOT/BOH?
- **Streets** – Vacant – No report
- **Ditches** – Vacant – No report
- **Cemetery** – Mark Rossmiller – Cemetery Board held a regular meeting on July 10, 2024. At that time, 5 spaces had been sold for the season and several sales were pending. Interest in purchase of burial spaces is significant. The main topic of the meeting was “green or natural” burial practice. Colorado State Legislature has approved the use of such practice or technique.. While we do not expect there will be large demand for such technique, we think it is prudent to establish policy and regulation concerning the technique. In June of 2024 the Board met with Gunnison County coroner to gather detailed and current information about just what Colorado State law says. At the July 10 meeting the information gathered at that meeting was discussed and draft regulations were composed. Basically, the current thought is that Pitkin Cemetery will allow the “natural burial” technique but will not have any area specially dedicated for such technique and we will have official guide lines different from a conventional burial which uses a casket and vault. . We expect formal policy and regulations to be completed later this year.

Preliminary discussion was held about the possibility of a new and larger more easily seen sign located on County Road 76. There is currently a sign, but it is small and mounted low to the ground, sharing space with Quartz Properties sign.

14 new plaques have been added to the Memorial Wall. Display board #1 is full, but a significant amount of space is available on board #2. There has been many inquiries about purchase of new plaques. A new sign for the Memorial Wall is in place.

A clean-up or work day was held last Friday, August 9. The number participating was small, only 7, but it was productive. The work was mostly trimming around headstones and marker pins and clearing some brush from lanes. As the sessions have become more regular in recent years, the amount of work needed and the difficulty of the work has become less for any one session. We hope to see some increased interest from the public in the future.

Cemetery Board expects to have another meeting yet this season but date is not set.

- **Town Hall** – Ramon Reed – Two events were held at the Town Hall this past month:
  - PHCA put on an all Pitkin Talent Show this year in lieu of the Melodrama. It was very popular and they put on a great display of the locals at their best.
  - August 3rd brought in a capacity crowd to usher Michael and Lora into the wonderful world of matrimony.
  - Now, with the neighboring Pitkin Hotel opening, the same contractors will be moving over to repair the crack in the west corner of the Town Hall. We hope to have it completed by September.
- **Parks and Rec** – Josh Ackerman - Last week Thursday August 8th we acquired three pieces of playground equipment that was donated by the Gunnison County Elementary School. We will be discussing locations for this new equipment. A BIG thank you to Tom and Chris for going into town and picking up this equipment for Pitkin.
  - I have been speaking with Sherrie Kinser about putting up a memorial bench for her husband that passed away this past April. She will be purchasing the bench and shipping it to the Town for us to get it installed. It has been discussed that a possible location would be Memorial Park across from the Silver Plume. Any opinions would be appreciated.
  - I have been in contact with Kit our local rep for Star Playgrounds about repair work to existing playground. She is going to see if their crew can recommend the repairs. If they cannot help, they are going to refer me to a Playground Repair company that can come out and inspect our set for what needs to be repaired and how much.
  - Lastly, a big thank you to the Silver Plume Grill for their donation of \$2,200 from the Fish Fry Event in July. This donation is a tremendous help to Parks and Rec and is much appreciated.