

# PITKIN TOWN MEETING

## at the Newcomb Community Center

November 9<sup>th</sup> 2020 at 7pm

18 present, 18 masked

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### MINUTES

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1. **Call to Order and Pledge of Allegiance:** Mayor Eddy Balch called the meeting to order at 7:08pm. Trustees Lucinda Lull, Jerra Garetson, and Tom Gibb were present. Attorney Chris Mochulsky was present. Minutes taken by Clerk Sara Gibb.
  
2. **Public comments\*:** Pitkin Volunteer Fire Department: Vikki Archuleta, PVFD treasurer, spoke. The PVFD is requesting three things 1) budgeted amount for 2020, 2) addition to the 2021 budget, 3) deeding of the property where the firehouse currently sits (5<sup>th</sup> street).  
James Sharpton, PVFD board member, spoke. He stated that the PVFD is a 501 c3 and the purpose is to serve the Town of Pitkin and Quartz Creek Properties as well as areas to the north, south, east, and west of the Town. He believes that fire protection should be a priority of the Pitkin Board of Trustees. The PVFD building is too small. Offers of equipment have had to be declined due to lack of space. A new building has not been designed. The PVFD is currently in phase 1 - obtaining a well, septic, and a building design.  
Vikki Archuleta stated that the PVFD is scheduled to close on the neighboring lots next week. Rand Makowski reported that he has a bid for a building erected (70' by 80') but this does not include doors, concrete, insulation, etc. He further confirmed that the PVFD will be looking into grant opportunities. Jesse Garetson, member, stated that the PVFD is vitao to the protection of Pitkin and obtaining home insurance.
  
3. **Town Attorney Report\*\*:** Attorney Chris Mochulsky responded to the question from last month regarding the option to sell property. Because the street in question (7<sup>th</sup>) is held for a governmental purpose, the only option the town has to sell it would be for the Town to put it to a vote.
  
4. **For Council Action\*\*:**
  - 11-1 Approve meeting minutes: October 5<sup>th</sup> special meeting and October 19<sup>th</sup> Board of Health Meeting  
  
**Motion to approve the minutes as presented made by Trustee Jerra Garetson.  
Seconded by Trustee Lucinda Lull. Motion carried 4-0.**
  
  - 10-2 Discuss and vote on Ordinance 2020-3 (Vacating a Portion of Seventh Street)

Based on the information provided by the Town attorney, Mayor Balch would entertain a motion to put on the ballot the vacation of a portion of 7<sup>th</sup> Street. No motion was made.

Attorney Chris Mochulsky clarified that the vacation will not be going on the ballot, a SALE will be on the ballot. The only way to dispose of a piece of property for sale would be via a public election.

Town will review whether the Town must put the land up for auction or if it can simply put the land up for sale to one party.

Trustee Tom Gibb agreed that the land vacation policy needs review. The statute that says that the sale of Town property will be done by the vote of the public puts the power to retain or dispose of Town property in the best interest of the Town. He believes this is a good idea because no sitting Board has the power to sell a piece of property. This puts the power in the hands of the voting public.

Trustee Jerra Garetson was interested to learn that this is how the Town needs to operate. She likes that the voters have options.

Trustee Tom Gibb stated that he believes the terms and conditions of a sale must be part of the ballot language.

Clerk Sara Gibb requested a minimum of 60 days to put together an election.

**Trustees Tom Gibb, Lucinda Lull, and Jerra Garetson agreed that any proposals for land vacation must have the request before the Board at the first meeting in January. At that point, the Town can set a date for a special election.**

Clerk Sara Gibb will notify the Archuletas and other applications that a request to be on the ballot at a special election, date TBD, should be before the Board no later than the January regular meeting.

Public comments: Rand Makowski, Ramon Reed, Jesse Garetson, Marie Rossmiller, Lois Sharpton, Pete Olson, Suzy Metzler, Alicia Archuleta

9-3 Discuss and vote on Town of Pitkin snow plowing policy

Quartz Creek Company has been asked for a proposal. Two Gunnison County representatives met with Street Commissioner Jesse Garetson and Mayor Eddy Balch regarding streets not on the current county plow list. Marlene Crosby spoke with Eddy Balch about the streets under question. There are some streets that the County will not plow. She will put together a proposal for plowing for some of the streets.

Quartz Creek Company is waiting to hear from their insurance company.

Town is waiting to hear from CIRSA regarding coverage for a leased piece of snow plowing equipment.

Streets Commissioner Jesse James and Mayor Eddy Balch will work with Clerk Sara Gibb to obtain quotes for snow plowing equipment

Public comments: Pete Olson, Suzy Metzler

9-4 Discuss and vote to approve Bargain and Sale Deeds for Aspen Lane Conveyance (Makowski/Fox)

All documents are now currently notarized.

**Motion to approve the Bargain and Sale deeds for the Aspen Lane Conveyance for Makowski/Fox made by Trustee Lucinda Lull. Seconded by Trustee Jerra Garetson. Motion carried 4-0.**

Public comments: Suzy Metzler

11-2 Receive Zoning Board recommendation and set a date for a public hearing on a right-of-way vacation request (8<sup>th</sup> Street at Main Street)

Trustee Tom Gibb is not in favor of giving away Town property. He believes this request should go to the ballot.

Trustee Lucinda Lull believes this is the only way to take each one of these and look at each one individually.

Trustee Tom Gibb asked if a committee should be created to determine the criteria for putting sale requests on the ballot. Trustee Jerra Garetson believes this may gum up the process. The Zoning Board already reviews these requests.

Clerk/Treasurer Sara Gibb stated that if the Town puts these requests on a regular election in the future, the Town will not incur any additional costs.

Mayor Eddy Balch will confer with the attorney moving forward.

Public comments: Marie Rossmiller, Jesse Garetson, James Sharpton, Pete Olson

11-3 Discuss and vote on Pitkin Volunteer Fire Department requests

Vikki Archuleta stated that the Town of Pitkin owns the deed to the land that the fire department building sits on, which is 5<sup>th</sup> Street. Mayor Balch asked for clarification of exactly what the PVFD is asking of the Town. Mrs. Archuleta stated that the PVFD would like the Town to deed the land to them so they can begin applying for grants.

Trustee Tom Gibb reported that the county records indicate that the 5<sup>th</sup> Street right-of-way is deeded to the Town of Pitkin for the purpose of a fire station. It is the privilege of the Town to make donations to non-profit organizations. The Town currently makes a yearly donation to the PVFD. It might be possible to donate the land to the PVFD. The problem is that the PVFD would only own half of 5<sup>th</sup> Street. This may need to go to an election. He suggests having the attorney look into it.

Trustee Jerra Garetson would like to get this done so the PVFD can get on with their grant writing.

**Motion to approve the disbursement of \$8,250 to the PVFD made by Trustee Lucinda Lull. Seconded by Trustee Jerra Garetson. Motion carried 4-0.**

Public comments: James Sharpton, Jesse Garetson

11-5 Discuss and vote on appointing Ramon Reed to the Board of Trustees

When a vacancy occurs on the Board, the remaining Board members must fill the vacancy within 60 days. Mayor Eddy Balch believes this item should be placed on the ballot for the special election that is coming up regarding the sale of portions of streets.

Trustee Jerra Garetson agrees with some of the comments were made. She is very concerned about documentation and she cannot in good conscience do this.

Trustee Lucinda Lull said that being so close to the time when an election would be required that the Town is almost better off doing an election. She has heard from a lot

of constituents who are very concerned. Mayor Balch has also had multiple constituents reach out to him with concerns.

**Motion to post information and add the election of a trustee to the ballot for the special election made by Trustee Tom Gibb. Seconded by Trustee Jerra Garetson.**

**Motion amended: Motion to add the election of a trustee to the ballot for the special election made by Trustee Tom Gibb. Seconded by Trustee Jerra Garetson. Motion carried 4-0.**

Special meeting 17<sup>th</sup> at 7:30pm – Set date for election, Budget work session

Public comments: Rand Makowski, Lois Sharpton, Suzy Metzler

11-4 Review treasurer's report. Vote to approve November 2020 disbursements

Overpayment of sales tax appears to have been held back in the month of October. An exact figure has been requested from the DOR but not received as of the time of this meeting.

There are two additions to the disbursement report - \$400 to Mast Trucking for gravel delivery, \$60 to the State for OWTS permits, and \$8250 to the PVFD.

**Motion to approve November disbursements made by Trustee Lucinda Lull. Seconded by Trustee Tom Gibb. Motion carried 4-0.**

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

- Review and Discuss Town of Pitkin 2021 Budget  
Treasurer Sara Gibb reviewed changes to the budget.

Public comments: Ramon Reed, Marie Rossmiller

- Discuss reserve policy for the Town of Pitkin  
  
Item tabled
- Set work sessions and discuss future agenda items  
Work session/special meeting for November 17<sup>th</sup> at 7:30

#### 6. Reports\*\*:

- Town Mayor – Eddy Balch – Mayor Balch attended a portion of the mayor/manager meeting

this week. There is concern about what is going to happen in the coming year in the State. There is also concern about the number of businesses that have been closed and the ski industry.

- Town Clerk – Sara Gibb – no report
- Building Inspector – Tom Gibb (interim) -
- 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 the meeting made by Trustee Jerra GAreson. Seconded by Trustee Lucinda Lull. Motion carried 4-0. Meeting adjourned at 9:20pm.**

The next regularly scheduled meeting will be held **Monday, December 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>

To add an item to the agenda, please submit it in writing to the Town Clerk at [thetownofpitkin@gmail.com](mailto:thetownofpitkin@gmail.com) no later than **Wednesday at 5pm** prior to the regularly scheduled meeting. Supporting documentation must also be submitted no later than 5pm on the Wednesday before the 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*

*\*\*Any item on the agenda may be subject to an executive session*

If special accommodation or alternative access is required, please contact the Town Clerk at [thetownofpitkin@gmail.com](mailto:thetownofpitkin@gmail.com) or (970)787-0031 at least 48 hours prior to the scheduled meeting