

PITKIN TOWN MEETING

December 9th 2019 at 7pm

At the Newcomb Community Center

MINUTES

Full and timely notice of this meeting was provided pursuant to C.R.S. 24-6-402(2)(c).

1. **Call to Order** and Pledge of Allegiance: Mayor Rachel New called the meeting to order at 7:07pm. Trustees John Rowan, Lucinda Lull, Eddy Balch, Jerra Garetson, and Lois Sharpton were present. Trustee Cory Nasso joined the meeting at 8:03pm.

2. **Public comments:** none

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

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

12-1 Approve meeting minutes: November 4th special meeting and work session, November 11th regular meeting

Motion to approve minutes made by Trustee Jerra Garetson. Seconded by Trustee Eddy Balch. Motion carried 4-0. Trustee Eddy Balch abstained.

12-2 Discuss plowing in the Town of Pitkin: Discuss and vote to approve the amended bid from Quartz Creek Company to include additional plowing requests

Treasurer Sara Gibb presented the quotes from Quartz Creek Company: An additional 50' on 8th street past Aspen - \$178 for the season; 5th street to Aspen, Aspen to the end of Town property (1/2 of block 41) - \$2400 for the season, \$1445 for November-Jan.

Motion to approve the additions to the Quartz Creek Company's first bid proposal made by Trustee Lois Sharpton. Seconded by Trustee Jerra Garetson. Motion carried 5-0.

11-4 Discuss and vote on request by Makowski/Fox regarding Aspen Lane to provide quit claim deeds for alleyways in block 42 and part of block 41

Attorney McDonald reviewed the documents provided by the Town. It is not possible to determine exactly what the agreement was to be. There was no binding, signed agreement that is the transfer of real property. There can be a transfer now. He suggests an agreement and not simply a quit claim deed, if all parties want to move forward.

He suggests having a surveyor determine the meets and bounds using what is in the ordinance, or having a surveyor determine if the meets and bounds are correct (i.e. a new survey). The estimated cost to have a surveyor look at the meets and bounds would be a couple hundred dollars.

Trustee Eddy Balch believes that if the Town is going to consider this [transfer] the Town should not have any expenses. Trustee Jerra Garetson agrees. She does not see the benefit to the Town. Trustee Lucinda Lull does not believe there is a way to look back and figure out what happened. She would like to move forward. Trustee John Rowan agrees with moving forward.

Trustee Lois Sharpton asked if the Town is going to start over to determine who owns what. Mayor New stated that the suggestion was to confirm the meets and bounds in the original document (Ordinance 1994-1). Trustee Jerra Garetson would like to have a survey and an agreement, per the attorney's suggestion.

Trustee Eddy Balch would like to look at this as a Town, and consider – what is the benefit for the Town to do this?

Trustee Lois Sharpton wondered what the difference is between the easement (within Ordinance 1994-1) and what the Town would do now. Trustee Lois Sharpton asked what exactly the Town is trying to do.

Mayor New asked, if conveyance of money was not an issue, would the Board want to proceed. Trustee Eddy Balch asked if it is the Town's responsibility to open new roads where there have not previously been public roads. He reviewed the bids from Quartz Creek Company for approximately 1.5-2 blocks and stated that the Town should consider what the cost would be for an additional 1.5 blocks of plowing.

Trustee Jerra Garetson is very opposed to the Town footing the bill. She asked Attorney McDonald if the minutes should be considered. Attorney McDonald stated that the minutes provide insight into the negotiations and there is no binding agreement as to how this exchange was to be executed.

Trustee Lois Sharpton asked if the Town can use the meets and bounds contained in the ordinance rather than pay for a new survey. Attorney McDonald stated that he has pointed out anything that he considers to be potentially problematic. He further stated that the existing easement isn't signed by the landowner.

Attorney McDonald could fulfill the requirements but he would be representing the Town in the matter and not Mr. Makowski. Mr. Makowski stated that he would be willing to pay Attorney McDonald's expenses to complete this transfer. Attorney Jim McDonald stated that once the survey is completed, the document can be drafted within 7 days.

Motion for Attorney McDonald and Mr. Makowski to move forward, at the cost of the applicant, with drafting an agreement and completing the quit claim deeds if the map and survey agree made by Trustee Eddy Balch. Seconded by Trustee John Rowan. Motion carried 5-0. Trustee Cory Nasso abstained.

Public comment: Rand Makowski, Jesse Garetson, Rodger Lull

12-3 Discuss and vote on Ordinance 2019-4 (Compensation schedule for Trustees)

Attorney McDonald stated that removing compensation may preclude some valuable participation from someone who cannot afford to do so without compensation. Trustee Eddy Balch agrees. Trustee Lucinda Lull stated that the amount of current compensation helps to defray time and expenses. Trustee John Rowan does not think this decision can be made for future boards.

Trustees Cory Nasso and Jerra Garetson stated that they are considering the budget.

Trustee Eddy Balch suggested revising the ordinance to reflect \$25/month. (Clerk Sara Gibb stated that no earlier compensation ordinance could be located)

Amendment will read that any previous ordinance is repealed.

Motion to approve ordinance 2019-4 as amended made by Trustee Jerra Garetson. Seconded by Trustee Lucinda Lull. Motion carried 6-0.

Public comments: Jesse Garetson, Linda Hughes

12-4 Discuss and vote to reallocate general funds in the amount of \$428.00 from 6001 – Accounting to 5070 - PHCA. Discuss and vote to reallocate general funds in the amount of \$958.00 from account 5060 - Legal to 6900.1 - Wages. Discuss and vote to reallocate \$2,635.00 from 5160.1 Streets-Maintenance to 5160.2 Streets-Plowing. Vote to approve December 2019 disbursements.

Motion to reallocate \$428 from Accounting(6001) to PHCA(5070), \$958.00 from Legal (5060) to Wages (6900.1) and \$2,635 from Streets-Maintenance (5160.1) to Streets-Plowing (5160.2) made by Trustee Lucinda Lull. Seconded by Trustee Eddy Balch. Motion carried 6-0.

Motion to approve December disbursements made by Trustee Eddy Balch. Seconded by Trustee Lucinda Lull. Motion carried 6-0.

Attorney Jim McDonald was excused from the meeting at 8:27pm.

12-5 **Public Hearing – Town of Pitkin 2020 Budget**

Treasurer Sara Gibb suggested amendments to the budget to reflect snow plowing expense changes and consistency between building permit revenue and building inspector compensation.

Mayor Rachel New opened the public hearing at 8:37pm.

Public comments: Jesse Garetson

Mayor Rachel New closed the public hearing at 8:39pm.

12-6 Discuss and vote to approve Town of Pitkin 2020 Budget Resolutions: Resolution 2019-11 (Adopt Budget), 2019-12 (Set Mill Levy), 2019-13 (Appropriate Sums of Money)

Motion to approve Resolution 2019-11 (Adopt Budget) as amended made by Trustee Jerra Garetson. Seconded by Trustee Eddy Balch. Motion carried with roll call votes as follows:

Trustee Eddy Balch – yes, Trustee Jerra Garetson – yes, Trustee Lois Sharpton – yes, Trustee John Rowan – yes, Trustee Lucinda Lull – yes, Trustee Cory Nasso – yes

Motion to approve Resolution 2019-12, setting the mill levy at 5.989 made by Trustee Eddy Balch. Seconded by Trustee Lucinda lull. Motion carried with roll call votes as follows:

Trustee Jerra Garetson – yes, Trustee Lois Sharpton – yes, Trustee John Rowan – yes, Trustee Lucinda Lull – yes, Trustee Cory Nasso – yes Jerra Trustee Eddy Balch – yes

Motion to approve Resolution 2019-13 (appropriating sums of money) as amended made by Trustee Eddy Balch. Seconded by Trustee Lucinda Lull.

Motion carried with roll call votes as follows:

Trustee Lois Sharpton – yes, Trustee John Rowan – yes, Trustee Lucinda Lull – yes, Trustee Cory Nasso – yes Trustee Eddy Balch – yes, Trustee Jerra Garetson – yes

5. Updates/Planning/Discussion:

- Update on Land sale/use policy; Hoffelder/Hunter request

Trustee Eddy Balch requested discussion on the 2/3 requirement for affected landowners. “representing at least 2/3”

Petition and filing fee – Trustee Eddy Balch suggests \$250. Trustee Lois Sharpton would like this in a separate document.

Trustee Eddy Balch suggested processing time of 90 days or less.

Public comments: Jesse Garetson

- Discuss change in number of Trustees for the Town of Pitkin

Statute allows a reduction in Board size from 6 trustees and a Mayor to 4 trustees and a Mayor. A 2/3 vote in favor of all Board members is required, which would then place this question on the ballot.

Trustee Lois Sharpton would like to give everyone a chance and keep the number at 7. Trustees Jerra Garetson and Eddy Balch would like to see this question on the ballot. Trustee Cory Nasso would like to put the question to the electorate. He stated that a larger board can take more time to come to consensus. Trustees Lucinda Lull and John Rowan would like this on the ballot. Trustee Eddy Balch would also like to discuss staggered terms for Trustees.

Mayor New pointed out that the Town functioned very well with a 5-member Board for several months this year.

Public comments: Jesse Garetson

- Set work sessions and discuss future agenda items

Discussed mill levy – Two funds are not currently set up to be self-supporting (Streets and Town Hall) – Mayor New requests an additional work session to assimilate the information that will be given to the public via the committee.

Work session (mill levy and property vacation) – Monday, January 6th at 6:30 pm

6. Reports:

- Town Mayor – Mayor New spoke with Kyle Robert from All-Weather Dirt Works and he is willing to do maintenance work on Pitkin’s roads. He drove the roads prior to the snow. He suggested mag chloride over any road work completed to help hold it.
- Town Clerk – Clerk Sara Gibb provided election information including dates for picking up nominating petitions and absentee ballot applications. Clerk Sara Gibb reported that the Met Rec District is interested in pursuing a formal lease agreement for their tower on Town property.
- Building Inspector/Sanitarian – Rand Makowski
- Fire Department – Rand Makowski
- Zoning Board – James Sharpton
- Cemetery – James Sharpton – Discuss and vote to approve updated Pitkin Cemetery Bylaws.

Motion to approve the updated Cemetery Rules and Regulations and Bylaws as amended made by Trustee Lois Sharpton. Seconded by Trustee Jerra Garetson.

Motion carried 6-0.

Please see written report for the following:

- Environmental Health – Cyndi Wick
- Streets – vacant
- Ditches – John Rowan
- Town Hall – Juliet Serrato
- Parks and Rec – Sara Lamar

5. Adjourn: Meeting adjourned at 9:20pm

The next regularly scheduled meeting will be held **Monday, January 13th** at 7:00PM at the Newcomb Community Center. 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://www.colorado.gov/pitkin>.

To add an item to the agenda, please submit it in writing to the Town Clerk at thetownofpitkin@gmail.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.

If special accommodation or handicapped access is required, please contact the Town Clerk at thetownofpitkin@gmail.com or

(970)787-0968 at least 48 hours prior to the scheduled meeting