

PITKIN TOWN MEETING

Newcomb Community Center

December 16th 2024 at 7:00pm

Remote participation via Zoom

MINUTES

1. Call to Order and Pledge of Allegiance: Mayor pro tem Tom Gibb called the meeting to order at 7:00pm. Trustees Ed Pianalto and Ramon Reed were present. Trustee Jerra Garetson was present via Zoom. Attorney Clay Buchner was present via Zoom. Minutes taken by Clerk Sara Gibb.

2. Public comments*: None

3. Town Attorney Report:** No Report

4. For Council Action:**

12-1 Approve meeting minutes: November 18 Regular Meeting

Motion to approve the November 18 minutes as amended made by Trustee Ed Pianalto. Seconded by Trustee Ramon Reed. Motion carried 4-0.

12-2 Review Treasurer's Report. Discuss and vote to approve December 2024 Disbursements. Discuss and vote on moving \$45,000 from GBT to CSAFE.

Trustee Ed Pianalto asked if the Building Inspector could submit a monthly invoice rather than a yearly invoice.

Trustee Jerra Garetson requested to discuss an invoice that was mailed to the Mayor pro tem. Mayor pro tem Tom Gibb reported that he received the invoice Friday afternoon. Mayor pro tem Tom Gibb reported that the request would require some discussion and it didn't make it in time to be on the agenda.

Trustee Ed Pianalto asked several questions about building permits.

Motion to approve the December disbursements as amended made by Trustee Ed Pianalto. Seconded by Trustee Ramon Reed. Motion carried 4-0.

Motion to transfer \$45,000 to CSAFE made by Trustee Ramon Reed. Seconded by Trustee Ed Pianalto. Motion carried 4-0.

12-3 Discuss with possible action: Granting a front yard setback variance request to Cory and Stephanie Nasso. **THIS ITEM CONTAINS A PUBLIC HEARING**

Applicant Cory Nasso described his request to the Board. The Nasso family has spent 5-6 years planning the house they'd like to build. They request a zero foot setback to 11th Street at one corner (drip edge). The house then tapers away from the lot line to approximately 18" to 24". The drip edge is 18" past the foundation. The Nasso family

considered snow shed, plowing, the irrigation ditch, use of 11th Street, and neighboring properties. The drivable surface is approximately 30' from the property line, which allows space for off-street parking.

Clerk Sara Gibb provided a staff report. She confirmed that the property with its exceptionalities was accurately represented by Mr. Cory Nasso. She further stated that the leach field is located above the Town ditch, which divides the property.

Ed Pianalto spoke as Zoning Board Chairperson and confirmed that the Nasso property is exceptional in several ways (slope, Town ditch, location of current cabin). He also shared that snow load would not affect the neighbors.

Trustee Ramon Reed asked why the Board of Trustees was hearing this request. He stated that this variance request is within the purview of the Zoning Board. Clerk Sara Gibb stated that the attorney advised that the Town should hear the request because the Town is an interested party.

Public Hearing opened at 7:35pm

Public comments: Trustee Jerra Garetson wanted to go on record as agreeing with Trustee Reed.

Public Hearing closed at 7:38 pm

Motion to approve the variance as requested made by Trustee Ramon Reed. Seconded by trustee Jerra Garetson. Motion carried 4-0.

12-4 Discuss with possible action: Adopting Resolution 2024-9 version 1 or version 2

Clerk Sara Gibb reviewed the two options.

Mayor pro tem Tom Gibb stated that the Town had previously posted vacancy announcements for Mayor and Trustee. He stated that it seems odd that the Town would dictate who can run and who can't. He would like to open it up. Trustee Ed Pianalto asked if there is a state statute that prevents opening up the ballot to additional people after two people have been nominated. Clerk Sara Gibb stated that no one had been nominated, two individuals put their name in to be appointed.

Attorney Buchner stated that any write-in candidate would have to go through the proper steps to be nominated.

Trustee Ed Pianalto asked if both Tom and himself would still need to go through the process of securing signatures like a normal election. Clerk Sara Gibb responded in the affirmative.

Trustee Jerra Garetson thinks this is much ado about nothing. She would like to get on with it.

Mayor pro tem Tom Gibb stated that it seems awkward to only let two people run. He does not want it to be exclusive.

Trustee Ramon Reed stated that when there's a vacancy on the Board of Trustees, the Board can appoint a replacement to fill that vacancy. If the Board does not appoint a replacement, an election is held to fill the position. This is the point where we're at. There is nothing in the statute that allows the Board to limit it. It's an election to fill a vacancy. If this Board couldn't fill the vacancy, they should not have the ability to tell the electorate

Whoever wants to be mayor can follow the procedure to be on the ballot.

Trustee Jerra Garetson stated that the Board isn't filling a vacancy for a Trustee, they were trying to fill a vacancy for Mayor. She believes the whole thing was rotten. She thinks the Town has spent way too much time on this. She asks if the Town can please get on with this.

Motion to adopt Resolution 2024-9 to include all the wording through #3 and to exclude the ballot question choice made by Trustee Ramon Reed. Seconded by Trustee Ed Pinalto. Motion carried 3-1. Trustee Jerra Garetson voted no.

Trustee Ramon Reed wants the statutes to govern how the election is run.

Public comment: Chris Nasso

12-5 Discuss with possible action: Adopting Ordinance 2024-7 (Volunteer Job Descriptions)

Trustee Ramon Reed suggested an additional section relating to budget expenditures. There was brief discussion about what constitutes normal vs abnormal maintenance.

Mayor pro tem Tom Gibb stated that this would require some looking forward. This might add more detail to those.

Trustee Jerra Garetson wanted to go on the record to state that the Board needs to appreciate their volunteers. She has no problem with what has been said but she thinks the Town needs to highly regard anyone who is willing to volunteer for the Town. She thanked the many years of volunteers for the Town.

Trustee Ed Pinalto has no issue with the way the ordinance was re-written. He is disturbed that it was presented that he was pushing for job descriptions. He was pushing for job descriptions for paid employees of the Town. He is amazed how there has never been any progress toward those paid positions but within a month the Town was able to push through a work session and rewrite an ordinance for a volunteer and the Town still has no job descriptions for the paid positions. He thinks the Town should appreciate their volunteers. There are more restraints on volunteers than there are on employees.

Mayor pro tem Tom Gibb stated that the monthly reports are typically basic. To include the requirements in the ordinance might make the position less attractive. On the other hand, the jobs have expectations. That's the nature of jobs.

Trustee Ed Pianalto stated that as a Board of Trustees, it is necessary to know what the plan is today and tomorrow. That's how you work with a budget. That information is needed by the Board.

Motion to adopt Ordinance 2024-7 with the edits included and as amended (changing #1 to "Ordinance 2018-3" and fixing letters on #2) and for #5 to be included as read regarding spending and renumbering completed made by Trustee Ramon Reed. Seconded by Trustee Jerra Garetson. Motion carried 4-0.

12-6 Discuss with possible action: Allocating 2025 Town Hall funds for OWTS engineering (please see Town Hall Commissioner Report)

The Town Hall Commissioner report was reviewed.

There was lengthy discussion about the Town Hall Commissioner's request in conjunction with item 12-7 and the use of SLFRF funds.

Trustee Jerra Garetson asked if a survey was completed at Town Hall recently, which she seemed to recall. Clerk Sara Gibb stated that there has not been a survey at Town Hall since she has been Clerk (2016).

There was discussion about space for an OWTS.

Town Hall Commissioner Ramon Reed has spoken with Sara Bergstrom (engineer). Town Hall can support up to 150 people for an event. He is unsure how those numbers are figured into OWTS design. The restroom will be public, which will also need to be considered in the design. This is the first step – figuring out what the Town needs. He believes the engineering should allow the Town to do some planning. He would like the Board to approve continuing with engineering for a system.

Motion to allocate 2025 Town Hall funds for OWTS engineering made by Mayor pro tem Tom Gibb. Seconded by Trustee Ed Pianalto. Motion carried 4-0.

Public comments: Chris Nasso

12-7 Discuss with possible action: SLFRF Funds - Claiming the standard revenue replacement and obligating funds to cover Town Hall projects in 2025 and Public Works (restrooms) in 2025. Total obligated to Public Works = \$850; Total obligated to Town Hall \$16,493.13 (projects include: OWTS engineering, ADA repairs on the lower level ramp and a parking space, grant matching, maintenance/utilities – painting, interior projects, propane, electricity)

Motion to claim the standard revenue replacement in the amount of \$17,343.13 and obligating and allocating the funds to cover Public Works expenses in the amount of \$850 and Town Hall project expenses in the amount of \$16,493.13 made by Trustee Ed Pinalto. Seconded by Mayor pro tem Tom Gibb. Motion carried 4-0.

Public comments: Chris Nasso, Cory Nasso

12-8 Discuss with possible action: Appointing Jesse Garetson as Street Commissioner and Ditch Commissioner through March 2026.

Mayor pro tem Tom Gibb would like to table this item until Jesse returns to Pitkin. Trustee Ed Pinalto would like to hear from Jesse.

Jesse would like to be appointed so he can get started with bids and all the things he needs to do as soon as he returns to Pitkin.

Trustee Ed Pinalto would like to continue with the appointment because the job descriptions are now written. That was his agreement last time. Now that it's done, it shouldn't be tabled again.

Trustee Ramon Reed stated that at the last meeting, he recalled Trustee Pinalto stating that the Town needs to follow its ordinances. He hadn't read the ordinance in a long time and the Town should follow it. There is a problem with appointing tonight. The current ordinance states that upon any vacancy, after public notice of at least 5 days prior to a regular or special meeting, there can be an appointment.

Trustee Ed Pinalto stated that if the Town goes by what Trustee Ramon Reed is saying and follows its ordinance, then this is a failure of the Town Clerk or the Mayor pro tem.

Mayor pro tem Tom Gibb reminded Trustee Pinalto that he [Trustee Pinalto] wanted to have a work session with Jesse Garetson's input. Mayor pro tem Tom Gibb agreed and that is why he would like to have Jesse here. He would like to involve several people in discussing the parameters and expectations. Sometimes in Jesse's exuberance, he does some things that are outside what he has been designated to do. That needs to be discussed. There are also some differences that need to be cleared up. He is opposed to seeking to pursue things outside the realm of what you are supposed to do. He thinks the Street Commissioner and the Town Board need to understand what goes into the job. Most of what he does falls into the parameters of the job but some of it does not. Expectations need to be cleared up and he would like Jesse here to do that.

Trustee Ed Pinalto stated that it appears Mayor pro tem Tom Gibb is unhappy with the job descriptions. Mayor pro tem Tom Gibb disagreed. He would like to discuss what the job descriptions mean. Trustee Ramon Reed would like the Board to have a discussion with every commissioner.

Trustee Jerra Garetson said she is 400 miles away but she can still smell a mouse. She doesn't know what is going on. If she looks at it objectively, which she can't do as the street commissioner's wife, she can't think of why anyone would want to volunteer if they are treated like this. This is rotten. This isn't New York City. She cannot figure this out. She voted for the Town Hall Commissioner knowing his rotten history. She finds this very interesting as the former Street Commissioner's wife and as a sitting trustee.

Trustee Jerra Garetson stated that they should kick the can down the road and she hopes the room is full of people for the sit down discussion. She suggested that all the commissioners should be discussed and maybe the Town should clean house.

Trustee Ramon Reed suggested to follow the ordinance as recommended by another member very strongly last month.

Trustee Jerra Garetson stated that the posting for Street Commissioner has been at the post office for a long time. Trustee Ramon Reed stated it was not. Clerk Sara Gibb stated that the opening was not posted.

Motion to table item 12-8 made by Trustee Ramon Reed. Seconded by Mayor pro tem Tom Gibb. Motion carried 3-1. Trustee Jerra Garetson voted no.

Public comments: Cory Nasso, Chris Nasso, Jesse Garetson

5. Updates/Planning/Discussion:**

- Discuss plan to address the following action items (from Board of Trustees/Zoning Board work session, previous Trustee meetings)
 - Schedule upcoming Work Sessions –OWTS Ordinance, Enforcement

6. Special Additions to the Agenda**

None

7. Reports:**

- Town Mayor – Mayor pro tem Tom Gibb – No report.
- Town Clerk – Sara Gibb – Clerk Sara Gibb asked if the Town required a survey from Lumen to rebury the line at State and 12th. The Board stated a survey was not required. Former owner Chris Nasso stated that the pins are visible. He had the property surveyed when he lived at the property. He also confirmed that the fence is on the property line.

Please see written report for the following:

- Building Inspector – Tom Gibb
- Zoning Board – Ed Pianto - 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 9:44pm

The next regularly scheduled meeting will be held **Monday, January 13th** 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>

Commissioner and Community

Reports

- **Building Inspector** –Tom Gibb – No new permits issued. 329 Main St.- Rear roof over lower walk way completed. 409 Main St- Roof above rear door completed
- **Zoning Board** – Ed Pianalto – The Zoning Board of Adjustments conducted their monthly December meeting on 12/9/2024. A variance for a setback reduction for the property at 312 11th Street owned by Cory & Stephanie Nasso was submitted and heard. The Zoning Board of Adjustments voted unanimously with a 4-0 to recommend to the Board of Trustees that the variance request be granted as requested. It was requested that this request be presented at the December 16, 2024 Board of Trustees meeting for board consideration.
- **Environmental Health** – Gayla Gibb – There were two new OWTS successful pressure tests that this EHA observed. There have been numerous requests from Realtors to describe the systems belonging to properties that have recently sold in Pitkin. Asked and answered with diagrams provided.
Has anyone on the BOH done their own research into whether or not Pitkin might consider inspections only REQUIRED upon the Transfer of Title? Of course, any property owner can have his system inspected whenever he wants in addition to what is required.
- **Cemetery** – Mark Rossmiller - The only project we are looking at is some signage and it is not a well-developed plan yet. Not a big project but everything is very costly anymore I am making guess at \$2000 or less and emphasize that number is a guess
- **Town Hall** – Ramon Reed – Due to the time of year, there has been no activity or use of the Town Hall. I am working on plans for Spring 2025 to include the following:
 1. Repair of the West Corner stone wall. The State Historical Fund Grant is still in effect and will be paying 75% of this work.
 2. My next project for the Town Hall will be a proposal for the addition of a Public Restroom structure with an OWTS and Water supply adjacent to the building. I have contacted an engineer and propose to have the necessary engineering drawings for the OWTS completed by early 2025.** This can be followed by either contracting for architectural plans or publishing a Request for Proposals, that would then be submitted to the Board of Trustees for approval. I consider this a necessary step forward to achieve full use of the facility.
 3. I am looking at potential plans for providing handicap access to events on the second floor of the Town Hall. This is the first step that I then want to follow up with application for grant funding which I believe may available for meeting requirements of the Americans with Disabilities Act (ADA).

** I would like to have input/discussion from the Board on the use of budgeted funds for this project.
- **Parks and Rec** – Josh Ackerman – I am excited for 2025 and all the improvements that will be made. I want to take the time to wish everyone in Town a very Merry Christmas and a wonderful New Year! We are all so lucky to have homes in such a wonderful place, we are all blessed. Enjoy the season with family and friends!
Planned projects for 2025 include:
 - Fresh mulch delivered - \$2950
 - Playground repairs - \$1,000
 - New sports balls/equipment - \$150
- **Streets** – Vacant – No report
- **Ditches** – Vacant – No report