

# PITKIN TOWN MEETING

## Newcomb Community Center

December 13<sup>th</sup> 2021 at 7pm

### 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 Eddy Balch called the meeting to order at 7:02pm. Trustees Ramon Reed, Jerra Garetson, Lucinda Lull and Tom Gibb were present. Attorney Chris Mochulsky was present. Minutes taken by Clerk Sara Gibb.

**2. Public comments\*:** Patrice Boyd

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

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

12-1 Approve meeting minutes: November 8<sup>th</sup> regular meeting

**Motion to approve the minutes as presented made by Trustee Lucinda Lull. Seconded by Trustee Ramon Reed. Motion carried 5-0.**

12-2 Discuss and vote on signing an IGA addendum with Gunnison County for 2021-2022 winter plowing

**Motion to approve the IGA addendum with Gunnison County for 2021-2022 made by Trustee Ramon Reed. Seconded by Trustee Jerra Garetson. Motion carried 5-0.**

12-3 Discuss and vote on signing a contract with Gunnison Valley Excavation for 2021-2022 winter plowing

Because the scope of work decreased, the rate at which Gunnison Valley Excavation will plow has increased from \$100/hour to \$140/hour. The revised contract has been signed by Mayor Eddy Balch.

12-4 Review treasurer's report; Vote to approve December 2021 disbursements

New bank account is up and running at Gunnison Bank and Trust.

**Motion to approve December 2021 disbursements made by Trustee Jerra Garetson. Seconded by Trustee Lucinda Lull. Motion carried 5-0.**

**5. Special Additions to the Agenda\*\*:**

Public Hearing – Town of Pitkin 2022 Budget

Mayor Eddy Balch opened the public hearing at 7:25pm

Treasurer/Clerk Sara Gibb reviewed 2 minor changes to accounts (Wages – Town Clerk to \$11,000 to pay for a Deputy Clerk for March and April; Sales Tax to \$34,915 to demonstrate that some sales tax income is allocated to Streets)

Public comments: Jesse Garetson

Mayor Eddy Balch closed the public hearing at 7:38pm

Public Hearing – Zoning Change Request for 900 State Street, Pitkin

Mayor Balch opened the public hearing at 7:38pm

Mayor Balch reminded everyone that this public hearing is considered a quasi-judicial hearing.

There are certain rules and standards that must be followed. He reminded the Board that they are acting as reviewing judges. Attorney Mochulsky stated that a prior ordinance (Ordinance 2013-???) mentions a master plan for the Town of Pitkin. He further stated that the Town Board's decision should be guided by a master plan if it exists. He suggests extending the public hearing to the next meeting after the Clerk conducts a search for the Town of Pitkin master plan.

Mayor Balch reminded the Board that they are not to participate in any ex parte communications. Attorney Mochulsky clarified that it is out of an abundance of caution that the Board should not consider any unsolicited letters or emails it may receive. Any communication of that nature should be brought to the hearing itself and read into the record but not reviewed prior to the hearing. An opinion should not be formed outside of the public hearing. Mayor Balch stated that receiving information outside of the public hearing could taint a board member's ability to make a decision during the public hearing. Attorney Mochulsky stated that the Board should bring emails to the public hearing so the entire Board knows what is being considered. Trustee Ramon Reed stated that the public should be encouraged to send letters, but that they should be sent to the Town.

**Motion to continue the public hearing at January 10<sup>th</sup> meeting made by Trustee Tom Gibb.**

**Seconded by Trustee Ramon Reed. Motion carried 5-0.**

**6. For Council Action\*\*:**

12-5 Discuss and vote to approve Budget Resolutions 2021-9 (Adopt Budget); 2021-10 (Set Mill Levy); 2021-11 (Appropriate Sums of Money)

Trustee Ramon Reed stated that the Board has significantly under-estimated some income and over-estimated some expenses. Mayor Balch agreed that with more information, the Town Board can be more accurate in developing the budget and communicating with the public. Trustee Tom Gibb pointed out that the Town has done well with revenues this year. The Town can afford the budget it has developed.

**Motion to approve Resolution 2021-9 (Resolution to Adopt the Budget) made by Trustee**

**Tom Gibb. Seconded by Trustee Lucinda Lull.**

**Roll call votes as follows: Trustee Ramon Reed - no; Trustee Jerra Garetson - aye; Trustee Lucinda Lull - aye; Trustee Tom Gibb - aye; Mayor Eddy Balch - aye**

**Motion carried 4-1**

**Motion to approve Resolution 2021-10 (Resolution to Set the Mill levy) made by Trustee Jerra Garetson. Seconded by Trustee Lucinda Lull.**

**Roll call votes as follows: Trustee Jerra Garetson - aye; Trustee Lucinda Lull – aye; Trustee Tom Gibb - aye; Mayor Eddy Balch - aye; Trustee Ramon Reed - aye**

**Motion carried 5-0**

**Motion to approve Resolution 2021-11 (Resolution to Appropriate Sums of Money) made by Trustee Lucinda Lull. Seconded by Trustee Tom Gibb**

**Roll call votes as follows: Trustee Lucinda Lull - aye; Trustee Tom Gibb - aye; Mayor Eddy Balch - aye; Trustee Ramon Reed - no; Trustee Jerra Garetson - aye**

**Motion carried 4-1**

12-6 Discuss and vote on a zoning change request for 900 State Street, Pitkin.

**Item tabled**

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

- Discuss Zoning Code revisions – Item tabled
- Set work sessions and discuss future agenda items  
January 10<sup>th</sup> public hearing for zoning change  
Work session - liquor licensing statutes and process. Attorney Mochulsky will attend the work session. Questions for Attorney Mochulsky should be forwarded to Clerk Sara Gibb as soon as possible.

**Work Session Thursday January 6<sup>th</sup> at 1pm**

#### **8. Reports\*\*:**

- Town Mayor – Eddy Balch – Jesse James and Mayor Balch took a tour after Gunnison Valley Excavation (GVE) finished up their snow removal and met Jim of GVE.
- Town Clerk – Sara Gibb – Clerk Sara Gibb asked if she should update the CORA ordinance – the Board declined. Regarding the conference calling program, the Board would like Clerk Sara Gibb to investigate other options that may allow the Board to selectively mute callers. If no better options are found, the current program should be renewed. Clerk Sara Gibb provided information regarding the upcoming election on April 5, 2022.

Please see written report for the following:

- 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 – vacant
- Town Hall – Garry Winget
- Parks and Rec – Sara Lamar

**9. Adjourn: Motion to adjourn made by Trustee Jerra Garetson. Seconded by Trustee Ramon Reed. Motion carried 5-0. Meeting adjourned at 8:49pm.**

The next regularly scheduled meeting will be held **Monday, January 10th** 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 (Interim) – No report
- Fire Department – Rand Makowski – No report
- Zoning Board – Jesse James Garetson – No report
- Environmental Health – Cyndi Wick – No report
- Streets – Jesse James Garetson: At the end of 2021, Streets expenses exceeded the budget and several items were still undone. One rusted, caved-in culvert at 2<sup>nd</sup> and Main was replaced. There are still a number of culverts that need replaced. There are at least 3 that need to be extended and several with ends that have been run over and smashed, thus restricting water flow. The mag chloride this year deteriorated too quickly. By August, I had residents along State Street requesting a second application. Maybe next year we can get an earlier application with Gunnison County and then 60 days later a second application. Pot holes are in pretty good shape but will grow at the spring thaw. In the near future, bottom of the 6<sup>th</sup> Street bridge will need to be sandblasted and recoated. The condition of the 5<sup>th</sup> Street bridge is unknown at this time. I hope that when the county resurfaces highway 76 from Parlin to they will continue into Pitkin on Main and 9<sup>th</sup> at a reasonable rate. Snow plowing appears to be under control. The county agreed to extend the 2020-2021 IGA for this winter (2021-2022). Gunnison Valley Excavation has agreed to clean up lanes and side streets that the County will not plow. If individual property owners would like, they will do private drives at an additional charge to the owner.
- Ditches – Vacant – Report given by Jesse James Garetson: After the resignation of John Rowan, Fred Archuleta agreed to monitor the ditches in the morning and afternoon to check for obstructions until he left Town at the end of the summer. Jesse Garetson took over the equipment maintenance and used that equipment on many ditches that were in need of attention. It was posted and announced that the Town's equipment was available for property owners to use to manage the ditch in front of their property and no one contacted Jesse to borrow the equipment. In the spring (2022), many ditches will need significant attention. Depending on the participation of property owners and the position of Ditch Commissioner being filled, the ditches may have to run at half capacity or not run at all. This could jeopardize fire insurance for homeowners and water for grass/gardens/trees. The Board should be aware that this is the current situation with the ditches. The culverts mentioned in the Streets report are very important to the ditches running.
- Cemetery – No report until spring 2022.
- Town Hall – Garry Winget – As soon as the payment is made to the engineer for the work on the planning grant, I will submit the request for reimbursement to the State Historical

Fund. Notice should be coming soon for the next grant cycle for the larger grant to repair the crack in the wall. I have begun preliminary work on the project.

- Parks and Rec – Sara Lamar – Continuing to work with volunteers on an updated set of plans for the 9<sup>th</sup> Street park. The surveyor has marked the boundaries of 9<sup>th</sup> Street for the park and has identified encroachment by one of the neighboring properties. A map will be drawn up delineating the encroachment. Two bear-proof trash cans were ordered for the park.