

**MINUTES
TREE BOARD
December 16, 2021**

CALL TO ORDER

Dan Bullock called the in-person/virtual hybrid meeting to order at 6:05 pm on December 16, 2021, in Room 1 at Town Hall.

ROLL CALL

The following members were present for roll call:

Members Present:	Dan Bullock, Member Jo Anne Teeple, Member Sky Quarto, Member (Late)
Town Staff Present:	Mike Callas, Town of Carbondale Staff Liaison Marty Silverstein, Board of Trustees Liaison Kae McDonald, Boards and Commissions Clerk

CONSENT AGENDA

Motion Passed: Jo Anne ***moved*** to approve the October 2021 Tree Board minutes. Sky ***seconded*** the motion, and it was ***unanimously approved***.

PERSONS PRESENT NOT ON THE AGENDA

Dan asked Mike if the Kay Brunnier Trees in Miners Park had been replaced.

Mike answered in the affirmative but noted that some were lost because of the deer and will be replaced in the spring.

Dan reminded the board members that there are ten radio public service announcements available for use on KDNK and suggested a winter watering PSA in January.

TREE ORDINANCE

Dan noted that the Tree Ordinance included with the meeting packet highlights three proposed changes. He was supportive of those changes and suggested that the document be forwarded to the Planning Director, the Building Official, the Public Works Director and the Planning and Zoning Commission for review.

Jo Anne asked if anyone other than herself and Lisa had listened in on the Comprehensive Plan Update meeting held during the Planning and Zoning Commission's meeting on November 18th. She expressed her opinion that the consultants didn't address environmental or sustainability issues as completely as they could have and suggested tabling the Tree Ordinance review until the Comprehensive Plan update has been approved.

Dan replied that he had attended the event sponsored by CLEER. Dan noted that the Tree Ordinance is part of the Municipal Code while the Comprehensive Plan is a visionary document.

Jo Anne asked for clarification about who has the authority to give permission to remove trees and penalties involved for those removing trees without a permit. She asked whether there is any enforcement and requested that the penalties be listed within the Ordinance.

Dan replied that the Public Works Director is the final authority and noted that Section 7.10.090 lists the penalty provisions.

Mike added that he actively enforces the ordinance and explained that while the maximum civil penalty is \$2,650.00, the value of a tree is calculated as a seven percent increase in material for 20 years, so there are some cases where the penalty was nearly \$20,000.00. Mike also explained that the extent of the penalty is ultimately decided by the municipal judge.

Jo Anne reiterated her desire to see the penalties listed in the Tree Ordinance.

Dan pointed out that that would overburden the ordinance, especially when it is already spelled out in the Municipal Code.

Mike clarified that if a community member asks for permission and involves TOC staff that is a different scenario than an unlawful removal.

Sky thought that the redundancy might not be a bad idea.

Dan adamantly explained that the Tree Ordinance already refers to the penalty section of the Municipal Code and to add more would require the involvement of the TOC attorney. He thought that community members were more likely to ask Town staff to help prevent someone from cutting a tree down.

Marty suggested inviting the new TOC manager or the Public Works Director to a meeting to get their input.

Dan explained that the downtown area and older neighborhoods have most of the large trees within the public right-of-way and pointed out that many of the newer areas of Carbondale have limited plantings within the right-of-way. He pointed out that Mike and Carl are the eyes and ears for this issue, and he didn't think it was a big problem in Carbondale.

Jo Anne noted that the Tree Ordinance is 20 years old, and the Tree Board is charged with helping protect the TOC's investment in trees. Jo Anne was unwilling to approve the ordinance as written and would like, at a minimum, to have "equal or better to the cost of a 2.5" caliper tree" added to Section 7.10.090. She reiterated her opinion that the penalty code still needs to be fleshed out.

Mike reiterated that penalties are assessed by the municipal judge, and it is better to have the verbiage less detailed so there is more latitude for the judge.

MICHAEL'S TREE REPORT

Mike noted that tree pruning is completed for the season. He pointed out that he utilized 99% of his budget and will have a larger budget to work with in 2022. He anticipates bringing a request to the board members in 2022 to eliminate the remaining V-cut trees under powerlines.

ADJOURNMENT

The December 16, regular meeting adjourned at 6:45 p.m. The next regular meeting is scheduled on January 20, 2022 at 6:00 pm.

Respectfully submitted,
Kae McDonald
Town of Carbondale
Boards and Commissions Clerk