

Town of Marble
Regular Meeting of the Board of Trustees
January 13th,2022 7:00 P.M.
Marble Community Church, 121 W. State St. Marble, Colorado
Agenda

NOTICE:

DUE TO THE CURRENT COVID SITUATION AND RESTRICTIONS, THE JANUARY 13TH, 2022 MEETING OF THE MARBLE BOARD OF TRUSTEES WILL BE HELD VIA CONFERENCE CALL. THE CONFERENCE CALL IS OPEN TO THE PUBLIC TO CALL IN.

CONFERENCE CALL: 605-472-5283

ACCESS CODE: 447695

7:00 P.M.

- A. Call to order & roll call of the Regular Meeting of the Board of Trustees

- B. Mayor's comments

- C. Consent Agenda
 - a. Approve December 2, 2021 regular meeting minutes
 - b. Approve Current Bills, December 2, 2021
 - c. Approve Resolution # 1-2022 setting public posting place

- D. Administrator Report
 - a. April 5, 2022 Election update, Ron

- E. Land use issues
 - a. Discussion of proposed revisions to OWTS regulation, Ron
 - b. OWTS repair permit application, Chris Lawrence, Ron
 - c. Thompson Park Improvement Report & Request for Easement, Dave Erikson, AVLT
 - d. Hepola Wetlands Acquisition Report, John Armstrong, CVEPA

- F. Old Business
 - a. Consider approval of Parks Use Permit, Ron
 - b. Discussion of Revitalize Main St. Grant funds, Josh
 - c. Discussion of American Recovery Plan funds, Ron
 - d. Discussion of Wild & Scenic stakeholder meeting, Josh

- G. New Business

- H. Adjourn

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
December 2, 2021

A. Call to order & roll call of the Regular Meeting of the Board of Trustees - The meeting was called to order at 6:00 p.m. Present: Ryan Vinciguerra, Josh Vogt, Tim Hunter, Emma Bielski and Larry Good (by phone). Also present: Ron Leach, Town Administrator and Terry Langley, minutes. Attending by phone: Kendal Bergemeister, town attorney.

Ryan Vinciguerra made a motion to go into Executive session pursuant to CRS 24-6-402(4)(b) to receive legal advice regarding OWTS applications on nonconforming lots. Josh Vogt seconded and the motion passed unanimously. The trustees went into executive session at 6:03 p.m. The executive session ended at 7:09 p.m. The content of the executive session was exclusively client/attorney privileged conversation.

The regular session resumed at 7:12 p.m.

B. Consent Agenda

- a. Approve November 11, 2021 regular meeting minutes
- b. Approve November 11, 2021 work session minutes
- c. Approve Current Bills, December 2, 2021 as listed in the packet.

Tim Hunter made a motion to approve the consent agenda. Josh Vogt seconded and the motion passed unanimously.

C. Review of proposed revisions to OWTS regulation, Ryan – The executive session was held to discuss proposed revisions to the existing regulations. Once there is a finalized draft, it will be discussed in a public hearing. If the revised regulations are approved by the town, they will be sent to the state.

D. Land use issues

- a. OWTS repair permit application, Chris Lawrence, Ron – this is tabled per item C.
- b. Colorado Stone Quarry general updates, Jean St. Onge & Katie Todt – Katie explained that the load out parking has been closed to parking by the public. They have installed signage and security cameras. Town personnel are allowed to drive through to access the Mill Site Park. They have met with local back country skiing users to explain the winter closure schedules. Winter safety closures are to allow for plowing and for avalanche safety. There will be nose-in and parallel parking with signage. For bad parking behavior that affects quarry operations, they will attach a window sticker. They will be making note of license plates and dates. With repeat offenders (at least two warnings), the car will be subject to towing. Any necessary plowing will first involve getting the road open, followed by parking, pull off and public areas. The gate may be closed for plowing or if it is too dangerous to plow. They will not be plowing on the weekends unless there is a large snow amount. The quarry will be closed Dec 23-

Jan 9. They will only plow in the event of large snows during this closure. There have been repairs and culvert replacements and replacement due to mudslides and debris flow. Bridge foundation repair was done per county and CDoT suggestions. Ditch repair and work was also done. For 2022, vegetation reclamation will continue. There will be improvement to the Mud Glutch drainage in August/September. They will be doing work with the Army Corps of Engineers for restoration of the eastern channel of Yule Creek.

Katie also addressed what they see as incorrect information presented by Pitkin County at as the September 2, 2021 meeting and reported in the minutes. She said that the McIntyre cabin was not blown up and was not native to the site. It was brought in after 1993. It was numbered and methodically removed and sold. Prior to diverting Yule Creek onto the eastern side they excavated down to bedrock. There had historically been water flow on both sides of the ridge. They put the creek on the eastern side. The western channel was never exposed to water. The reported 100,000 cubic yards of material is still on site and was not moved into the creek and then the river. Josh asked about the ongoing negotiations (compensatory mitigation) with the Army Corps of Engineers. Katie said that this is ongoing and they have proposed a solution that works with the Forest Service in cooperation with some of their projects. Josh asked about the winter closure and what the guidelines are for closing the road. Katie said that Shane is advising the quarry regarding closure working with the Colorado Avalanche Information Center and the Aspen Snowmass ski patrol. Ron asked for more information on the repairs to the bridge. Katie explained that the north end of the apron had sagged. They pulled back the asphalt, re-packed it and put another layer of asphalt on top. There is a gravel point bar that forces the water to bend around into the north end of the bridge. When the flows are high, it pulls the materials from under the bridge, weakening it. They have installed shock-crete in between the marble blocks to serve as a storm wall. They have authorization from the county to do the work on the bridge but not from the ACoE to place anything like dredge/fill material up or downstream from the bridge. The work was done based on recommendations and the report has been sent to CDoT and to the bridge inspection company but the quarry does not think this work needs a sign-off. Josh asked if there was any opportunity for the board to get a tour in order to be able to answer citizen questions. Katie said they have to limit who comes on site, but they would be happy to arrange a tour in the Spring/Summer for town representatives as a regulatory body/partner. Ron spoke to the work the quarry does for the town behind the scenes and reported that they have been great neighbors. They reimbursed the town for repairs to the bathroom, donated to the jail house fund and adding seating in the Mill Site Park. Josh thanked them for the winter work. Katie reported that they gave maps at the meeting with the skiers. Emma said they would love to have a quarry representative on the historical preservation committee. Katie they are also interested in being involved in the process concerning the possible wild and scenic designation on the Crystal River.

E. Public Hearing to consider adoption of 2022 Budget for Town of Marble – Ryan made a motion to enter into a public hearing to consider adoption of 2022 Budget for Town of Marble. Tim Hunter seconded and the motion passed unanimously.

a. Review 2022 Proposed Budget – Changes suggested in the November work session have been incorporated into the budget. Tim would like to add \$5,000 to the street maintenance budget for maintenance of the east Marble hydrant site. Josh asked about the \$11,000 spent in 2020. Ron explained that this was for improvements on upper 4th street onto West Village Drive up to the town

limits. It also includes regrading Main Street and the bottom part of 4th street. Discussion of the maintenance plan/schedule and the need for maintaining shoulders, intersections/potholes, etc. followed. Ryan would like to see some of the funds be set aside until there is enough to pave problem areas such as 4th Street and Main Street with recycled asphalt. The roads the school bus travels must remain a priority. Emma would like to see the road that is currently paved be widened and/or striped. Tim said widening the road would be too costly, but striping is a possibility. Ron can create a line item for a Capital Improvement fund that can grow each year. Larry agreed that striping should be done and an improvement fund be created. Amber McMahill suggested doing a walk through with a road engineer for suggestions on addressing road degradation. She spoke to the need for any striping to be compliant to regulations. Ron spoke to the need to make repair to the cracks in the asphalt a priority. Josh said that work on the shoulders of the asphalt road needs to be the second priority. Ryan suggested adding \$5,000 to begin a capital road improvement fund. Ron's third priority is parking along Park Street. Mike Yellico said there is a need to replace some of the speed bumps and to add a couple of more. He also said signage and installation is a priority. The road budget will be \$25,000.

Other changes to the proposed budget:

Transfer to the park budget increased to \$3,000.

Snow plowing reduced to \$30,000.

Capital improvement/projects fund - \$13,000.

Earth Day – increase to \$4,000 and hold it in early May.

Historical Park Preservation Planning - \$2,000.

b. Consider approval Ordinance No. 2021-3 re: adopting 2022 Budget – Emma Bielski made a motion to approve Ordinance No. 2021-3 re: adopting 2022 Budget with the modifications made at this meeting. Tim Hunter seconded and the motion passed unanimously.

c. Consider approval Ordinance No. 2021-4 re: certifying 2022 Mill Levy – Josh Vogt made a motion to approve Ordinance No. 2021-4 re: certifying 2022 Mill Levy. Tim Hunter seconded and the motion passed unanimously.

F. Mayor's comments

G. Old Business – Ryan sent an email about the wording for the kiosk educational signage. Larry suggested being specific about the speed limit at 15 mph.

Tim asked if there was enough money in the campground fund to build a fence.

H. New Business

a. Appoint Ron Designated Election Official, 2022 Board Election, 4/5/2022 – Ryan Vinciguerra made a motion to appoint Ron Leach as the Designated Election Official for the 2022 Board Election scheduled for April 5, 2022. Emma Bielski seconded and the motion passed unanimously.

b. Consider approval of 2022 Gunnison County snow plow agreement, Ron – Emma Bielski made a motion to approve the 2022 Gunnison County snow plow agreement. Larry Good seconded and the motion passed unanimously.

c. Mike Yellico asked if anything could be done about Alex Menard's dogs that have attacked at least 4 other dogs while on the leash in the park.

d. Amber reported that there has been a vaccine clinic scheduled for December 11 at the fire station.

e. There will be a Lead King Loop listening session on December 8 at the fire station.

I. Adjourn – Josh Vogt made a motion to adjourn. Emma Bielski seconded and the motion passed unanimously. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,
Terry Langley

Town of Marble
Resolution Number 1
Series of 2022

A RESOLUTION DESIGNATING THE PUBLIC PLACE FOR POSTING NOTICE OF
MEETINGS OF THE TOWN OF MARBLE BOARD OF TRUSTEES

WHEREAS:

- A. The Town of Marble is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*;
- B. The Board of Trustees of the Town of Marble is a “local public body” subject to Colorado’s Open Meetings Law, C.R.S. § 24-6-402.
- C. C.R.S. § 24-6-402(2)(c) provides that “a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body’s first regular meeting of each calendar year.”
- D. The Board of Trustees desires to designate a public place for posting notice of meetings of the Board of Trustees, in compliance with C.R.S. § 24-6-402(2)(c);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN
OF MARBLE, COLORADO THAT:

1. The public place for posting notice of meetings of the Board of Trustees shall be:

The public bulletin board at the intersection of West 1st Street and Main Street, in the
Town of Marble, Colorado.

INTRODUCED, READ, AND ADOPTED this 13th day of January, 2022, by a vote of _____
in favor and _____ opposed.

TOWN OF MARBLE:

Ryan Vinciguerra, Mayor

ATTEST:

Ron Leach, Clerk

CALL FOR NOMINATIONS
TOWN OF MARBLE
BOARD OF TRUSTEES ELECTION
APRIL 5, 2022

The next regularly scheduled municipal election for Trustees of the Town of Marble is scheduled for April 5th, 2022. There are 3 trustee seats up for election, two 2 year terms and one 4 year term.

Nomination petitions will be available for circulation between January 4th, 2022 and January 24th, 2022 from the Town Clerk. Nomination petitions must be issued by the Town Clerk only. Anyone interested in running for one of the open seats can contact the Town Clerk at leach@townofmarble.com.



Date: December 22, 2021

To: Town of Marble Board of Trustees

From: Aspen Valley Land Trust

Subject: AVLT Request for an Easement or License Agreement for the Thompson Park (aka Marble Children's Park) Irrigation Project

Dear Trustees,

This is a request from the Aspen Valley Land Trust (AVLT) to the Town of Marble to grant either a utility easement or license agreement to AVLT for use of the town Right of Way (R.O.W.) along East 2nd Street. The purpose of this request is to bring irrigation water from the Crystal River to Thompson Park to support landscaping improvements. This concept was first presented at a Regular Meeting of the Board of Trustees on October 7th, 2021 when AVLT staff, Dave Erickson, presented a conceptual site plan for improvements to Thompson Park.

Background:

In 2018, Marble resident Pam Hepola donated Lots F, G, H, I, K, L, M, N, O, P and Q (Block 15, 212 E. Main St, parcel number 2917-261-37-013) to the Aspen Valley Land Trust. This property is part of Thompson Park. The park also includes Lots R & S (Block 15) owned by the Town of Marble and home to the historic jailhouse. Together with the land owned by AVLT (0.631 acres), the Town of Marble (0.115 acres), and town R.O.W., the total area of this park is approximately 1-acre.

Ms. Hepola donated this land to AVLT with a deed restriction that it forever be maintained as a public park. She did this to protect the historic use of this land as a park by the public and students at the Marble Charter School. As such, AVLT has an MOU with the town for maintenance and upkeep and with the school for use of the park including the annual fundraising event (Lead King Loop).

Park Improvement Project:

Starting in 2018, AVLT began having conversations with the town, school, and community members about a project to improve the park (both the AVLT and town owned portions). This culminated in 2020 when AVLT received a grant from Great Outdoors Colorado (GOCO). The grant funds approved by GOCO totaled \$66,750. This amount includes \$56,750 for general park improvements and \$10,000 for the jailhouse restoration project.

In May of 2021, AVLT hosted a design charette at the park with representatives from town staff, board of trustees, and the parks committee. This exercise was facilitated by a landscape architect from DHM Design (based in Carbondale). DHM used the information gathered to create a conceptual site plan for the park. This plan was presented at the trustees meeting on October 7th and included a conceptual irrigation diagram that forms the basis of this request. That diagram depicted irrigation water being brought to the park from the Crystal River within the town R.O.W. In addition, AVLT is working with Marble based landscaper, Brent Compton (Verde Land Management LLC), to act as the general contractor for the park improvement project including irrigation system design and install.



Irrigation Project:

Critical to establishing landscaping improvements to the park is a source of irrigation water. AVLT did extensive research in 2021 into the most feasible solution to accomplish this at Thompson Park. This research included discussions with Ron Leach (Town Manager), Wendy Ryan (Colorado River Engineering), Dwight Whitehead (Division of Water Resources), Heather Ramsey (Water Commissioner), Lorra Nichols (Colorado River District), and Scott Miller (Water Attorney).

Through this research, AVLT explored feasibility of several options including a well, hauled water, connecting to the town water system, and pumping directly from the Crystal River. The most feasible option discovered is pumping directly from the Crystal River. This concept forms the basis of this request.

The key framework of this plan includes:

- Water could be pumped out of the river before there is a call (i.e. free river conditions). After the first call happens (Cameo call in late spring/early summer), AVLT can contract augmentation water from Reudi Reservoir through the Colorado River District to continue irrigating. Reudi contract water at this scale is inexpensive and can be leased for up to 40 years. When there is a call on the Crystal River (does not happen every year but typically occurs in August), we would stop pumping for the season. The practicality of this plan was verified by the local water commissioner.
- Establish a pump station at the end of East 2nd Street near the river. This is the same location the town has a dry hydrant for pumping water out of the river to fill fire trucks. The town periodically maintains this location to be able to pump from.
- Utility lines for water and power would be trenched and filled from the power pole on the park to the pump station on the river within the town's R.O.W. (approximately 580 linear feet).
 - No trenching will occur before utility locates have happened and are properly marked.
 - All neighbors would be properly notified before work occurs.
- Establish an irrigation system on the park from this connection.

AVLT is currently contracting with Sopris Engineering to support the technical design of this project. They are working to create a plan that outlines all technical specifications. The hope is that the irrigation system would be installed in spring 2021 so the park improvement project could occur during spring/summer 2021, conditions depending. It's important to note that any new plantings would be geared toward native species that do not require substantial water to establish.

Thank you for the opportunity to present this concept for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "David Erickson".

Dave Erickson
Stewardship Director
Aspen Valley Land Trust
970-963-8440, dave@avlt.org



Concept Legend

- 1 New Gravel Parking Area
- 2 Optional Parking Area
- 3 Refurbished Gravel Parking Area
- 4 ADA Accessible Portable Restroom with optional Pitkin County Shelter - (Remove Existing Grill)
- 5 Site Boulders
- 6 Electrical Meter on Exist. Power Pole; Irrigation Controls on Separate Pedestal in Garden Zone
- 7 (1) Parallel Parking and (1) ADA Accessible Parking Spot
- 8 Accessible ADA Crusher Fines Walking Path
- 9 Basepath + Pitchers Mound (Sand, Silt and Clay Mixture)
- 10 Custom Fabricated Marble Park Monument Sign
- 11 Donor and Funds Recognition Signage on 4"x4" Post
- 12 New Corten Post and Chainlink Field Backstop
- 13 Remnant Marble 'Bleacher' Spectator Seating
- 14 Gravel Plaza Space with Shade Sails (Optional Location Shown)
- 15 Relocated Horseshoe Court
- 16 Pollinator Garden Landscape Buffer with Berms and Pop-Up Irrigation
- 17 Planted Trees + Shrubs along Parking Area
- 18 Enhanced Landscape Planting Area with Drip Irrigation
- 19 Western Alpine Demonstration Garden with Pop-Up Irrigation
- 20 Existing Field to be Over-seeded via Drill and Top-dressed/Levelled with Soil Amendment and Rotor Irrigation
- 21 Restored Historic Marble Jail
- 22 Existing Trees Managed for Health and Safety (Trimming and Deadwood Removal)
- 23 Picnic Area with Table and Grill



MARBLE CHILDREN'S PARK | CONCEPTUAL SITE DIAGRAM
 ASPEN VALLEY LAND TRUST
 NOVEMBER 12TH, 2021

Town of Marble
Special Events Permit Application (Draft 12/21/21)

Description of Event, Date and Time:

Fee Schedule

	Private	Public	Commercial
Tier 1 (25-49 ppl)	\$50 Deposit	\$50 deposit	\$50 Deposit \$50 Fee
Tier 2 (50-99 ppl)	\$100 Deposit \$50 Fee	\$100 Deposit \$50 Fee	\$100 Deposit \$100 Fee
Tier 3 (100-250 ppl)	\$250 Deposit \$100 Fee	\$250 Deposit \$100 Fee	\$250 Deposit \$250 Fee

Deposits are in addition to fees and may be forfeited and additional charges may be made, for failure to clean up, misstatement of facts made in this agreement with the Town of Marble, or for other impacts adverse to the town, resources, residents.

Definitions:

A **Private Special Event** is a gathering not open to the general public and advertising is limited to specific attendants (i.e. wedding, memorial, etc.)

A **Public Special Event** is a gathering that is open to the public but no fee is charged to attendees or vendors (donations can be accepted).

A **Commercial Special Event** is a gathering where a fee is charged for admission and/or participation including vendor participation.

Event Details:

Check one: _____ Private _____ Public _____ Commercial

Check one: ___ Tier 1 (25–50 People) ___ Tier 2 (50-100 people) ___ Tier 3 (100-250)

Number of Attendees Expected: _____

Proposed Site of Event:

Event Holder/Sponsor Name: _____

Address _____

E-mail _____ Phone _____

Town of Marble Resident? _____

Will Alcohol be sold/provided at this event? A special liquor license may be required.

Event Insurance:

Request for Town Insurance Rider: _____ (Please discuss with Town Administrator)

If you are not using town insurance, you must provide a certificate of insurance.

Company Name (if providing your own coverage):

Please List Advertising - Print, Radio, New Media, (Facebook, etc.)

Number Vehicles expected _____

If expecting more than 25 vehicles you must have a parking attendant.

Parking Plan

Toilets/Portapotties

If expecting more than 100 you need 2 for every additional 100 people, you need 3 for every additional 100 people if alcohol is consumed at the event.

1. Number of Units _____

2. Location(s):

3. Company and Contact Information:

4. Delivery Time/Date: _____

Tent/Awning Plans:

1. Number: _____

2. Dimensions: _____

3. Setting: _____

Trash and Recycling Plans:

Amplified Music Planned:

1. Nature of Music _____ 2. Placement: _____

3. Sound System? _____ 4. Hours and Times of Amplified Music _____

Lighting Description (if applicable)

Additional Town of Marble Rules:

1. No public camping is allowed in Marble
2. Car/truck shell camping is not allowed on the streets of Marble
3. Any public parking shall be made available through this permitting process only.
4. No fires are permitted in the park with out special permission from the town of Marble Trustees.
5. Dogs at special events must be kept on leash at all times. Pick up after your dog.
6. Noise Curfew of 10 p.m. will be enforced.
7. No Vehicles are allowed to drive in the park unless with special permission from the town of Marble Trustees.

Please provide a layout map of the event (use additional sheet if necessary) showing:

1. Parking
2. Toilets/portapotties
3. Tents
4. Trash Receptacles
5. Stage (if applicable)

The Town of Marble shall not be held liable for accidents, negligence, damages resulting from events, public or private.

Primary Event Organizer – Signature

_____ Date _____

Town of Marble Representative -

Signature _____ Date _____

Marble Parks and Rec Representative (if applicable) –

Signature _____ Date _____

APPLICATION APPROVED: _____ APPLICATION DENIED: _____

APPLICATION INCOMPLETE: _____

DESCRIPTION OF REMEDY: _____

PLEASE UNDERSTAND THAT OUR PARKS AND PUBLIC SPACES ARE MAINTAINED BY A TOWN OF LESS THAN 100 RESIDENTS, AND EVEN A WELL-RUN AND QUIET EVENT HAS AN IMPACT. WE WANT TO CONTINUE TO WELCOME VISITORS AND LOCAL ORGANIZERS!



COUNTY COMMISSIONERS

January 5, 2022

VIA EMAIL

Office of Senator Michael Bennet, John Whitney, Western Slope Regional Director and Hilary Henry, Regional Representative
Office of Senator John Hickenlooper, Sarah McCarthy, Western Colorado Regional Director and Janeth N. Stangle, Central Mountains Regional Representative
Gunnison County, Roland Mason, County Commissioner
Town of Marble, Josh Vogt and Larry Good, Town Trustees
US Forest Service, Kevin Warner, District Ranger, White River National Forest
Colorado River District, Andy Mueller, General Manager and Zane Kessler, Director of Government Relations
Crystal Wild and Scenic Coalition, Juli Slivka, Wilderness Workshop Policy Director
American Whitewater, Hattie Johnson, Southern Rockies Stewardship Director
Crystal River Property Owner, Larry Darien
Crystal River Caucus Representative, TBD

Dear Neighbors and Colleagues,

Please accept this letter as a follow up to our conversations over the summer and fall of 2021 regarding consideration of the upper reaches of the Crystal River north to the Sweet Jessup headgate for federal Wild and Scenic River designation.

Over the course of those conversations, you had indicated interest in participating in the creation of a stakeholder process to generate a broad reaching discussion of such a designation. I am writing to you now to follow up on those conversations and to bring everyone together to start planning such a process.

I personally hope this stakeholder process will bring together a robust cross section of interested parties to provide input; develop shared principles for protection of the river; access and rely on experts in this subject area to inform stakeholders about pros and cons of a designation; agree upon rules of engagement; and, facilitate outcomes that are based on a process grounded in the highest integrity and inclusiveness.

I would like us all to find time to meet so we may share what hopes you may have for a stakeholder process and to begin to design a plan to implement it. Enclosed here is a link to a [poll to schedule](#) a meeting in the next two weeks. **Please respond by Sunday, January 9.** If you choose to designate someone else from your organization, please let me know. Please also



note that those I have contacted here do not in any way reflect the entire stakeholder group that I anticipate participating. I am bringing together this smaller group to scope out the process moving forward. If there is someone else you believe should assist, please let me know. I anticipate that this will be an iterative effort.

Thank you for your interest in this topic! I look forward to working with you in the New Year.

Kind regards,

A handwritten signature in cursive script, reading "Kelly McNicholas Kury".

Kelly McNicholas Kury
Pitkin County Commissioner