

Town of Marble  
Regular Meeting of the Board of Trustees  
May 6th, 2021 7:00 P.M.  
Marble Community Church, 121 W. State St. Marble, Colorado  
Agenda

7:00 P.M.

- A. Call to order & roll call of the Regular Meeting of the Board of Trustees
- B. Approve previous minutes
- C. Mayor's comments
- D. Administrator Report
  - a. Current bills & balances April 1, 2021
  - b. Consider approval 2021 Business Licenses
    - a. Beaver Lake Retreat, Vince Savage
    - b. Auto Repair, Scott Wilson
    - c. Candle Sales, Nicole Farrell
- E. Land Use Issues
  - a. Consider approval Lot Merger Agreement, Virginia Goodrich
  - b. OWTS study up-date, Mark Chain
- F. Old Business
  - a. Parks Committee report, Brent
  - b. Marble Fest Committee report, Brent
- G. Lead King Loop working group report, Ryan
  - a. Larry Good memo discussion
- H. New Business
- I. Adjourn

Minutes of the Town of Marble  
Regular Meeting of the Board of Trustees  
April 1st, 2021

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – Mayor Ryan Vinciguerra called the meeting to order at 7:05 p.m. Present: Ryan Vinciguerra, Tim Hunter, Josh Vogt and Emma Bielski. Attending by phone: Larry Good. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.

B. Approve previous minutes – Tim Hunter made a motion to approve the minutes from the March 4, 2021 meeting. Josh Vogt seconded and the motion passed unanimously. Emma Bielski made a motion to approve the minutes from the March 16, 2021 work session. Josh Vogt seconded and the motion passed unanimously.

C. Mayor’s comments – Ryan gave some guidelines for speaking at the meeting.

D. Wild & Scenic designation Crystal River, Larry Darien – Larry Darien commented on the newspaper article of three weeks ago and stated that the town needs to be aware of what is happening regarding declaring the Crystal River a Wild & Scenic River (W&S). He has researched some alternatives, that the Forest Service (FS) is currently administering it as if it is W&S and said that he thought there was very little chance of dams being placed on the Crystal. He said the town attorney had recommended against it last time it came up due to the possibility of losing water rights and access.

John Armstrong, Crystal Valley Environmental Protection Association (CVEPA), stated that CVEPA is not a Pitkin County organization but is the only organization dedicated to environmental protection from Schofield down to Satank and the Roaring Fork River. The article that Larry is referring to is by Aspen Journalism and reported on a citizen’s movement coming out of Redstone, the Crystal Caucus and supported by Pitkin County. Pitkin County has budgeted funds for promoting W&S. CVEPA would not support anything that infringes on private property rights. He spoke to the need for local support by both the County and municipalities that the river runs through. He read an excerpt from the National Park Service ([nationalparkservice.gov](http://nationalparkservice.gov)) which said “The goal of the act is protecting and enhancing the values that cause the river to be designated. It neither prohibits development nor gives the federal government control over private property. The act prohibits federal support for actions such as construction of dams”. He encourages people to fact check anything they get or hear. This should be drawn up specifically to and by the people that live there. Bank to bank is what CVEPA recommends. He feels both the river and private property rights can be protected. He would like to invite two of the board members to sit on a W&S steering committee with citizens from Redstone.

Sue Blue feels that board members on the committee would be a conflict of interest. She said that the Placita dam was never a real plan and that the Crystal does not need protection. She asked “protection from what?” She stated that the river changes and feels that a wild and scenic designation would prohibit owners from protecting their property from flooding without going through the federal government.

Larry said that the new way for environmental groups to get what they want is called “Sue and Settle”. The groups pick a weak link to sue and then try to force the precedent on others along the river. Thought and education is key.

Greg Tonazzi spoke in opposition. He would like to see Marble get hydroelectric power again. He asked if there would be a W&S bike path and how that would look. He is concerned about what it might do to property values and his ability to maintain his property.

Linda Adams is concerned about the federal government coming in and how it would affect water rights and their ability to pump from the river. She feels that the issues are from Redstone down. She said that the difficulty and expense in building a dam will prohibit any dam from being built.

Board response: Josh Vogt spoke to his need to learn more but thanked everyone for their calm statements. Tim Hunter and Larry Good had no comment at this time. Emma Bielski asked if a by-way comes with a designation and if a wild and scenic designation would increase traffic and visitors to the area. Ryan appreciates the feed back and said that there is a need to get educated and the fact that the act would be customizable so community involvement is important.

J. New Business (moved so that Vicki could leave after her presentation.)

a. Yard Sale, Vicki Branson - Vicky Branson said that the Marble chamber trying to rebrand Marble is trying to rebrand Marble and move to soft tourism. The LKL, Crystal Mill and snowmobiling are being taken off of promotional materials. They do want visitors and the goal is to have visitors support the local businesses. The Marble Art Guild summer plans include events to be held on the second Saturday of each month. Each of those Saturdays will include: 1. Local authors at the Hub, 2. Local sculptors and painters at Abstract Marble and at the Marble Gallery and local sculptors at Marble/Marble. Specific events include: 1. June 12 – 1<sup>st</sup> Annual Gem & Mineral Show in the Mill Site Park and the 1<sup>st</sup> Annual City Wide Fundraiser Yard sale to benefit the Hub, the school and the church. She suggests having the town dumpster close to that time, as well as asking Habitat to bring their truck. 2. July – the Marble/Marble symposium following Gunnison County Covid guidelines, limited number of participants and extra cleaning staff. Participants will be encouraged to be vaccinated. 3. Aug. 14 – MarbleFest Craft Show in the Mill Site Park. 4. Sept. 11 – Photo contest with photos to be used for web design for the town, the chamber and the art guild. All plans will be sensitive to the virus guidelines. Lastly Vicky would like to commission a 30’ marble statue of Ryan to be placed in the park. April Fool’s!!!

E. LKL working group report – Ron reported that the LKL working group met on March 9. Commissioner Roland Mason joined the regular members for the discussion. The main topics were:

1. The proposed closure of CR 3 to ATVs.
2. Entering into an agreement with the FS to provide enforcement personnel. This requires an agreement with Gunnison County that includes providing funds (\$10,000).
3. Educational component through handouts, an informational kiosk and volunteer staff to educate and communicate with ATVers as they come into town.

The parking issue and continuing the relationship with Western State College and having another Master’s student was also discussed. The working group will continue to work together.

The second meeting was a work session with the county commissioners, the sheriff and Ron (via zoom). The sheriff said he has hired a second deputy for the Somerset/Marble area. The deputy is currently in a training program and will be available to begin patrols in August. In the meantime, Deputy

Leon will continue to be in Marble periodically. Ron communicated the blockage of CR 3 at Beaver Lake as needing to be a priority. Ron recommends that the town and the county pursue the agreement with the FS. It is not the end all and will not solve the big problem, but it is a start and a foundation on which future agreements can be built on.

Peter Mertz asked if there was going to be someone stationed here before August. Ron explained that space in the old general store has been made available. Peter asked about the possibility of having someone on a daily basis. He spoke to the parking problem and the need for enforcement. Peter asked who makes the final decision and whether citizens should communicate with them.

Teri Havens thanked for the access to the LKL minutes. She said that Shelley Grail said the first thing to define is the access point and she asked if that had been defined. She asked what studies the FS requires to change the travel management plan. Shelley said that amending the travel plan is a lengthy public process and that the last one took nine years. She is participating in the working group as part of that public engagement. Terry asked about the ban of ATVs on CR 3 and what is involved. Ron said it was a county decision. Ron said citizens need to communicate with the county. She asked about it being on the ballot and could that be expanded beyond the city. She suggested banning trailers on CR 3. She asked if someone who lives along CR 3 can participate in the LKL group.

Alex Menard asked if the town has been in contact with the SBA regarding permission for the parking program. He feels that this is not allowed as the covenants allow for parking for park use only. He does not think this is compatible with the park and feels there should be no truck/trailer parking allowed there at all. He spoke to completely stopping the ATVs.

Richard Wells said that the town needs to take steps to throttle down ATV use now.

John Anderson said that CVEPA supports lifting the exemption that allows ATVS on CR 3 and making the proposed ballot issue a county-wide vote.

Linda Adams gave praise and thanks for the town getting the LKL working group together.

Peter had three suggestions that he asked be included in the official record. 1. "NO PARKING" signs placed along Beaver Lake with towing enforced. 2. "RESTRICTED PARKING (towing enforced)" signs and designated, limited, parking areas at the end of CR3, on the sides of CR3. This will include some spots currently used, with coordination and input from DHC. 3. BAN on all trailer/truck parking along CR3 past the Hwy 133 turnoff – to Daniel's Hill, excepting local residents, OR, off-road ATV, OHV, motorcycle use banned past Beaver lake on CR 3 except for local residents who live in this area (on or off CR 3). Enforced (ID required at all times) with \$500 fine. Signage at 133/CR 3 intersection.

Board comments: Josh Vogt asked if there needed to be any action taken tonight to move forward with the Gunnison County/FS agreement. He spoke in support in the steps that are currently planned. Ryan said that \$3000 had been budgeted toward LKL issues and he supports using that to help fund the agreement. Tim spoke to the need for enforcement and if this agreement does not include that, he is not in favor of funding it. Shelley said that the FS protection officer could write tickets and they would have radio contact with the sheriff if needed. Ryan spoke to the visual of having a presence there. Terry Haven asked if tickets could be written for noise ordinance issues. Shelley explained that they will only be able to write tickets on federal land. She will check on the noise question. Emma would like a commitment for two days a week. She supports helping to fund the FS enforcement officer. She feels that the graduate work should not be a paid position. Ryan made a motion that the town contribute \$3000 toward the agreement. Josh seconded the motion. Ron asked if the town would be a signatory on the agreement and Shelley said that at this point is between the county and the FS but they can check with the county about adding the town. The motion passed unanimously. Ryan expanded on

the educational component and said that there would be a need for volunteers as they would like to see someone there daily. Richard Wells said there needs to be volunteers in the other problem areas. John will ask CVEPA for a financial contribution.

F. OWTS study up-date, Mark Chain – Ron thanked Mark and Josh Vogt for their help on this study. They looked at every parcel in the town from the perspective of OWTS and minimum lot size. There are 261 parcels in town, 21 are exempt, leaving 240. Of the 240, 116 are developed and 124 are vacant. Old town parcels require 20,000 square foot minimum lot size and the annexed areas (anything after 1922 require 1 acre. There are 8 that are developed on a non-conforming parcel regarding minimum lot size and with no working OWTS. They will be talking with the town attorney, Kendall Burgemeister and Carla Osberg, OWTS engineer, regarding options for town action with these parcels. Josh said that they have visually confirmed these 8 parcels. Each have unique conditions in terms of structure and codes. He suggests an executive session with Kendall regarding legal options before the May meeting. April 22, 2021 at 6 p.m. was tentatively set. Mark said there is a need for a long-term plan for getting ordinances updated and for looking at the rest of the parcels in town that are developed but too small and for the undeveloped parcels that are too small. As many as half can be merged but many cannot.

#### G. Administrator Report

a. Consider approval Ryan Kenney bookkeeping proposal – The proposal is in the packet and Ryan Kenney was in attendance. Ryan said he has been in the valley permanently for 3 years, seasonally for 8. He is currently managing the Redstone Water district and has bookkeeping experience with municipalities and audits. He has both general business and law degrees. Emma Bielski made a motion to approve the proposal. Tim asked if Ryan K. would be taking his direction from Ron and was told he would. Josh Vogt seconded and the motion passed unanimously.

b. Current bills & balances April 1, 2021 – Ron said the bills are listed on page 17. Ryan Vinciguerra made a motion to approve payment of the bills. Emma Bielski seconded and the motion passed unanimously.

c. Consider approval 2021 Business Licenses – Ron has sent applications to the businesses that were licensed in 2019. No business licenses were issued in 2020 due to Covid. He asked if there were any questions, problems or restrictions that the board would like to see concerning existing licenses. He has received three new applications. He also sent short term rental (STR) license applications to STR owners. The business license for Beaver Lake Retreat (BLR) should be changed to a STR license. Emma asked if there could be an understanding with BLR concerning noise expectations. Tim echoed the request and spoke to the lack of on-site management and, thus, having to confront the temporary residents. He would like to see some consequences. Larry suggested requiring a representative/employee within a 30-minute availability. Ryan asked the council members to document and date complaints. Emma suggested a probationary approval. Ryan suggested including the wording of the town ordinance regarding noise in the BLR license. Ron recommended having Vince come to the May meeting to address this issue. Richard does not think Vince should be given a license until he comes with a plan. Linda Adams asked if Vince had followed Covid guidelines this past year. Emma asked about the Marble Historical Society and whether other historical societies were considered a for-profit business. Ryan asked if there were concerns with the existing list. Emma asked that MHS be

invited to a meeting to explain their business and their interest in helping with the town's historical preservation efforts. Ron said that Vince is on that board so may be able to address these questions. Ryan Vinciguerra made a motion to approve business licenses for those on the list who send in their application. Emma Bielski seconded and the motion passed unanimously. The new applications are from Scott Wilson for a small auto-repair business, from Tom Akers for three aspects of the Inn at Raspberry Ridge and from Nicole Farrell who would like to sell candles from the Heartbreak Hotel. Ron spoke to the lack of water or septic at the HH. Scott explained that he has on-site parking and a 150-gallon containment tank for waste oil that will be pumped out professionally. Hours would be M-F 7-5 in summer, 8-5 in winter. Richard asked about the original building permit for the garage which was stated to be a hobby garage at the time as well as a business in a residential area. Scott explained that things in his life have changed. Ryan has environmental and safety concerns. Scott explained that he has run this type of business for 15 years in Aspen. He is also frequently asked to do repairs by residents. Emma asked for a short document explaining how he would manage waste. Tim asked about material safety sheets and Scott gets those with each oil delivery. Josh spoke to the future need to look at zoning, codes and what we want the town to look like. Ryan suggested tabling approval of Scott's request for time to look at town regulations, fire inspection and Emma's request. Richard asked about communication with the neighbors. Tim Hunter made a motion to approve the business license for the Inn at Raspberry Ridge. Emma Bielski seconded and the motion was approved unanimously. Questions concerning Nicole's application were for business and site plans particularly concerning parking and the building condition.

#### H. Land Use Issues

a. Consider approval Marble/Marble land use agreement, Ron – Ron explained that having the agreement in perpetuity means that it does not need to be approved every year. Madeline requested language saying if there was a problem that an attempt to resolve it be made before the 60-day clause is. Emma Bielski made a motion to approve the land use agreement. Tim Hunter seconded and the motion passed unanimously.

#### I. Old Business

a. Parks Committee report, Amber - Ryan reported on tonight's park committee meeting.

b. Marble Fest Committee report, Richard – Some music has been selected. The lineup will be expanded as Covid allows. There is still a need for housing.

K. Adjourn – Emma Bielski made a motion to adjourn. Tim Hunter seconded and the motion passed unanimously. The meeting was adjourned at 10:05 p.m.

Respectfully submitted,  
Terry Langley

LKL Working Group Conference Call  
April 6, 2021, 1:00 p.m.

Participating in the conference call: Ron Leach, Terry Langley, Ryan Vinciguerra, John Armstrong, Manette Anderson, Marlene Crosby, Shelley Grail, Roland Mason, Heather Leigh, and Dale Will. Curtis Wackerly, Aspen Journalism sat in.

Corinne Truesdale's convening report – Marlene said there was confusion about jurisdiction. County – Beaver Lake to the top of Daniel's Hill. Forest Service Road 315 & 314.

Update, April 1st Marble Trustee Meeting, LKL discussion, Ron – Ryan said the town reported on the last working group committee call and the meeting with the Gunnison County commissioners, including information on the Forest Service/County agreement, the educational component, and the plan for a Sheriff's deputy.

Update, FS protection agreement with Gunnison County and Town of Marble, Shelly – Shelley has been working with Matt, Gunnison...on an agreement between the county and the Forest Service to provide some FS personnel for enforcement.. The town, county and FS will sign a Memorandum of Understanding. John asked what \$10,000 translate to in terms of time and Shelley said the goal is for 2 days up the Crystal, Beginning the end of May and the end of September. It will not be the same person each time.

Ryan explained the vision of the three-pronged educational component. The parking area near the Mill Site park has deep parking that trucks and trailers can fit in and that the town has been encouraging them to use. The plan is to have volunteer personnel there to inform about etiquette, speed and noise; written information and an educational kiosk. The Forest Protection officer presence will .... Marlene asked that the verbiage about etiquette toward residents should include the town of Crystal. The Marble Chamber is working toward an educational platform as there is not a need to increase tourism. Roland reported that Joe Lavarini, stewardship coordinator (SOAR) has heard from CPW, FS Trail Manager, Roaring Fork Outdoor Volunteers who are interested in helping with this. Heather asked if they could have copies at sites in Crystal. Will they have some official logos on them? Ryan is also talking with groups such as Wilderness Workshop on developing the materials. Marlene said having this information available in Crystal would also catch users coming over from Crested Butte. Dale suggested having the working group take a look at the materials and those that would like to include their logos can. Dale suggested pointing out that this is a privilege, not a right and it can be modified if there are problems. John suggested a volunteer orientation/training on what they can expect and what is expected of them. Roland said that they have a group and can be used as a resource. He will send contact information to Ryan.

Enforcement efforts – Roland reported that the Sheriff has a cadet who lives on this side going through the academy and following his ride-along training he will be able to go solo about the second week in August. In the interim, the Sheriff said he would focus more enforcement coming from the Gunnison and Crested Butte side. The availability of space for an officer in Marble will be a key component. There will be a mixture of marked and unmarked vehicles. Ryan spoke to the visual impact of a sheriff's car at the town building. Roland said the location

would also allow for immediate response to such things as parking problems in town. Marlene also said that illegally parked vehicles around Beaver Lake CAN be ticketed without the presence of a driver.

Ron reported that the town trustees are traveling to Gunnison to meet with the commissioners on April 13. This will also be available via Zoom.

Manette asked if there would be a student from Western State. Ron reported that they do not have a firm commitment and that Dr. Melanie Anderson has indicated that there will be. He will be talking to her on Friday. Manette said that data collection methods are those that have been prescribed by an authority so that the effect of the efforts can be measured. Marlene said that the trail counters have been replaced. Shelley suggested meeting with the student to formulate a clear plan of data collection.

Heather asked if there would be press releases, encouragement to reporters to report as a Know Before You Go effort. Ron said a person appointed as the public information, single point of contact is needed. Shelley said that a communication group was formed with the Marron Bells plan. She suggested having groups' public information personnel meet once the message is more finalized.

**The Lead King Loop Motorized Recreational Use Problem and Solutions**  
**4-26-21 – Larry Good Memo**

**Preface statements:**

1. The dominant area of agreement among community members and stakeholders on this issue is that a permitting program is necessary for motorized use of the Lead King Loop road.
2. It is also widely agreed upon that motorized recreationalist numbers exceed expectations yearly, adversely impacting the Marble community and the adjacent wilderness area.
3. Motorized recreational use of LKL is mutually exclusive with a list of other recreational uses. The list of excluded uses grows as motorized use increases.
4. Prior to 2014 a State law prohibiting ATV use on County roads was largely ignored and unenforced on the stretch of CR3 between Beaver Lake and Daniels Hill. In 2014 the County rescinded the State ATV ban and since then, motorized use of the LKL has increased exponentially by year. Cause and effect have been studied inconclusively. An opportunity exists to collect alternative data through a **temporary moratorium on ATV** use of this stretch of CR3, beginning this season.
5. Community members and stakeholders **demand** that we achieve a noticeable reduction in motor vehicle use in the Town of Marble and on the LKL this upcoming season.
6. Worldwide, communities are putting in measures to control over-tourism that makes magnet attractions and entire cultures vulnerable.
7. Legal status of ATV use of the Daniel’s Hill section of CR3 (to the ‘Y’ of FS 314, 315) is currently in question. This section of CR3 was apparently not subject to the October 2014 rescindment of State law governing ATV use of CR3, Beaver Lake to the bottom of Daniels Hill.

\* \* \*

**MEETING** I have requested that a public discussion of this subject be on the agenda for the next Marble Town Council meeting. I would like the Trustees to show their ideas and positions regarding solving this issue, and I hope we can reach a consensus and move forward on this as a unified body. I would like this discussion to be primarily among the Trustees, presenting more of a mirror-image to our last several meetings where the community was encouraged to speak their ideas and issues and the Trustees listened. This time Trustees should express their positions and ideas.

**DISCUSSION** Prior to the meeting, I would like to discuss ideas on this issue with individual Trustees, Mayor, Town Manager, stakeholders, and County, USFS and DOW representatives who are interested in working towards a solution.

**PERMITTING SYSTEM** I feel that if we can publicly agree to an overall goal of achieving a permitting program, then the meeting itself will be a success on that alone. So, I ask in advance: is this your favored goal in solving this problem? If not, what are your best ideas on a workable plan to manage this problem moving forward. If you don’t feel that motorized recreational over-use in and around Marble is a problem to be addressed at this time, then please say so.

If you feel that achieving a permitting system is a necessary and achievable goal, then the more complicated question becomes answerable: “How do we best get to there from here?”

**THE 3-PRONGED PLAN** has been a great head-start on this issue. Thank you Ron and Ryan, LKL Committee and others for all that went into this. The prongs of “Information, Education and Enforcement” particularly address safety concerns, and have put us in a cooperative dialog with USFS and County. We are already moving on the information/education piece that needs to be put before the public. I will soon forward a draft **informational handout** that we should develop for use at the proposed town entrance kiosk information station, a draft **questionnaire** that should be further developed by our new Western University grad student, and a **Visitors’ Pledge** modeled after some currently in use in communities vulnerable to over-use problems similar to Marble’s. Please give me your thoughts on this current document, for edits and additions. It is my hope, that we can work this into a plan of action on this issue.

### **PARKING/SHUTTLE SYSTEM/VALET PARKING/IN-TOWN ENFORCEMENT**

The availability of legal parking within the Town of Marble is a natural boundary to over-use of the Town and surrounding area. Sheriff and USFS reps will not be enforcing our parking regulations within the Town of Marble. The Town needs to step up with a comprehensive plan defining legal and illegal parking areas, and enforcing parking restriction. Nothing expresses over-use and chaos and municipal dysfunction as effectively as random, illegal parking congestion. The inverse is also true, and an orderly solution to the parking problem will go a long way towards educating the public on respectful and low impact use of our community and natural resources.

1. I believe that years ago, Charlie Manus and Richard Well were part of a town-appointed group that **mapped all possible parking** available within the Town of Marble. We need to renew this effort and clearly identify legal and illegal zones.
2. Our default parking system is simply **“First-com-first-serve”** with no enforcement. We need to review our laws on parking and be sure they reflect our current needs.
3. As an online, paid, parking permit system is currently off the table pending SBA cooperation, we should consider whether designing an **online, free, reserved parking permit system** is a priority at this time.
4. Consider alternative parking plans to **reduce congestion and chaos**, such as: a **free shuttle** (from the Slate Creek area) into town, a **valet parking program** in town businesses where necessary, a **paid shuttle for trailers** that unload at the base of Daniel’s Hill (should CR3 from Beaver Lake to base of Daniels Hill be closed, temporarily to ATV use).
5. Develop in-town parking enforcement **protocols that reflect the desired level** of visitor use we would like to achieve.
6. Identify the hot-spots where illegal parking has gone unenforced, and solve those problem areas individually with **signage, barriers, information and enforcement**.
7. Enforce our parking plan with information assistance by our P/T kiosk reps, and **enforcement by a P/T parking enforcement officer**.
8. Publicize the scope of our plans through media, written education materials, our P/T public information kiosk reps, and even an illuminated sign at Hwy 133 and CR3.

An information kiosk rep’s duties and concerns might look like this:

1. Slow and release the motorized flow of visitors into town by waving them off the road to the kiosk station; greet, give them the information handout and the questionnaire; inquire about their plans, give them a parking map with current parking availability; direct visitors

to suitable parking, suggest shuttle and visiting options and when **parking is unavailable suggest alternatives.**

2. Monitor parking availability through up-to-the-moment **communication** with Parking Enforcement Officer.
3. Check that ATVs have current registration.
4. Make sure adults know their responsibilities as far as supervising children who drive motorcycles and ATVs and confirm that adult drivers have licenses.
5. **Log numbers** of visitors passing in and out of Marble, noting types of vehicles, trailers, etc.

A Parking Enforcement Officer's duties might look like this:

1. Be **visible** at the information kiosk as part of daily rounds.
2. **Track** use of shuttle, valet, and other alternative transportation.
3. Track trailer use within town and see that they are parked legally. Assist when necessary.
4. Monitor parking availability up-to-the-moment and **communicate** parking status with kiosk personnel.
5. Check that ATVs have **current registration**.
6. Make sure adults know their responsibilities as far as **supervising children** who drive motorcycles and ATVs and confirm that adult drivers have **licenses**.
7. **Ticket parking infractions** when they have evaded legal parking supervision.
8. Work towards a **future paid parking reservation system**.

Such a program may be financed through Federal Recovery funds due to Marble, and through other grants that are available immediately to assist tourism economies to rebound, rebrand, and recover from the tourism hiatus that devastated some businesses, industries and community. Paid P/T contractors would be **shuttle driver(s), Parking Enforcement Officer, and Kiosk Information People**.

I support putting such funds towards an overall parking information and enforcement plan, including informational materials, shuttle options, and the paid parking enforcement officer. Ticketing and paid parking reservations will build up future revenues. All these programs will help us to **hold the line on our parking limitations**.

#### **REBRANDING MARBLE TOURISM/DESIGNING EFFECTIVE 'DESTINATION MANAGEMENT PLAN'**

To achieve a noticeable reduction in motorized recreational use of the area, we need to re-brand Marble as a destination suitable for hiking, biking, fishing, camping, nature, art, community, music and events. The Marble Crystal River Chamber has taken steps to refocus the promotion of Marble to represent the Marble community more, and the motorized visitors less.

Representing MCRC, Karen Good had a private 3-hour consulting session with Sarah Jane Johnston of Roadmap Consulting (roadmapconsult.com) which left her excited and confident about positive change for Marble tourism through rebranding. Roadmap Consulting suggests a 'Destination Management Plan' for increments of 3, 5, and 10 years. In a follow-up letter to Karen Good of 4-23, Ms. Johnston states: *"(Marble) has a chance to be a real "small but mighty" leader of rural destination stewardship by implementing a radical idea that protects the community and the residents. That idea can come from a destination management planning process which starts out with stakeholder sentiment so everything is shaped by the very people impacted by the tourists."*

In addition, Ms. Johnston suggested several immediate funding sources available to crisis communities such as ours, particularly in this time of recovery. MCRC already has funding for certain municipal projects and cooperative ventures, as long as they are within the realm of promotion and public information.

Ms. Johnston has studied and overseen effective Destination Management Plans that transformed communities dealing with tourism vulnerabilities, and professionally represents such a “Community First” approach to tourism management at a national level. Ms. Johnston furnished Karen with the URLs attached at the end of this memo which show some results of innovations implemented by vulnerable communities worldwide.

The Town of Carbondale is a client of Roadmap Consult, and I support a cooperative re-branding effort by both communities and their chambers working together, with Roadmap and Ms. Johnston.

### **DATA, and “REAMS OF IT”**

The history of this issue has evolved over decades. When the community would ask for updates to the LKL Management Plan the response has always been, and continues to be, that the USFS needs study to make bureaucratic change, and study requires data, and until they have this data, there will be no serious consideration of immediate changes to their existing management plan. Thanks to the LKL Committee, the Western University Masters program, and some County efforts, a great deal of data has been collected over the past few years, and at present, we have the attention of the USFS with regard to how the Town of Marble is dealing with, or enduring, the current crisis-stage overuse of the LKL by motorized vehicles. But we, and they, need more study, and more data. So, let’s get more data, as outlined below.

### **MORATORIUM**

More people I have talked to are positive about the idea of a “Moratorium” than they are of an “ATV Ban” or going ahead with business as usual. So, I ask “What does a moratorium look like to you?” People express preference for a temporary ‘Moratorium’ to an outright ban. People remain fixated on the chaos created by motorized recreational over-use, slightly uncomfortable with the duplicity in their own enjoyment of motorized recreational use. The Marble lifestyle is a puzzle that everyone solves differently. Not long ago, the sacrifices people made to live in Marble full time—long commutes, no tv, bad internet, dirt roads – were different than those locals make today.

The Town of Marble could request that Gunnison County enact a 1-year Moratorium on stretch of CR3 **leading to Daniels Hill** by re-instating the County’s 2014 rescindment of State Law banning ATVs on County Roads. Historically, on Town of Marble issues, the County expresses support for Town of Marble decisions, leaving the ball (and sometimes the problem) in our court. While fully aware that such a Moratorium request could lead to chaos and unforeseen circumstances, I support anticipating and planning for management difficulties, and **recommending that the County enact a Moratorium by reinstating the State Law** prohibiting ATV use on CR3 that was rescinded in the 2014 Resolution. 6 reasons:

1. **The time is now.** We have the attention of the USFS, the County, the Marble public, the general public and the press. This is a crisis. Strong action is necessary and expected by the

motorized public, the Marble public, and the general public. Our **funding resources this year** are expanded through national pandemic relief.

2. **Data collection and study** leads directly to the future permitting system that we covet. A Moratorium on CR3 use **will present an entirely new data stream** that reflects the effects of a change in use, rather than current data that reflects only the effects of motorized over-use of the LKL. Data collected under a Moratorium would show the USFS positive effects of a change in management plan, possibly **accelerating USFS involvement** in working towards a new management plan, including a PERMITTING SYSTEM.
3. An additional wrinkle on the current issue is the recent notice that the County 2014 Resolution allowing ATVs on CR3 didn't include the section of Daniels Hill to the 'Y' at FS 314, 315. To correct this oversight, the County might have to issue a new Resolution covering upper Daniel's Hill. In the context of the current public call for action in the opposite direction, a new Resolution approving ATV use on Daniels Hill would be more than a little tone deaf and probably further a public perception of mismanagement if this issue. To the County Commissioners, a temporary Moratorium on CR3 may be a preferable action, particularly if it comes out of a Town of Marble request.
4. The motorized chaos that might be provoked by a Moratorium on CR3—Beaver Lake to the base of Daniels Hill only— **will move a little more into the County and USFS purview, manifesting a little less on the streets of Marble** and as such, may hasten action on the parts of these entities towards a long-term solution. In the meantime, the Town of Marble innovate more effectively during such a Moratorium to establish clear parking expectations, re-brand the tourist environment, and get ahead of the chaos we've been experiencing.
5. Locals will appreciate that **we are doing something to address this problem that hasn't been tried before**, with the knowledge that this Moratorium is a necessary, temporary measure made to achieve the long view solution of a permitting system.
6. A minor positive in this plan is in presenting a **business opportunity** for any local to start a shuttle business and/or a valet parking business, and for temporary P/T positions in information and parking. Covid relief funding is available as start-up funding for such plans.

## SUMMARY

In summary, I support a 1-year Moratorium on ATV use of "the stretch" of CR3 above Beaver Lake. I support additional enforcement and assistance in parking within Marble, and public information that entertains the idea that Marble might get "full" sometimes, in which case, visitors might forego the privilege of a visit now, to preserve that privilege in the future. I support the engagement of many outside groups to further our data collection, enhance our messaging, staff our programs, and to discuss all ideas regarding the burdens of the Lead King Loop and the Town of Marble. I would like to see a noticeable reduction in Lead King Loop motorized recreation that passes through town, and I support the long view that we need to achieve a USFS-sponsored permit program for motorized use as soon as possible, and for all use, eventually.

## RESOURCES, ALLIES, & TOOLS

**Marble Crystal River Chamber** – rebranding; promotion of respectful etiquette; funding towards a professional alliance with a marketing company (Roadmap Consulting)

**The Hub** – Similar to MCRC but in an in-person context.

**Federal Tourism Covid Recovery Grants** – Many communities are acquiring these funds to re-emerge commercially from the pandemic. Available immediately. I support using these funds to engage Roadmap Consulting to develop a “Destination Management Plan” in cooperation with the Marble Chamber, the Hub, and the Town of Marble.

**Federal Municipal Recovery Funding** – I assume this is the funding Ryan referred to recently. I support using this funding, in part for a Parking guru, the on-site information reps, and for start-up and initiation of commercial shuttle service and valet parking programs.

**Gunnison County** – Continued surveillance of road use, data collecting is imperative. Enact ‘Moratorium’ on ATV use of the CR3 stretch leading to Daniels Hill by **re-instating the 2014 rescindment of the State Law banning ATVs on County Roads.**

**Lead King Loop Committee** – Continue our good work with this group. Town presence is vital.

**Roadmap Consulting** – Town and MCRC should engage this firm to consult and put in place a ‘community first’ Destination Management Plan for 3, 5, and 10 year periods. I encourage you to visit their site: [Roadmapconsult.com](http://Roadmapconsult.com)

**Western University Masters Student** – Continues overall data collection and steering material. Immediately develops a reasonable questionnaire for use at our information stands.

**Crystal Valley Environmental Protection Association** - As Trustees, our greatest responsibility is toward protecting the natural resources we enjoy here. This is also the mission of CVEPA. We could enjoy our commonality of purpose with this group and other environmental groups by reaching out to include our messaging in theirs, delegating aspects of our overall strategy (data collecting) to cooperative entities and individuals. I suggest that such delegation and cooperation with outside entities should be encouraged and approved by the Board of Marble Trustees.

**Roaring Fork Outdoor Volunteers** – Jacob Baker. Interested in partnering a “Marble-centric stewardship coalition. Is applying for a grant to further this relationship.

Some **additional information** provided by Sarah Jane Johnson of Roadmap Consult with specific attention given to Marble’s situation. The explanatory comments are hers:

<https://www.france24.com/en/live-news/20210121-sri-lanka-sets-visitor-cap-as-it-reopens-for-foreign-tourists>

<https://responsibletourismpartnership.org/industry-views-on-capping-visitor-numbers/>

<https://timesofindia.indiatimes.com/travel/travel-news/arizonas-star-attraction-the-wave-to-increase-daily-cap-of-visitors-to-64/as80342132.cms>

<https://www.sfchronicle.com/news/article/Yosemite-National-Park-will-require-reservations-16086910.php>

Here’s some more local visitor pledges, I think these are harder to implement than the Pulau pledge, which feels conditional upon receiving your arrival visa!

<https://aspenchamber.org/pledge>

This is a great concept but I don’t think it has any impact: <https://www.pledgewild.com/>

This is details on Durango’s “sustainable tourism tax” which is a 1% increase of their lodging tax which will funnel directly to sustainable tourism-related

projects: <https://tourismfundsdurango.com/benefiting-durango> and also in Spain, Ibiza has a sustainable tourism tax: <https://www.ibiza-spotlight.com/info/sustainable-tourism-tax-holidaymakers-ibiza>

And on the subject of AirBNB, this is an interesting perspective from former Nat geo editor, Jonathan Tourtellot: [https://destinationcenter.org/2018/06/overtourism-airbnb-and-the-numbers-problem/?fbclid=IwAR2qMaaQR1uj8RSQ\\_zySfvn6fAqOS41fZKeInhyy7wbUyMvmOoGNx1fiwpY](https://destinationcenter.org/2018/06/overtourism-airbnb-and-the-numbers-problem/?fbclid=IwAR2qMaaQR1uj8RSQ_zySfvn6fAqOS41fZKeInhyy7wbUyMvmOoGNx1fiwpY)

**Town of Marble  
Balance Sheet  
As of May 4, 2021**

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	<u>May 4, 21</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
*General Fund -0240	17,381.00
Campground Account -6981	115,033.10
Money Market -1084	53,037.02
Severence/Mineral Proceeds-6157	148,982.53
Water Fees -0873	24,588.79
<b>Total Checking/Savings</b>	<u>359,022.44</u>
<b>Total Current Assets</b>	<u>359,022.44</u>
<b>TOTAL ASSETS</b>	<b><u>359,022.44</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	337,680.72
<b>Equity</b>	<u>21,341.72</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>359,022.44</u></b>

**Town of Marble**  
**Deposit Detail-General Fund**  
 April 1 through May 6, 2021

Type	Num	Date	Name	Account	Amount
Deposit		04/01/2021		<b>Money Market -1084</b>	<b>9,540.82</b>
			Gunnison County	Additional License Tax	-29.50
			Gunnison County	General Property Tax	-9,547.14
			Gunnison County	Specific Ownership Tax	-98.66
			Gunnison County	Specific Ownership Tax	-56.76
			Gunnison County	Treasurers Fees	191.24
TOTAL					-9,540.82
Deposit		04/08/2021		<b>Money Market -1084</b>	<b>5,706.12</b>
			Colorado Departme...	General Sales Tax	-5,706.12
TOTAL					-5,706.12
Deposit		04/15/2021		<b>Money Market -1084</b>	<b>2,484.88</b>
			Gunnison County	Additional License Tax	-73.76
			Gunnison County	General Property Tax	-2,325.44
			Gunnison County	Specific Ownership Tax	-111.08
			Gunnison County	Specific Ownership Tax	-21.84
			Gunnison County	Treasurers Fees	47.24
TOTAL					-2,484.88
Deposit		04/15/2021		<b>Money Market -1084</b>	<b>7.80</b>
			Colorado Departme...	Cigarette Tax	-7.80
TOTAL					-7.80
Deposit		04/16/2021		<b>Money Market -1084</b>	<b>735.28</b>
			Colorado Departme...	Highway Use Tax (HUTF)	-735.28
TOTAL					-735.28
Deposit		05/02/2021		<b>Money Market -1084</b>	<b>0.43</b>
			Alpine Bank	Interest Income	-0.43
TOTAL					-0.43

11:03 AM

05/04/21

Accrual Basis

**Town of Marble**  
**Check Register**  
 April 2 through June 30, 2021

Date	Num	Source Name	Account	Amount
<b>Aspen Maintenance &amp; Supply</b>				
05/03/2021	11112	Aspen Maintenance & Supply	Campground/Office Expenses	-155.03
Total Aspen Maintenance & Supply				-155.03
<b>Daly Property Services, Inc.</b>				
05/03/2021	11110	Daly Property Services, Inc.	Snow & Ice Removal	-2,465.00
Total Daly Property Services, Inc.				-2,465.00
<b>Holy Cross Electric</b>				
05/01/2021	11102	Holy Cross Electric	Utilities	-24.41
05/01/2021	11102	Holy Cross Electric	Campground/Office Expenses	-18.36
05/01/2021	11102	Holy Cross Electric	Campground/Office Expenses	-30.57
Total Holy Cross Electric				-73.34
<b>Marble Water Company</b>				
05/01/2021	11103	Marble Water Company	Utilities	-65.00
05/01/2021	11103	Marble Water Company	Utilities	-50.00
05/01/2021	11103	Marble Water Company	Campground/Office Expenses	-65.00
Total Marble Water Company				-180.00
<b>Mountain Pest Control, Inc.</b>				
05/01/2021	11100	Mountain Pest Control, Inc.	Campground/Office Expenses	-50.00
05/01/2021	11100	Mountain Pest Control, Inc.	Campground/Office Expenses	-50.00
Total Mountain Pest Control, Inc.				-100.00
<b>Ragged Enterprises, LLC</b>				
05/01/2021	11105	Ragged Enterprises, LLC	Office Expenses	-440.00
Total Ragged Enterprises, LLC				-440.00
<b>Ron Leach</b>				
05/03/2021	11113	Ron Leach	Campground/Office Expenses	-1,264.46
Total Ron Leach				-1,264.46
<b>Terry Langley</b>				
05/01/2021	11104	Terry Langley	Office Expenses	-361.00
Total Terry Langley				-361.00
<b>Valley Garbage Solution, LLC</b>				
05/03/2021	11111	Valley Garbage Solution, LLC	Recycle Program	-346.00
Total Valley Garbage Solution, LLC				-346.00
<b>Zancanella and Associates, Inc.</b>				
05/01/2021	11101	Zancanella and Associates, Inc.	Engineering-Water Augmentation	-330.00
Total Zancanella and Associates, Inc.				-330.00
<b>TOTAL</b>				<b>-5,714.83</b>

**Town of Marble  
Payroll Summary  
May 1, 2021**

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	Charles R Manus			Ronald S Leach		
	Hours	Rate	May 1, 21	Hours	Rate	May 1, 21
<b>Employee Wages, Taxes and Adjustments</b>						
<b>Gross Pay</b>						
Town Administrator			0.00			4,166.67
Park Employee	24	27.00	648.00			0.00
<b>Total Gross Pay</b>	24		648.00			4,166.67
<b>Adjusted Gross Pay</b>	24		648.00			4,166.67
<b>Taxes Withheld</b>			-49.58			-982.75
<b>Net Pay</b>	<b>24</b>		<b>598.42</b>			<b>3,183.92</b>
<b>Employer Taxes and Contributions</b>			53.47			318.75

**Town of Marble**  
**Budget vs. Actual**  
 January through December 2021

	Jan - Dec 21	Budget	% of Budget
<b>Income</b>			
<b>Intergovernmental</b>			
Cigarette Tax	112.08	100.00	112.1%
Colorado Trust Fund	0.00	0.00	0.0%
General Sales Tax	11,097.38	140,000.00	7.9%
Highway Use Tax (HUTF)	1,490.34	14,000.00	10.6%
Mineral Lease Distribution	0.00	2,500.00	0.0%
Severance Tax	0.00	4,000.00	0.0%
<b>Total Intergovernmental</b>	<b>12,699.80</b>	<b>160,600.00</b>	<b>7.9%</b>
<b>Licenses &amp; Permits</b>			
Building Permits	3,515.00	4,000.00	87.9%
Business Licenses	550.00	1,500.00	36.7%
Driveway Access Permits	0.00	0.00	0.0%
Septic Permits	1,123.00	3,000.00	37.4%
<b>Total Licenses &amp; Permits</b>	<b>5,188.00</b>	<b>8,500.00</b>	<b>61.0%</b>
<b>Other Revenue</b>			
Campground/Store Revenues	0.00	55,000.00	0.0%
CSQ Lease Agreement	6,987.69	30,500.00	22.9%
CSQ Maintenance Payments	1,200.00	3,300.00	36.4%
Donations	4,000.00	2,000.00	200.0%
Holy Cross Electric Rebates	299.04	500.00	59.8%
Interest Income	0.33	3,500.00	0.0%
Non-Specified	0.00	2,000.00	0.0%
Transfers (In) Out	0.00	1,000.00	0.0%
<b>Total Other Revenue</b>	<b>12,487.06</b>	<b>97,800.00</b>	<b>12.8%</b>
<b>Taxes</b>			
Additional License Tax	220.76	500.00	44.2%
Delinquent Property Tax	0.00	0.00	0.0%
General Property Tax	12,518.56	26,354.00	47.5%
Property Tax Interest	0.00	100.00	0.0%
Special Use & Sales Tax	0.00	0.00	0.0%
Specific Ownership Tax	565.70	1,500.00	37.7%
<b>Total Taxes</b>	<b>13,305.02</b>	<b>28,454.00</b>	<b>46.8%</b>
<b>Total Income</b>	<b>43,679.88</b>	<b>295,354.00</b>	<b>14.8%</b>
<b>Gross Profit</b>	<b>43,679.88</b>	<b>295,354.00</b>	<b>14.8%</b>
<b>Expense</b>			
<b>General Government</b>			
Abated Tax	0.00	0.00	0.0%
Campground/Office Expenses	1,860.97	25,000.00	7.4%
Church Rent	150.00	600.00	25.0%
Civic Engagement Fund	0.00	1,500.00	0.0%
Dues & Subscriptions	0.00	300.00	0.0%
Elections	2,500.00	0.00	100.0%
Legal Publication	32.29	1,000.00	3.2%
Marble Fest Donation	0.00	0.00	0.0%
Marble Water Co 2017 Tap Fee	0.00	0.00	0.0%
Marble Water Co Monitoring Well	0.00	0.00	0.0%
Marble Water Co Payment	0.00	0.00	0.0%
Office Expenses	1,417.00	7,000.00	20.2%
Treasurers Fees	252.58	500.00	50.5%
Tree Maintenance Program	0.00	0.00	0.0%
Unclassified	7,097.08	3,000.00	236.6%
Workshop/Travel	0.00	0.00	0.0%
<b>Total General Government</b>	<b>13,309.92</b>	<b>38,900.00</b>	<b>34.2%</b>

**Town of Marble**  
**Budget vs. Actual**  
 January through December 2021

	Jan - Dec 21	Budget	% of Budget
<b>Other Purchased Services</b>			
Earth Day Expenses	0.00	0.00	0.0%
Grant Writing	0.00	2,000.00	0.0%
Liability & Worker Comp Insc	1,307.68	6,000.00	21.8%
Park Improvements	0.00	0.00	0.0%
Utilities	1,622.18	4,000.00	40.6%
<b>Total Other Purchased Services</b>	2,929.86	12,000.00	24.4%
<b>Purchased Professional Services</b>			
Audit	0.00	8,000.00	0.0%
Engineering Services	0.00	2,000.00	0.0%
Legal - General	7,031.74	23,500.00	29.9%
Municipal Court	0.00	1,500.00	0.0%
<b>Total Purchased Professional Services</b>	7,031.74	35,000.00	20.1%
<b>Roads</b>			
Snow & Ice Removal	20,790.00	35,000.00	59.4%
Street Maintenance	0.00	20,000.00	0.0%
<b>Total Roads</b>	20,790.00	55,000.00	37.8%
<b>Total Expense</b>	44,061.52	140,900.00	31.3%
<b>Net Income</b>	<b>-381.64</b>	<b>154,454.00</b>	<b>-0.2%</b>

Date: 4-01-21

Location: Millsite stage

Present: Lise, Marja, Brent, Ryan

- A. No comments or additions to last month's minutes
  
- B. RFOV campground or camping for volunteers working?  
RFOV will be organizing volunteer work days the weekend of 7/28 and 7/29 and is asking for spaces at the campground.  
How many spots will they need?  
Would camping in the park be a possibility worth discussing with the town to save paid sites at the campground?  
SG is donating food for volunteers
  
- C. Parks and Rec Committee members?
  - a. Discussed the need to determine who is on the committee and who would like to work on specific areas of interest only?
  - b. Committee Members:
    - i. Amber, Brent, Alex, Marja, Lise, Richard
  - c. Volunteers for specific areas of interest/passion projects:
    - i. Chrissy and Hawkins, Yellico?
  - d. New potential committee members Monique and Jaime have been invited
  - e. Need to reach out to determine who is on the committee and who is committed to volunteer on specific projects. Marja made an educated guess above, please make corrections/changes as necessary
  - f. Discussed the need for a quorum for voting on any issues: Majority of members
  
- D. Community Survey for Millsite:
  - a. Need to review the park survey as a group. Brent will share with the committee  
Marja Share: list of people interested in working on ice rink: learn more about what's needed there and ask them to present at a future meeting
  - b. ADA TRAIL: Amber interested in following up here? Work with RFOV to come up with a trail proposal.
  
- E. Thompson Park
  - a. Need to invite AVL T : Can we invite them to next parks meeting 5/1? It would be good to have Emma at this meeting too for Jail.
  
- F. Marble marble
  - a. Discussed the need for a meeting between parks committee and Madeline with Ron —Lise will reach out
  
- G. Mill Site Parking - We are going to look at adding parking near 4th street entrance and the new addition to the park for parking. Need to walk this at next meeting and with Marble Marble crew.
  
- H. Brent voted down the plan to cut trees down near the walls for his arborist did not want to be responsible for knocking the marble walls down on accident.

Meeting Adjourned 6:30PM

Next meeting agenda: List of priorities approved for RFOV days

LOT MERGER AGREEMENT AND DECLARATION

THIS LOT MERGER AGREEMENT AND DECLARATION ("Agreement") is made this day of March 11, 2021 2021, by and between the Town of Marble, a Colorado statutory town (the "Town") and Virginia L. Goodrich and Bruce L. Goodrich (jointly and severally) (the "Owner").

1. Property. The Owner is the owner of the following described properties (collectively, the "Property"):

Lots A-C, U-Y Block 16 East Marble #488955  
# 570177 Parcel # 2917-261-36-020  
315 E. State St. Marble, CO

2. Relation to Permit Issuance and Validity.

a. The Owner represents and warrants that it owns the property free of any liens, other than any lien held by a lienholder that has consented to and executed this Agreement.

b. This Agreement is entered into as a condition of issuance of an OWTS permit pursuant to paragraph 9.M of the Town's On-Site Wastewater Treatment System Regulations. As required thereby, the Owner desires to restrict the above-described Property to use and occupancy as a single parcel of land.

c. The termination of this Agreement by virtue of a foreclosure of a senior lien shall cause the immediate and automatic revocation of any permit issued in conjunction with the execution of this Agreement. In the event of such revocation, the Town shall have the right to prohibit occupancy of the Property and to require removal of the structure constructed pursuant to the permit.

3. Merger Declaration. The Town and Owner, on behalf of themselves, their heirs, successors, personal representatives and assigns, hereby declare:

a. The Property shall be and is combined into one parcel to be maintained as one integrated parcel for land use, zoning, and OWTS and building permit purposes.

b. No portion of Property constituting less than the entire Property may be transferred or encumbered without the Town's consent to the modification or termination of this Agreement.

4. The Agreement does not eliminate any lot lines or grant the Owner any interest in, or right to use, any adjacent unvacated streets or alleys.

5. This Agreement does not independently change or amend any fee, assessment or charge regarding any service to such Property.

6. This Agreement is made for the benefit of the Town and shall run with the Property in perpetuity.

7. This Agreement shall only be amended or terminated upon the written agreement of both Parties.

8. In the event of any legal proceeding to enforce or interpret this Agreement, the prevailing party shall be entitled to recover its costs and attorney fees.

9. This Agreement shall be recorded, at the cost of the Owner, with the Clerk and Recorder of Gunnison County.

TOWN OF MARBLE, COLORADO

By \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

Owner: *[Signature]*, *Bruce & Goodrich*

By: \_\_\_\_\_

Date: *3/11/2024*

STATE OF *Colorado* )

COUNTY OF *Jefferson* )

Subscribed and sworn to me this *11<sup>th</sup>* day of *March*, 20*24*, by *Bruce & Virginia Goodrich*.

WITNESS my hand and official seal. My commission expires: *November 20, 2023*.

*[Signature]*  
Notary Public

