

Town of Marble
Regular Meeting of the Board of Trustees
June 7 2018
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
 - a. Ryan
- D. Clerk Report
 - a. Current bills payable 6/7/18, Ron
 - b. Consider approval of Aspen Valley Land Trust Thompson Park MOU, Erin Quinn
 - c. Discuss application for Variance from Gary Hubbell, Kendall
 - d. Consider approval resolution #3-2018 reappointment of town clerk & town attorney, Ryan
 - e. Consider stage 1 fire restrictions, Ron
- E. Current Land Use Issues
 - a. Discussion of remodel project @ Park St. & West 2nd. St., Ron
 - b. Other
- F. Old Business
 - a. Set public hearing to consider approval of up-dated Marble OWTS regulations, Ron
 - b. Discussion of traffic and parking issues in Marble, Amber
 - c. Other
- G. New Business
 - a. Consider funding movies in the park, summer 2018, Amber
 - b. Discussion of church parking plan on Main St.
 - c. Other
- H. Public Comment
 - a. Other
- I. Adjourn

Town of Marble
Minutes of the Regular Meeting of the Board of Trustees
May 3, 2018

A. Call to order & roll call of the Regular Meeting of the Board of Trustees – The meeting was called to order by Mayor Ryan Vinciguerra at 7:02 p.m. Present: Ryan Vinciguerra, Tim Hunter, Max Gibbons, and Mike Yellico. Absent: Larry Good. Also present: Ron Leach, Town Clerk and Terry Langley, minutes.

B. Approve previous minutes – Tim Hunter made a motion to approve the April minutes. Mike Yellico seconded and the motion passed unanimously.

C. Mayor's Comments

a. Appointment of mayor pro temp, Ryan – Mike Yellico made the motion that Tim Hunter be appointed as Mayor Pro Temp. Max Gibbons seconded and the motion passed unanimously.

b. Consider resolution #3-2018 reappointment of town clerk & town attorney, Ryan – Mike Yellico moved that Kendall Burgemeister be reappointed as town attorney. Max Gibbons seconded and the motion passed unanimously. Ron's reappointment will wait for a new job description and contract.

D. Clerk Report

a. Election update, Ron – no court filings were made by the deadline of April 23. Vince Savage withdrew his request for a recount and the election has been certified.

b. Current bills payable 5/3/18, Ron – Current bank balance is over \$349,000. Total revenue in April was \$10,139.13. Expenditures to be approved tonight total \$30,322.86. \$20,000 of that is for the annual water fee payment to the Marble Water Company. Legal expenses listed were for the election. Revenues include \$3229 for campground reservations in April. Total reservations to this point are about \$14,000. Mike Yellico made a motion to approve the bills. Tim Hunter seconded and the motion passed unanimously.

c. Annual Hub Report, Emma – Emma Bielski made her report by phone. She submitted a written report that was emailed to the trustees. That report is attached below. Plans for the 2018 season include applying for 5013c status on the federal level and movies in the park on the 3rd Thursday in June, July & August. She thanked Karen Davison for spearheading winter hours on Saturdays. She said that they began the year with three on the Hub board and ended the season with six. The campground collaboration is a model for other communities. Emma said that she has resigned as Board Chairperson due to other responsibilities. Amber McMahill is the new chair. Jeff Chapman is vicechair, Frances Bogle, secretary and Karen Davison, treasurer. Richard Wells is a board member. Emma got a hand from the crowd and a thank you from the trustees.

d. Colorado History Jail Renovation Project Report, Emma – The assessment is near completion and will be reviewed by the preservation and grant specialists. Pending approval, the grant request for preservation funds will be submitted. She has also received feedback about preserving structures in the Mill Site Park.

e. Consider approval of Aspen Valley Land Trust (AVLT) Thompson Park Memorandum of Understanding, Suzanne Stephens - The AVLT has accepted ownership of Thompson Park, and it will become the Marble Children's Park. It will remain pretty much as is. A ball field and swing set are allowable. They would like to enter into a Memorandum of Understanding (MoU) with the town as to what can happen on the property, according to the donor's wishes. They have entered into one with the Marble Charter School. Amber asked about adding water. Suzanne said that is beyond their scope, but the town could do that and be responsible for maintenance. Ron understands the MoU and has discussed it with the town attorney. He feels like it is a good agreement – good for the town, the school and the children of the town. He would like to put it on the June agenda for discussion. Indemnification needs to be worked out between the town attorney & AVLT attorney. Ron asked if this was an agreement in perpetuity, and Suzanne explained that it will always remain a park, though the MoUs can be amended. Richard Wells pointed out that the jail is town property and is not part of the park. Ryan asked about the process for making improvements. Suzanne explained that they have a board who would approve things as laid out in the deed restrictions. Events are part of the MoU, and any event requests would pass through the town to the AVLT. Tim asked about lighting, and that is not specifically addressed or prohibited. Mike pointed out that the park is already being mowed by Daley Property Management, and that expense is paid by the town.

f. Consider approval of 2018 Town of Marble business licenses, Ron – 21 business licenses were approved in 2017. 2018 applications were sent out to these and some have already been returned. There are requests for two new business licenses. The first is from the Inn at Raspberry Ridge, Tom & Laura Akers, for a bed & breakfast in the same facilities that have been there in the past. Ron recommends approval. The second is from Marble Lodge Bed & Breakfast, Aaron & Tina Smith, who bought Max Taylor's home below the Inn at Raspberry Ridge. Ron has talked with them about business license requirements, parking, OWTS regs, etc. Their application is in order and Ron recommends approval. He recommends approving the other 21 and will issue their business licenses as applications and payments are received. Tim Hunter made the motion to approve the business licenses, with the exception of the Jeep Tours license (he recused himself). Mike Yellico seconded. The motion passed unanimously. Mike Yellico moved to approve the Jeep Tours business license. Max Gibbons seconded. The motion passed 3-0 with Tim Hunter abstaining.

E. Current Land Use Issues

a. Discussion of remodel project @ Park St. & West 2nd. St., Ron – Brian Sutter explained his plans for the property. He has removed trees, leveled land and he would like to return it to something as close as possible to the 40's & 50's pop/ice cream stand with the addition of a park-like atmosphere. He is restoring the interior of the house which was built in 1908. The home will be for rent, but he will not have overnight rentals – more like a week or more at a time. This would necessitate asking for a zoning change. He is calling it "The Corner" since it is the first place one turns when coming into town. Katie Mann asked what he would sell at the stand and he said pop & ice cream. He won't advertise the house, only renting to people he knows or local referrals.

F. Old Business

a. Discuss possible meeting with Marble Water Company (MWC) in June 2018, Ron –The town and the MWC want to meet, and they have been invited to attend the June 7 meeting.

b. Other – Tim Hunter said that May 12 & 13 will be trash day with 2 dumpsters below the fire station. If these fill, two more can be brought. Standard dump rules apply: no tires, refrigerators, electronics, paint, batteries.

Tim also talked about the plans for traffic signs – the plan is to drill holes, place PVC pipe and sand, drop the signs into the pipe and remove the pipe and signs in the fall to allow for snow plowing. Signage to be added include: a Stop Sign on West Main & East First, two speed limit signs - one at West Main above the restaurant and one at West Main and Fourth. There has been a request for a Dead-End sign on Main Street below the school. Additional speed bumps and speed bump signs are also being installed. Tim reported that he has observed that the worst offenders live in town – set a good example! Soft traffic control is the goal. Richard Wells asked if speed bumps include east Main street and Tim said that they plan to put one across Main at E 3rd as well as on Park at West 7th. Anyone who wants to help is invited to contact Tim.

G. New Business

a. Consider approval of 2018 Slow-Groovin liquor license, Ron – Ron reported that this is an annual approval. He has not had any complaints about the liquor service at Slow-Groovin. He asked Ryan to recuse himself. Mike Yellico made the motion to approve the liquor license. Tim Hunter seconded and the motion passed 3-0, with Ryan recusing himself.

b. Set public hearing to consider approval of up-dated Marble OWTS regulations, Ron – The current regulations were adopted in 2015. The state has upgraded their standards since then, and to stay in synch with those, Ron & Kendall are working on updating Marble's regulations. The deadline to submit the updated regulations to the state is June 30. A public hearing is necessary and Ron recommends holding that on May 21. Tim Hunter made a motion to hold a public hearing on the new OWTS regulations on May 21. Max Gibbons seconded and the motion passed unanimously.

c. Consider letter of support & donation to Coal Basin Monument, Dorthea Farris – Dorthea could not attend. Ron explained that this monument will be in honor of those who lost their lives in the mine. Fifteen of those were from Redstone, Carbondale and GWS, and this had a significant effect on those towns. Miners helped shape the town of Marble and the whole area, and Marble residents died in other accidents there. Cost of the monument is \$6,000. They are asking for a letter of support and a donation. Ron suggests a donation of \$1000. Gary Bascom spoke in support of this project. Nial O'Conner asked about reaching out to the quarry for a donation of marble for the project as an additional donation from Marble. Mike Yellico made a motion to donate \$1000 and send letter of support. Max Gibbons seconded and the motion passed unanimously. Ryan will reach out to Dorthea Farris to ask if they would like the town to pursue a donation of marble.

d. Discussion regarding bon fire pile at Mill Site Park, Mike - In order to build a good bonfire for the New Year's Eve, Mike Yellico is asking for permission to start a fuel pile beginning immediately using the dead wood to be cleaned up from the park. Richard Wells asked for a better solution than piling it in the middle of the park all summer. Ryan suggested starting the collection after MarbleFest (Aug. 11 & 12). Nial asked about having the bonfire as part of MarbleFest rather than New Year's and having it in another location. Mike explained that the middle of the ice rink in the winter is the safest place for a large fire. It was agreed to wait to collect fuel until after MarbleFest.

e. Discussion regarding paid parking and booting of vehicles south of fire station, Mike – Mike Yellico is suggesting having a drop box and envelopes for paid parking with noncompliant vehicles being booted. He said that the county has agreed to work on the berms near the restaurant to provide more free parking, but that will not solve the parking problems. Connie Hendrix asked if anything could be done about people parking trailers & RVs in residential areas for days at a time. Ryan said he would like to see the town develop more parking and put the previously developed parking plan into effect. Tim Hunter suggested the area near Slate Creek as a paid parking lot. Gary Bascom spoke against booting. He said that other solutions should be explored. Mike said he is responding to complaints from citizens. Amber McMahill suggested forming a sustainable tourism committee to work on these and other issues. Katie suggested coming with concrete ideas and solutions. Max Gibbons said that the root of the problem is the lack of parking. Richard agreed with Ryan about implementing the parking plan that has been drawn up. Further work on this needs to be done.

f. Other

H. Public Comment – Amber McMahill said that there will be a HUB cleanup day on Saturday from 9-2. Since it is Cinco de Mayo there will be a taco bar for lunch. She introduced Rebecca Branson as the new operations manager. Rebecca is looking for volunteers to staff the HUB this summer.

Richard Wells welcomed the new trustees and the mayor.

a. Other

I. Adjourn - Tim Hunter made the motion to adjourn. Max Gibbons seconded, the motion passed unanimously and the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Terry Langley

Attachments

HUB report

Town of Marble
Balance Sheet
As of June 7, 2018

	<u>Jun 7, 18</u>
ASSETS	
Current Assets	
Checking/Savings	
*General Fund -0240	60,118.46
Campground Account	52,846.55
Money Market -1084	87,897.99
Severence/Mineral Proceeds	143,760.91
Water Fees -0873	24,025.06
Total Checking/Savings	<u>368,648.97</u>
Total Current Assets	<u>368,648.97</u>
TOTAL ASSETS	<u><u>368,648.97</u></u>
LIABILITIES & EQUITY	0.00

Town of Marble
Deposit Detail-General Fund
May 2018

Date	Name	Memo	Account	Amount
05/09/2018		Deposit	*General Fund -0240	2,791.73
		SUP Marble, C Fowler, ...	Business Licenses	-150.00
		A&C Smith, Marble Water	Business Licenses	-100.00
		February 2018	Sales Tax	-274.42
	Gunnison County Colorado Stone Quarry CSQ	Deposit	Colorado Stone Use Agreement	-2,267.31
TOTAL				-2,791.73
05/21/2018		Deposit	*General Fund -0240	5,250.00
		Beaver Lake, CSQ, Jeep...	Business Licenses	-150.00
		Hendrix, Ridgehouse	Business Licenses	-100.00
		overpaid 1 tap fee/refund	Marble Water Co 2017 Tap Fee	-5,000.00
TOTAL				-5,250.00
05/29/2018		Deposit	*General Fund -0240	360.95
		Savage	Business Licenses	-50.00
		Holy Cross Equity	Non-Specified	-10.95
	Colorado Stone Quarry CSQ	Deposit	Colorado Stone Maintenance Reim	-300.00
TOTAL				-360.95

Town of Marble
Deposit Detail-Money Market Fund
May 2018

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
05/03/2018		Deposit	Money Market -1084	13.75
	State of Colorado	Deposit	Cigarette Tax	-13.75
TOTAL				-13.75
05/08/2018		Deposit	Money Market -1084	1,238.30
	State of Colorado	Deposit	Sales Tax	-1,238.30
TOTAL				-1,238.30
05/10/2018		Deposit	Money Market -1084	4,631.15
	Gunnison County	Deposit	Additional License Tax	-39.00
	Gunnison County	Deposit	Property Tax	-4,574.20
	Gunnison County	Deposit	Specific Ownership Tax	-109.83
	Gunnison County	Deposit	Treasurers Fees	91.88
TOTAL				-4,631.15
05/16/2018		Deposit	Money Market -1084	889.09
	State of Colorado	Deposit	Highway Use Tax (HUTF)	-889.09
TOTAL				-889.09

TOTAL 6772.29

Town of Marble
Deposit Detail-Water Fund
May 2018

Date	Memo	Account	Amount
05/21/2018	Deposit	Water Fees -0873	2,860.00
	x14	Water Fees	-1,820.00
	x8	Water Fees	-1,040.00
TOTAL			-2,860.00
05/29/2018	Deposit	Water Fees -0873	8,190.00
	Deposit	Water Fees	-2,340.00
	Deposit	Water Fees	-2,080.00
	Deposit	Water Fees	-1,820.00
	Deposit	Water Fees	-1,820.00
	Deposit	Water Fees	-130.00
TOTAL			-8,190.00

TOTAL 11050.00

Town of Marble
Deposit Detail-Campground Account
May 2018

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
05/02/2018		Deposit	Campground Account	269.29
		Deposit	Campground Rentals	-245.00
		Deposit	Sales Tax	-24.29
TOTAL				-269.29
05/03/2018		Deposit	Campground Account	175.86
		Deposit	Campground Rentals	-160.00
		Deposit	Sales Tax	-15.86
TOTAL				-175.86
05/04/2018		Deposit	Campground Account	153.88
		Deposit	Campground Rentals	-140.00
		Deposit	Sales Tax	-13.88
TOTAL				-153.88
05/07/2018		Deposit	Campground Account	38.47
		Deposit	Campground Rentals	-35.00
		Deposit	Sales Tax	-3.47
TOTAL				-38.47
05/07/2018		Deposit	Campground Account	296.76
		Deposit	Campground Rentals	-270.00
		Deposit	Sales Tax	-26.76
TOTAL				-296.76
05/08/2018		Deposit	Campground Account	516.59
		Deposit	Campground Rentals	-470.00
		Deposit	Sales Tax	-46.59
TOTAL				-516.59
05/10/2018		Deposit	Campground Account	126.40
		Deposit	Campground Rentals	-115.00
		Deposit	Sales Tax	-11.40
TOTAL				-126.40
05/11/2018		Deposit	Campground Account	274.78
		Deposit	Campground Rentals	-250.00
		Deposit	Sales Tax	-24.78
TOTAL				-274.78
05/14/2018		Deposit	Campground Account	406.68
		Deposit	Campground Rentals	-370.00
		Deposit	Sales Tax	-36.68

Town of Marble
Deposit Detail-Campground Account
May 2018

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
TOTAL				-406.68
05/14/2018		Deposit	Campground Account	646.81
		Deposit	Campground Rentals	-590.00
		Deposit	Sales Tax	-56.81
TOTAL				-646.81
05/15/2018		Deposit	Campground Account	38.47
		Deposit	Campground Rentals	-35.00
		Deposit	Sales Tax	-3.47
TOTAL				-38.47
05/16/2018		Deposit	Campground Account	745.74
		Deposit	Campground Rentals	-680.00
		Deposit	Sales Tax	-65.74
TOTAL				-745.74
05/17/2018		Deposit	Campground Account	269.29
		Deposit	Campground Rentals	-245.00
		Deposit	Sales Tax	-24.29
TOTAL				-269.29
05/18/2018		Deposit	Campground Account	445.15
		Deposit	Campground Rentals	-405.00
		Deposit	Sales Tax	-40.15
TOTAL				-445.15
05/21/2018		Deposit	Campground Account	76.94
		Deposit	Campground Rentals	-75.00
		Deposit	Sales Tax	-1.94
TOTAL				-76.94
05/21/2018		Deposit	Campground Account	379.20
		Deposit	Campground Rentals	-345.00
		Deposit	Sales Tax	-34.20
TOTAL				-379.20
05/22/2018		Deposit	Campground Account	148.38
		Deposit	Campground Rentals	-135.00
		Deposit	Sales Tax	-13.38
TOTAL				-148.38
05/23/2018		Deposit	Campground Account	902.90
		Deposit	Campground Rentals	-820.00

Town of Marble
Deposit Detail-Campground Account
May 2018

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
		Deposit	Sales Tax	-82.90
TOTAL				-902.90
05/24/2018		Deposit	Campground Account	76.94
		Deposit	Campground Rentals	-75.00
		Deposit	Sales Tax	-1.94
TOTAL				-76.94
05/25/2018		Deposit	Campground Account	115.41
		Deposit	Campground Rentals	-105.00
		Deposit	Sales Tax	-10.41
TOTAL				-115.41
05/29/2018		Deposit	Campground Account	38.47
		Deposit	Campground Rentals	-35.00
		Deposit	Sales Tax	-3.47
TOTAL				-38.47
05/29/2018		Deposit	Campground Account	329.74
		Deposit	Campground Rentals	-300.00
		Deposit	Sales Tax	-29.74
TOTAL				-329.74
05/29/2018		Deposit	Campground Account	897.38
		Deposit	Campground Rentals	-815.00
		Deposit	Sales Tax	-82.38
TOTAL				-897.38
05/30/2018		Deposit	Campground Account	478.11
		Deposit	Campground Rentals	-435.00
		Deposit	Sales Tax	-43.11
TOTAL				-478.11

TOTAL 7847.64

Town of Marble
Check Register
 June 7, 2018

Date	Num	Account	Amount
Century Link			
06/07/2018	10297	Utilities	-196.97
06/07/2018	10297	Utilities	-196.96
Total Century Link			-393.93
Coal Basin Monument Project			
06/07/2018	10304	Unclassified	-1,000.00
Total Coal Basin Monument Project			-1,000.00
Colorado Mountain News Media			
06/07/2018	10298	Elections	-23.73
06/07/2018	10298	Elections	-22.22
Total Colorado Mountain News Media			-45.95
Colorado Site Services LLC			
06/07/2018	10299	Earth Day Expenses	-5,406.25
Total Colorado Site Services LLC			-5,406.25
Daly Property Services, Inc.			
06/07/2018	10303	Snow & Ice Removal	-580.00
Total Daly Property Services, Inc.			-580.00
Holy Cross Electric			
06/07/2018	10294	Campground/Office Expenses	-20.20
06/07/2018	10294	Campground/Office Expenses	-20.21
06/07/2018	10294	Utilities	-0.18
Total Holy Cross Electric			-40.59
Law of the Rockies			
06/07/2018	10300	Legal Expense	-1,050.92
Total Law of the Rockies			-1,050.92
Marble Community Church			
06/07/2018	10292	Rent	-50.00
Total Marble Community Church			-50.00
Marble Water Company			
06/07/2018	10296	Utilities	-65.00
06/07/2018	10296	Campground/Office Expenses	-65.00
Total Marble Water Company			-130.00
Sopris Engineering LLC			
06/07/2018	10295	Engineering	-275.00
Total Sopris Engineering LLC			-275.00
Trailhead Technologies, Inc.			
06/07/2018	10301	Office Expense	-270.00
Total Trailhead Technologies, Inc.			-270.00
USPS			
06/07/2018	10302	Office Expense	-50.00
Total USPS			-50.00
Valley Garbage Solution, LLC			
06/07/2018	10293	Playground & Park Improvements	-110.00
Total Valley Garbage Solution, LLC			-110.00
TOTAL			-9,402.64

Town of Marble
Checks Issued Between Meetings
May 4 through June 6, 2018

<u>Date</u>	<u>Num</u>	<u>Account</u>	<u>Amount</u>
Jim Aarts			
05/21/2018	10291	Campground/Office Expenses	-1,390.40
Total Jim Aarts			-1,390.40
Marble Water Company			
05/21/2018	10290	Marble Water Co Payment	-20,000.00
Total Marble Water Company			-20,000.00
TOTAL			-21,390.40

05/31/18

Town of Marble
Payroll Report
June 2018

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Type</u>	<u>Amount</u>
Charles R Manus 06/07/2018	10305	Charles R Manus	Paycheck	<u>-646.45</u>
Total Charles R Manus				-646.45
James J Aarts 06/07/2018	10306	James J Aarts	Paycheck	<u>-1,111.37</u>
Total James J Aarts				-1,111.37
Jennifer Cutright 06/07/2018	10307	Jennifer Cutright	Paycheck	<u>-230.88</u>
Total Jennifer Cutright				-230.88
Ronald S Leach 06/07/2018	10308	Ronald S Leach	Paycheck	<u>-1,046.55</u>
Total Ronald S Leach				<u>-1,046.55</u>
TOTAL				<u><u>-3,035.25</u></u>

Town of Marble Budget vs. Actual

January through December 2018

	Jan - Dec 18	Budget	\$ Over Budget	% of Budget
Income				
Intergovernmental				
Additional License Fee	0.00	1,000.00	-1,000.00	0.0%
Cigarette Tax	48.73	0.00	48.73	100.0%
Colo Trust Fund	301.17	0.00	301.17	100.0%
Highway Use Tax (HUTF)	4,294.97	11,000.00	-6,705.03	39.0%
Mineral Lease Proceeds	0.00	6,000.00	-6,000.00	0.0%
Sales Tax	5,616.65	30,000.00	-24,383.35	18.7%
Severance Tax	0.00	10,000.00	-10,000.00	0.0%
Intergovernmental - Other	1,036.47			
Total Intergovernmental	11,297.99	58,000.00	-46,702.01	19.5%
Licenses & Permits				
Building Permits	0.00	3,000.00	-3,000.00	0.0%
Business Licenses	600.00	1,000.00	-400.00	60.0%
Driveway Access Permits	0.00	300.00	-300.00	0.0%
Septic Permits	0.00	1,000.00	-1,000.00	0.0%
Licenses & Permits - Other	0.00	500.00	-500.00	0.0%
Total Licenses & Permits	600.00	5,800.00	-5,200.00	10.3%
Other Revenue				
Campground Rentals	17,115.00	40,500.00	-23,385.00	42.3%
Colorado Stone Maintenance Reim	1,500.00	3,300.00	-1,800.00	45.5%
Colorado Stone Use Agreement	11,336.55	27,208.00	-15,871.45	41.7%
Donations	0.00	500.00	-500.00	0.0%
Holy Cross Electric Rebates	297.36	500.00	-202.64	59.5%
Interest Income	52.02	500.00	-447.98	10.4%
Non-Specified	1,823.03	1,000.00	823.03	182.3%
Pheromone Patches	0.00	3,000.00	-3,000.00	0.0%
Transfers (In) Out	0.00	20,000.00	-20,000.00	0.0%
Total Other Revenue	32,123.96	96,508.00	-64,384.04	33.3%
Taxes				
Additional License Tax	220.50	100.00	120.50	220.5%
Property Tax	13,598.78	20,950.00	-7,351.22	64.9%
Property Tax Interest	0.00	100.00	-100.00	0.0%
Special Use & Sales Tax	0.00	0.00	0.00	0.0%
Specific Ownership Tax	594.81	1,500.00	-905.19	39.7%
Total Taxes	14,414.09	22,650.00	-8,235.91	63.6%
Total Income	58,436.04	182,958.00	-124,521.96	31.9%
Gross Profit	58,436.04	182,958.00	-124,521.96	31.9%
Expense				
General Government				
Abated Tax	0.00	0.00	0.00	0.0%
Civic Engagement Fund	1,500.00	5,000.00	-3,500.00	30.0%
Elections	2,110.88	2,000.00	110.88	105.5%
Marble Fest	250.00	3,000.00	-2,750.00	8.3%
Rent	300.00	600.00	-300.00	50.0%
Salaries				
Enforcement Officer	0.00	5,000.00	-5,000.00	0.0%
Park Employee	3,475.00	6,500.00	-3,025.00	53.5%
Town Clerk	7,800.00	15,600.00	-7,800.00	50.0%
Salaries - Other	2,750.00	6,000.00	-3,250.00	45.8%
Total Salaries	14,025.00	33,100.00	-19,075.00	42.4%
Treasurers Fees	274.11	500.00	-225.89	54.8%
Tree Maintenance Program	0.00	5,000.00	-5,000.00	0.0%
Unclassified	1,135.98	1,000.00	135.98	113.6%
Total General Government	19,595.97	50,200.00	-30,604.03	39.0%
General Government - Operating				
Dues & Fees	0.00	300.00	-300.00	0.0%
Legal Publication	86.29	1,000.00	-913.71	8.6%
Marble Water Co 2017 Tap Fee	5,000.00	0.00	5,000.00	100.0%
Marble Water Co Monitoring Well	0.00	0.00	0.00	0.0%
Marble Water Co Payment	20,000.00	20,000.00	0.00	100.0%
Office Expense	2,696.70	3,500.00	-803.30	77.0%
Payroll Tax	1,072.92	2,500.00	-1,427.08	42.9%
Workshop/Travel	375.00	1,000.00	-625.00	37.5%
Total General Government - Operating	29,230.91	28,300.00	930.91	103.3%
Other Purchased Services				
Bank Building Maintenance	0.00	0.00	0.00	0.0%
Campground/Office Expenses	8,778.79	10,000.00	-1,221.21	87.8%
Earth Day Expenses	5,406.25	5,500.00	-93.75	98.3%
Grant Writing	0.00	4,000.00	-4,000.00	0.0%
Liability & Worker Comp Insc	2,046.25	4,000.00	-1,953.75	51.2%
Playground & Park Improvements	830.02	1,500.00	-669.98	55.3%
Utilities	1,779.28	1,500.00	279.28	118.6%
Total Other Purchased Services	18,840.59	26,500.00	-7,659.41	71.1%

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	Jan - Dec 18	Budget	\$ Over Budget	% of Budget
Purchased Professional Services				
Accounting and Audit	0.00	10,000.00	-10,000.00	0.0%
Engineering	275.00	8,958.00	-8,683.00	3.1%
Legal Expense	12,903.80	20,000.00	-7,096.20	64.5%
Municipal Court	0.00	5,000.00	-5,000.00	0.0%
Total Purchased Professional Services	13,178.80	43,958.00	-30,779.20	30.0%
Roads				
Snow & Ice Removal	14,464.30	25,000.00	-10,535.70	57.9%
Street Maintenance	0.00	20,000.00	-20,000.00	0.0%
Total Roads	14,464.30	45,000.00	-30,535.70	32.1%
Total Expense	95,310.57	193,958.00	-98,647.43	49.1%
Net Income	-36,874.53	-11,000.00	-25,874.53	335.2%

MARBLE PARK MEMORANDUM OF UNDERSTANDING

THIS MARBLE PARK MEMORANDUM OF UNDERSTANDING (the "MOU") is entered into this ____ day of _____, 2018 (the "Effective Date"), by and between the Town of Marble ("Town") and the Aspen Valley Land Trust, a Colorado nonprofit corporation ("AVLT") (collectively, referred to as the "Parties" and individually, as a "Party").

A. Purpose and Duration. AVLT is under consideration for the donation of the Marble Park, described as Lots F, G, H, I, K, M N, O, P and Q, Block 15, Town of Marble, according to the plat recorded October 2, 1975 at Reception No. 307946, also known as 212 E. Main Street, Marble, CO 81623 ("Property"). During the past several years, the Town has used the Property for its community members to enjoy an in-town outdoor space. In exchange for AVLT allowing the Town to use the Property as a public park, the Town agrees to routinely maintain the Property in its current condition including mowing, bathroom maintenance, and trashcan emptying. The Parties have entered into this MOU for the purpose of establishing certain terms, conditions, and obligations regarding the Town's use and maintenance of the Property. This MOU does not prohibit the Parties from entering into additional agreements as mutually desired. The Town's use of the property is at the sole discretion of AVLT and may be discontinued if AVLT feels necessary. This MOU shall remain in effect until it is expressly terminated by the parties. The MOU may be terminated by mutual agreement of both parties at any time, or by either party upon 60 days' advance notice to the other party.

B. Property Donation. By executing this MOU, AVLT hereby confirms that it intends to accept the donation of the Property, and that there are no restrictions of title on the Property that would interfere with the Property being maintained and used as a public park. The deed restrictions on the title to the Property state that:

- 1) The Property shall be forever owned by an educational institution, charity, nongovernmental entity or nonprofit entity.
- 2) The Property shall be forever maintained as open space with only low-impact recreational features and improvements permitted, including but not limited to ball fields, swing set and playground, fencing, picnic areas, signs and sign kiosks, and an irrigation pump house. Residential and commercial structures or improvements shall be prohibited on the Property. Permanent roofed structures or buildings are prohibited, except as permitted by this paragraph.
- 3) The Property shall be forever made available to the public for as much of the year as is possible, barring any temporary safety or maintenance closures, and in particular shall be open to and available for use by the local school, which at the time of conveyance is the Marble Charter School.
- 4) The Property shall not be permitted to be developed or used for parking, except around the perimeter, including one row of angle or perpendicular parking on the south side of the Property.

These restrictions shall run with the land and burden and bind all future successor owners of the Property.

The public's use of the Property shall not be prohibited or impaired by the terms of this MOU, except as occasionally and temporarily necessary for property maintenance, safety reasons, hosting of certain events, and other approved purposes.

C. Town of Marble Contribution. In exchange for use of the Property as described herein, the Town will be in charge of routine maintenance of the Property, or coordinate with someone to do so, as described below. In addition, the Town may use the Property for special events subject to agreement with AVLT and additional fees as deemed appropriate by AVLT at the time.

D. Maintenance of and Improvements to the Property. The Town shall be responsible for exercising reasonable care in maintaining and repairing the Property for safe use as a public park on a day-to-day basis (as conditions allow in the winter, or weekly in the summer); however, AVLT makes no warranty, express or implied, of any kind or nature concerning the safety, condition, suitability, or use of the Property for the Town. The Town or anyone using the Property with the express or implied consent of the Town shall use the Property at their own risk. In the event that the Town discovers a hazardous condition on the Property, the Town shall notify AVLT immediately and may undertake to repair and remediate the hazardous condition. All non-emergency management activities and hazard mitigation that the Town desires to undertake shall be approved by AVLT prior to taking action. The Town shall otherwise maintain the Property in good condition and repair at its own expense as related to its use thereof, including: periodic mowing of grass as necessary to maintain a neat appearance; removal of all trash, downed tree limbs, and debris; port-a-potty maintenance; dog pot maintenance; and generally maintaining the Property as a safe and welcoming place for the public and community of Marble. The Town shall not permit, commit or allow waste, impairment or deterioration of the Property by its use other than reasonable wear and tear.

The Town shall not be responsible for capital improvements or maintenance of structures installed by AVLT after the date of this MOU unless otherwise agreed, nor for Acts of God nor other substantial damage or changes to the Property caused by forces outside of the Town's control, nor for illegal or improper use of the Property by the public. The Town agrees that any improvements made to the Property by the Town, and the cost and responsibility of maintaining such improvements, shall be the Town's sole responsibility unless otherwise mutually agreed in writing. The Town agrees to seek written approval from AVLT prior to installing or making additional improvements to the Property, which shall be granted at AVLT's sole discretion and only upon consultation with the Marble Charter School to ensure consistency with the terms of the deed restrictions and consistency with the goals and uses of the Marble Charter School. The Town agrees to notify AVLT if it observes damage to the Property, identifies maintenance or repair needs beyond the scope of the Town's maintenance obligations, or observes improper or illegal use of the Property.

E. Use of Property. The Town shall be allowed to use the Property consistent with its historical practices and the terms of the deed restrictions and this MOU at no charge. The right for the Town to use the Property shall be for as long as AVLT owns the Property or as long as AVLT

agrees, subject to the terms and conditions specified herein. Additional use of the Property by the Town shall be at the sole discretion of AVL T, as Property availability and capacity allow.

Should the Property fall into disrepair under the Town's management, or due to Acts of God or illegal or improper use by the public, or should maintenance requirements exceed the Town's or AVL T's capacity to maintain the Property in a safe and welcoming condition, AVL T shall have the right to close the Property to public and Town use until such time as the conditions can be repaired, or to remove any improvements that have fallen into disrepair resulting in unsafe or unsightly conditions.

Approval of improvement requests will be at the sole discretion of AVL T and will be required to adhere to AVL T's approval process. All requests must be submitted in writing and approved by AVL T's Board of Directors.

F. Management by AVL T. AVL T shall maintain payment of taxes and insurance, and provide for maintenance of any improvements provided by AVL T on the Property. AVL T shall not reimburse the Town for routine maintenance costs unless otherwise approved in writing.

G. Indemnification. To the extent permitted by law, the Town shall indemnify and hold AVL T harmless from and against any liability for personal injury or property damage, including, without limitation, all attorney's fees and costs arising out of any acts undertaken under or pursuant to this MOU, while the MOU is in effect, by the Town, or its agents or employees acting within their scope of work on behalf of the Town, including undertaking emergency or non-emergency management, maintenance, construction, or hazard mitigation. This provision shall not be construed to waive or limit any rights or defenses against liability available to the Town pursuant to law, including but not limited to the rights and defenses available pursuant to the Colorado Governmental Immunity Act, C.R.S. 24-10-101, *et seq.* and Article 11, Section 1 of the Colorado Constitution.

H. Liability Insurance. The Parties shall each maintain liability insurance, with limits recommended by their respective insurance carriers and with additional special event coverage. The Town shall name AVL T as an additional insured for all activities or events undertaken on the Property.

I. Subject to Annual Appropriation. This MOU shall not be construed to create a multi-year contract under C.R.S. § 29-1-110. The Town's obligations hereunder shall extend only to monies currently appropriated and shall not constitute a mandatory charge, requirement or liability in any ensuing fiscal year beyond this current fiscal year. If funds for any purpose under this MOU are not appropriated for any subsequent fiscal year, any obligations requiring such an appropriation shall be void ab initio and unenforceable without penalty or further obligation of the Town. Likewise, if any provision in this MOU is determined to constitute a violation of any Colorado law, including the Local Government Budget Law, such provision shall be deemed void ab initio. This provision shall supersede any conflicting provisions in this MOU establishing any monetary obligation beyond the current fiscal year. In the event the Town fails to appropriate funds necessary to comply with this MOU, AVL T may terminate the MOU.

J. Signatures. In witness whereof, the Parties, through their authorized representatives, have executed this MOU on the date set forth above and certify that they have read, understood, and agree to the terms and conditions of this MOU as set forth herein. This MOU may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall constitute one and the same.

Signatures on following page

ASPEN VALLEY LAND TRUST

Suzanne Stephens, Executive Director

TOWN OF MARBLE

Ryan Vinciguerra, Mayor

ATTEST:

Ron Leach, Town Clerk

Town of Marble
Ordinance Number 2
Series of 2018

AN EMERGENCY ORDINANCE ADOPTING FIRE RESTRICTIONS

WHEREAS:

- A. The Town of Marble (the "Town") is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*;
- B. The Town's Board of Trustees ("Board") has determined that, due to extremely dry weather conditions present in the Town and surrounding areas, the danger of forest or grass fires in the Town is high at this time;
- C. C.R.S. § 31-15-401(1)(q)(I) authorizes the Town to "control and limit fires, including but not limited to the prohibition, banning, restriction, or other regulation of fires and the designation of places where fires are permitted, restricted, or prohibited."
- D. C.R.S. § 12-28-107 authorizes the Town to regulate the use of fireworks; and
- E. Fire restrictions are currently necessary and appropriate throughout the Town to reduce the danger of wildfires;

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

- 1. The following activities are prohibited throughout the Town:
 - i. Open fires, including agricultural burning, wood or charcoal fires, and the burning of trash or debris;
 - ii. Building, maintaining, attending or using a campfire outside of designated, developed campgrounds;
 - iii. Use of fireworks or explosives;
 - iv. Any activity described in Section 2, below, that is conducted outside of the limitations set forth therein.
- 2. Notwithstanding the foregoing, the following activities are permitted, but only in accordance with the described limitations:
 - i. Smoking outdoors, but only in an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren and has been cleared of all flammable material.
 - ii. Cooking on manufactured charcoal, liquid fuel and propane grills;

iii. Campfires with flame length not exceeding two feet in height in pre-fabricated concrete/metal fire enclosures in established campgrounds.

iv. Welding or operating acetylene torches with flame is allowed ONLY in cleared areas of at least 10 feet in diameter and where the operator is in possession of a chemical-pressurized fire extinguisher with a minimum rating of 2A.

v. Operating a chainsaw is allowed ONLY if the device includes a USDA Forest Service or SAE approved spark arrester, and where the operator is in possession of a chemical-pressurized fire extinguisher with a minimum rating of 2A.

3. Violation of this ordinance shall be punishable by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment.

4. Emergency Certification. It is hereby found and declared by the Town of Marble that wildfires are likely to result in infliction of serious personal injury or death, and are likely to result in substantial injury or destruction of property within its jurisdiction, and it is necessary that this ordinance become effective immediately. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

5. This Ordinance shall expire on September 30, 2018 unless sooner expressly repealed or amended by a subsequent Ordinance passed by the Board.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED IN FULL this ____ day of June, 2018 by a vote of ____ in favor and ____ opposed.

TOWN OF MARBLE:

ATTEST:

Ryan Vinciguerra, Mayor

Ron Leach, Clerk