

Town of Marble
Regular Meeting of the Board of Trustees
November 1, 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. Consider approval of AVLTT MOU regarding Thompson Park, Ryan
- D. Clerk Report
 - a. Current bills payable 11/1/18, Ron
 - b. Discussion of 2019 draft budget, Ron
 - i. Set date for public hearing to adopt 2019 budget
 - ii. Other
 - c. Other
- E. Current Land Use Issues
 - a. Other
- F. Old Business
 - a. Lead King Loop Committee up-date, Ron
 - b. Continued discussion of Adopting Paid Parking Plan, Ryan
 - i. Discussion of SBA deed restrictions at Mill Site Park, Ryan
 - c. Other
- G. New Business
 - a. Other
- H. Adjourn

Town of Marble
Regular Meeting of the Board of Trustees
October 4, 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 7:06 p.m. Present: Ryan Vinciguerra, Charlie Manus, Larry Good, and Emma Bielski. Absent: Tim Hunter. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.
- B. Approve previous minutes – Charlie Manus made a motion to approve the minutes of Sept. 6, 2018. Larry Good seconded and the motion passed unanimously. Charlie Manus made a motion to approve the minutes of Sept. 20, 2018. Larry Good seconded and the motion passed unanimously.
- C. Mayor's Comments – Oct. 11 at 6:00 p.m. the County Commissioners and Forest Service will be here for a special meeting. Oct. 17 will be the community night at Slow Groovin' at 5:00 p.m.
 - a. Current bills payable 9/6/18, Ron – Bills are listed on page 16 of the packet. Larry Good made a motion to approve the bills for payment. Emma Bielski seconded and the motion passed unanimously.
 - b. Discussion of 2019 draft budget, Ron – The 2019 budget needs to be adopted by Dec. 15, 2018. On page 21, Ron said that parking fees of \$50,000 were added to revenue. On page 22, expenditures for the parking program of \$30,000 has been added. This includes a salary for a parking host, payments to the HUB for administering the program (20% of revenue) and the purchase of a vehicle for use by the parking host. Under General Government (page 22), Personnel Costs: Parking host (TBD), Town Administrator (Ron Leach), Enforcement Officer (TBD), Park Employee (Charlie Manus), Administrative Assistant (Terry Langley), Bookkeeper (Jenny Cutright), Campground Host (Jim Aarts) and the Court System. Charlie Manus suggested estimated costs for paving the Mill Site parking area and the roundabout area. Ryan asked about lowering the estimated sales tax revenues as they came in lower than estimated last year. He also asked about the Colorado Stone use agreement and the difference between the estimated and actual funds received (pg. 18). Ron explained that these reflected payments through September so there are three months of payments remaining. Ryan had a question about including the Donation line item. This was a gift toward MarbleFest (MF). Because this can't be counted on each year, Ryan does not feel it should be included in the budget. Larry suggested using the actual cost of MF on the MF line item in the budget. Larry asked if the Municipal Court budget estimate included web development/presence and, if not, he suggests researching and adding it. Emma suggested overextending estimates for the Court system and Enforcement Officer and adjusting as we learn more. Ron will add \$3,000 to each. Emma asked about the Marble Water Company expenses. The payments to MWC were for tap fees at the campground and that is paid in full. The other payment is for the debt on the tank and comes in from Marble property owners. Steve Lucht explained that this was originally a 40-year loan and there are 24 years remaining. More information is contained in the audit. Larry asked about transfers on page 18. Linda Adams asked why, if MWC is a business, why does the town collect the

money for the tank? Judy Morande explained that the town collects more than the \$20,000 and the excess is put into a separate account. She said this was an agreement between the town and MWC. Ryan asked what that excess is used for and Ron explained that this will go toward next year's payment and will translate into a lower bill to citizens next year. Mike Yellico asked if there was a plan to connect property owners in East Marble. Steve said that they have a cost estimate, but not an actual plan. The tank lowers everyone's fire rating and saves everyone on insurance. Larry asked about the road budget and plans for road improvements. Ryan said the plan is to touch up 4th and continue on Main this year. Charlie Manus said West 4th Street needs to be finished. Richard Wells suggests work on East 2nd and the road by Thompson Park due to the potholes and dust. Ron said Main was scheduled for this year, W 4th for next year and E 2nd could possibly be next. Ron asked if the board was happy with leaving the snow removal with Daly Property Management and they said that they are. Larry asked if there were planned improvements for Thompson Park and Ryan explained that they received an amended Memorandum of Understanding (MOU) for Aspen Valley Land Trust (AVLT) and it is being reviewed by Kendall Burgemeister. Larry said there are some safety issues that need to be addressed. Emma asked that some funds be budgeted for this. There are currently funds for both Thompson & Mill Site parks in the budget. Larry asked if any of the \$5,000 budgeted for this year has been spent and it has. Larry asked that the amount budgeted for 2019 be increased to \$8,000. Ryan said that AVLT is working on a grant as well. Mike Yellico suggested budgeting for lawn care for the parks and he will explore the cost of that. Ryan asked that some funds be budgeted for weed control. Ryan said that Slow Groovin is working on a contract for recycling and that may carry over to a recycling area for the town. Larry suggests adding a line item for recycling and Ryan suggested \$2,000. Larry asked if the Pheromone program is going to be continued and if it was included. Ron said that it is and is under tree maintenance. Emma asked if this was still the most effective method of beetle control. Alex Menard said that spraying was more effective. Ryan asked about the campground and expenses vs. revenue and if some of the expenses were one time or would be ongoing. Jim said they are looking at several cost savings items, including more efficient shower heads, limiting the size of RVs to reduce electricity costs and he suggests joining the Co-Op. He said that they are building up the tool shack.

D. Current Land Use Issues - none

E. Old Business

a. Continued discussion of possible back up well location, Ryan – Ron said that the purpose is to have a site predetermined if there was a need for a back up location for either quality or quantity issues. One possible site is at the Mill Site Park right by the fire station. A monitoring well would need to be drilled to determine flow. If this site was developed, it would require piping up Park Street with a jog around the church to hook into the 1st Street water main for about 1500 feet. At an estimated cost of \$85 per foot this would mean a six-figure project. The next step is to get a water resource engineer for further study. Charlie asked if the Small Business Administration would approve the Mill Site as they are the proprietors of the Mill Site. Ron said they had deeded the park to the town but there are conditions and limits. Richard Wells said he thought they would be willing to work with the town on this. Emma said that being proactive with work to help preserve and protect water in the community is the correct direction to take. Charlie asked if there is an imminent shortage coming up and Ron said that Paul has

not said that. Larry asked if MWC had a concern about a failing well or shortage. Mike Yellico said that the whole purpose of this was addressing the MWC's request for a Plan B, not to address a shortage. Ryan explained that these were just preliminary steps in case it was ever needed. Charlie asked for an estimate of costs for the preliminary work. Jim Aarts suggests catchment tanks to collect extra water. Emma suggests developing a 10-year strategic plan for water issues. Connie Manus said that there are laws concerning catchment water and they would need to be researched.

- a. Continued discussion of Adopting Paid Parking Plan, Ryan asked if Kendall has started on an ordinance. Ron said Kendall thinks he can have this done by the January Meeting. Amber said the web site work is almost done except for some specific details. Base rate is \$25 for truck/trailer/1 OHV. \$25 per OHV for additional. Oversize trailers would be \$50. Jim asked if this parking is within the boundaries of the park and Richards said that it is. This means there may need to be some work done to check with the SBA. Alex Menard said that the town can limit use of Lead King Loop (LKL) by only having 15 spaces. He suggests changing the environment by making spaces where you don't want people to park unparkable by placing large rocks in them. Mike Yellico said that it is not the town's job to control the LKL. He thinks that paid parking is the right direction. Ryan said that they are committed to this and things to be done include: fees, violations, the budget, hours for a paid attendant, etc. Ryan explained that one reason for this is to show the Forest Service and the County that we are working toward a solution. Steve Lucht asked if there was a discussion with Kendall regarding advertising the parking and thus attracting unlicensed vehicles for use on County roads. Jim said that there would be a requirement that OHVs and drivers be licensed. Linda Adams said that this would drive people to park outside of town. She feels that the Forest Service really needs to be involved in this. She encourages citizens to attend and speak up at the Oct. 11 meeting. Mike Yellico said that Gunnison County wanted the town to develop a parking plan. Jim Aarts said that this would move the county and FS to move on the issue. Emma said that we won't know about some of these potential problems until they happen. Connie Manus said that she likes the fact that the town is trying to do something about the parking problem after talking about it for so many years. Emma asked about the possibility of banishing ATVs on CR 3 and the impact on this plan. Discussion of the fee structure followed. Richard encouraged the board to anticipate and address issues that may result from this and to use revenue to continue to work on the issue. Amber asked about operational hours (6 am – 9pm), no overnight parking, if there would be a separate account for parking and signage and notice that parking is full. She asked if there was a marketing/educational plan. Ideas were suggested and included social media, newspaper articles and flyers. Charlie said we need the verbiage before we can get a cost quote. It should include the Ordinance number and could include a beginning and ending date. Richard said that hunters would need overnight parking during the season. Time frames were discussed. Hub closing date, campground closing date and hunting season were taken into consideration and currently it will be Memorial Day – Oct 1. Jim said that the campground was going to charge for ATVs. Brian Sutter recommends a golf card rather than an ATV for the attendant. Richard asked about blocking dates for special event parking. Mike asked about increasing car parking in other areas and Charlie said the original park plan did have additional car parking.
- i. Discussion of parking issue at Marble Charter School – no one was here to speak on this so it was tabled.

- b. Continued discussion of Court System, Ryan – More information needed. Ryan feels that the paid parking plan can move forward without a court system. Amber expressed the opinion that a court system is a slippery slope to start down. Judy Morande said that all towns and cities in the State of Colorado is required have enforcement of their codes and ordinances. This has been addressed by red tagging in the past and we can use other's court systems. Richard wants to see enforcement of parking as part of the plan. Jim Aarts says that it is needed for the parking violations once we can write tickets. Emma feels that we need to look at the goals and needs that a court system would address. Mike thinks that a court system has the potential of being used as a petty neighbor complaint forum. He thinks the county court is able to address serious issues.

E. New Business

- a. Discussion of drone usage in Marble, Mike – Mike said that it is illegal to fly a drone in wildlife areas and in the national forest. He would like to see an ordinance prohibiting drones in the town. Judy asked about enforcement. Mike said that the Gunnison County sheriff would enforce it. Emma agrees with Mike and asked if the ordinance could give permission for them to be shot down. Larry said that there was a difficulty in banning them if citizens want to fly them over their own property. Connie Manus reported having to dodge a drone on her property as a result of erratic wifi and control of a drone. Judy said that if a town ordinance is passed, the town has the responsibility of enforcement. If there is not an ordinance, the county can handle it. Richard said, that besides privacy invasion, there is a problem with flying them in proximity to the airstrip. Mike asked that this be added to the list of items to talk to the county commissioners about.
- b. Other – Terry Langley reported that the community Thanksgiving would be held Nov 10, pending approval by the fire department.
- c. Mike reported on an article in the Aspen paper concerning paddle boarding at Beaver Lake. Ryan said

H. Adjourn - Charlie Manus made a motion to adjourn. Emma Bielski Seconded and the motion passed unanimously. The meeting was adjourned at 9:30 p.m.

Town of Marble
Special Meeting of the Board of Trustees
October 11, 2018

A. Call to order & roll call of the Special Meeting of the Board of Trustees – The meeting was called to order by Mayor Ryan Vinciguerra at 5:03 p.m. Present: Mayor Ryan Vinciguerra, Tim Hunter, Larry Good, Emma Bielski (5:10 p.m.) Absent: Charlie Manus. Also present: Ron Leach, Town Administrator and Terry Langley, Minutes.

B. Mayor's Comments - Ryan thanked everyone for coming and explained that we would start with a Public Hearing and that would be followed by continued discussion of the paid parking plan and the meeting with the Gunnison County Commissioners.

C. Public Hearing: Consider approval of Leach setback variance request for shed, Ron: Ron explained that he is building a storage shed in his back yard. His yard has a 10' setback and the shed will require encroaching into that setback. His neighbor, John Ackerman, has written a letter of support and spoke in favor of granting the variance. Ron has submitted all necessary documentation. In response to a question from Carey Hall, Ryan explained that a variance was required to build something outside of the parameters of town ordinances. Requirements for a variance include a public notice of a public hearing to neighbors within a certain distance at least of 30 days before the hearing. She asked about someone who violates an ordinance without a variance. Examples were given of previous violations and the ensuing actions taken. Steve Finn asked if this would impact the title if the property is sold and Ron felt that it would go with the title. Judy Morande suggested having the variance recorded to make it a legal instrument. Larry Good made a motion to grant a variance to Ron Leach and Lisa Hornbach. Tim Hunter seconded. The motion passed with three yes votes. Emma Bielski abstained due to her late arrival.

D. Continued discussion paid parking plan, Ryan – Larry asked if the plan would need to be submitted to the Small Business Administration (SBA) and Ryan said that this would be part of the process. He said that Kendall would contact the SBA and Ryan suggested continuing to work on the details while waiting to hear from the SBA. Tim Hunter has begun researching signage costs. Marilyn Hall asked if the parking at the Mill Site would be on the National Historic Site and, if so, is that would be allowed. Ryan said that this would be on the existing parking and this would be part of what they check with the SBA about. Steve Finn stated that he feels that this will drive parking up to the base of the already overcrowded Daniels Hill. Steve asked what the council will be asking the commissioners to do to help alleviate all the issues around traffic on the Lead King Loop. Ryan hopes that this encourages the commissioners to begin to help with this. Discussion of enforcement, time limits, possible permits and entrances to the park followed.

Larry Good made a motion to adjourn the special meeting. Emma Bielski seconded. The motion passed unanimously and the special meeting was adjourned at 5:40 p.m.

E. 6:00 PM Attend Gunnison County Commissioners public meeting with Crystal Valley Residents. Two Gunnison County Commissioners, Phil Chamberland and Jonathan Houck led the meeting. Also

attending were representatives from the Forest Service (FS): Shelly Grail, and Rich Doak; representatives from the Sheriff's Department: Undersheriff Mike Markel and Deputy Scott Leon; and Deputy County Manager, Marlene Crosby. A standing-room-only crowd, including all of the Marble Board of Trustees, citizens of Marble and the surrounding area also attended. Mayor Ryan Vinciguerra explained that the popularity of Marble results in challenges that we do not have the infrastructure to handle. He said that the town can work within town limits with such ideas as the proposed paid parking plan, but he feels that there needs to be work together with the FS and the county commissioners. Mr. Chamberlain agreed that the ATV situation is getting harder and working together is the key. Mr. Houck wants to acknowledge the work the town is doing. He feels that this is a volume issue and that it has become a systemic issue and all of the counties need to work together. The county can help by sharing some of the things that are working in other areas. One is deciding what base line values a town wants to protect and how to make old infrastructure work with the changing use/types of vehicles, etc. Mr. Chamberland said it is harder to do this in Marble because there are no other areas to disperse tourists to – it is primarily the Lead King Loop. Citizen input included the need for enforcement of existing laws and regulations, the need and means to restrict the number of people/vehicles using the Lead King Loop (LKL), financial considerations, a need for sanitation facilities, public education, and the need to work in collaboration. The commissioners suggest a committee of 7-8 members with representatives from the county, the Forest Service, the Marble Board of Trustees and citizens of both in and out of town, and law enforcement to sit down together. The county and Forest Service will name their representatives and names of interested citizens were collected. Mr. Houck said that Western State University interns can be a good resource in facilitating planning. Peter Mertz asked to go on record in opposition to parking at the bottom of Daniel's Hill and he submitted a document showing the environmental impact such parking might have.

The commissioners also introduced the Gunnison Public Lands Initiative (GPLI). Members of this group include ranching, winter and summer motorized vehicle enthusiasts, mountain biking, fishermen, back country hunter & outfitters, etc. The idea is to identify public lands that need protection due to their specialness, use, etc. It would not take away existing use. This might include areas adjacent to wilderness areas and public land that would benefit from special management. This group would like to come to Marble to identify areas Marble would like to see protected.

The meeting with the commissioners ended at 8:50 p.m.

Respectfully submitted,

Terry Langley

10:35 AM

10/25/18

Accrual Basis

Town of Marble
Balance Sheet
As of November 1, 2018

	<u>Nov 1, 18</u>
ASSETS	
Current Assets	
Checking/Savings	
*General Fund -0240	34,972.43
Campground Account -6981	81,580.22
Money Market -1084	99,383.51
Severence/Mineral Proceeds-6157	148,703.83
Water Fees -0873	17,098.56
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Total Checking/Savings	381,738.55
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Total Current Assets	381,738.55
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TOTAL ASSETS	381,738.55
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LIABILITIES & EQUITY	0.00

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Town of Marble
Deposit Detail-General Fund
October 2018

Date	Name	Memo	Account	Amount
10/19/2018		Deposit	*General Fund -0240	3,979.41
	Colorado Stone Quarry CSQ	Deposit	Colorado Stone Use Agreement	-2,267.31
	Gunnison County	July 18	Sales Tax	-1,712.10
TOTAL				-3,979.41
10/26/2018		Deposit	*General Fund -0240	451.20
	Colorado Stone Quarry CSQ	Deposit	Colorado Stone Maintenance Reim	-300.00
	Holy Cross Electric	Deposit	Holy Cross Electric Rebates	-151.20
TOTAL				-451.20

Town of Marble
Deposit Detail-Money Market Fund
October 2018

Date	Name	Memo	Account	Amount
10/03/2018		Deposit	Money Market -1084	20.12
	State of Colorado	Deposit	Cigarette Tax	-20.12
TOTAL				-20.12
10/09/2018		Deposit	Money Market -1084	5,482.63
	State of Colorado	Deposit	Sales Tax	-5,482.63
TOTAL				-5,482.63
10/10/2018		Deposit	Money Market -1084	540.66
	Gunnison County	Deposit	Additional License Tax	-76.00
	Gunnison County	Deposit	Property Tax	-333.90
	Gunnison County	Deposit	Specific Ownership Tax	-121.84
	Gunnison County	Deposit	Treasurers Fees	7.77
	Gunnison County	Deposit	Property Tax Interest	-16.69
TOTAL				-540.66
10/18/2018		Deposit	Money Market -1084	730.37
	State of Colorado	Deposit	Highway Use Tax (HUTF)	-730.37
TOTAL				-730.37

Town of Marble
Deposit Detail-Campground Account
October 2018

Date	Name	Memo	Account	Amount
10/01/2018		Deposit	Campground Account -6981	261.59
		Deposit	Campground Rentals	-238.00
		Deposit	Sales Tax	-23.59
TOTAL				-261.59
10/02/2018		Deposit	Campground Account -6981	38.47
		Deposit	Campground Rentals	-35.00
		Deposit	Sales Tax	-3.47
TOTAL				-38.47
10/15/2018		Deposit	Campground Account -6981	38.47
		Deposit	Campground Rentals	-35.00
		Deposit	Sales Tax	-3.47
TOTAL				-38.47
10/22/2018		Deposit	Campground Account -6981	98.92
		Deposit	Campground Rentals	-90.00
		Deposit	Sales Tax	-8.92
TOTAL				-98.92

Town of Marble
Check Register
November 1, 2018

Date	Num	Account	Amount
Aspen Maintenance & Supply			
11/01/2018	10431	Playground & Park Improvements	-59.72
Total Aspen Maintenance & Supply			-59.72
Holy Cross Electric			
11/01/2018	10435	Utilities	-23.98
11/01/2018	10435	Campground/Office Expenses	-257.86
11/01/2018	10435	Campground/Office Expenses	-19.77
Total Holy Cross Electric			-301.61
Marble Community Church			
11/01/2018	10437	Rent	-50.00
Total Marble Community Church			-50.00
Marble Water Company			
11/01/2018	10434	Utilities	-65.00
11/01/2018	10434	Campground/Office Expenses	-65.00
11/01/2018	10434	Campground/Office Expenses	-130.00
Total Marble Water Company			-260.00
Mountain Pest Control, Inc.			
11/01/2018	10432	Campground/Office Expenses	-35.00
Total Mountain Pest Control, Inc.			-35.00
Redi Services LLC			
11/01/2018	10433	Playground & Park Improvements	-300.00
Total Redi Services LLC			-300.00
Terry Langley			
11/01/2018	10429	Office Expense	-304.00
Total Terry Langley			-304.00
USPS			
11/01/2018	10430	Office Expense	-50.00
Total USPS			-50.00
Valley Garbage Solution, LLC			
11/01/2018	10438	Playground & Park Improvements	-113.00
Total Valley Garbage Solution, LLC			-113.00
TOTAL			-1,473.33

10/25/18

Town of Marble
Payroll Report
November 2018

Date	Num	Name	Type	Amount
Charles R Manus				
11/01/2018	10439	Charles R Manus	Paycheck	-672.34
Total Charles R Manus				-672.34
James J Aarts				
11/01/2018	10440	James J Aarts	Paycheck	-1,008.37
Total James J Aarts				-1,008.37
Jennifer Cutright				
11/01/2018	10441	Jennifer Cutright	Paycheck	-240.11
Total Jennifer Cutright				-240.11
Ronald S Leach				
11/01/2018	10442	Ronald S Leach	Paycheck	-2,485.20
Total Ronald S Leach				-2,485.20
TOTAL				-4,406.02

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	143.89	0.00	143.89	100.0%
Colo Trust Fund	0.00	0.00	0.00	0.0%
Highway Use Tax (HUTF)	11,764.49	11,000.00	764.49	106.9%
Mineral Lease Proceeds	2,412.46	6,000.00	-3,587.54	40.2%
Sales Tax	31,862.42	30,000.00	1,862.42	106.2%
Severance Tax	2,470.10	10,000.00	-7,529.90	24.7%
Intergovernmental - Other	1,036.47			
Total Intergovernmental	49,689.83	58,000.00	-8,310.17	85.7%
Licenses & Permits				
Building Permits	900.00	3,000.00	-2,100.00	30.0%
Business Licenses	950.00	1,000.00	-50.00	95.0%
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	1,850.00	5,800.00	-3,950.00	31.9%
Other Revenue				
Campground Rentals	44,850.50	40,500.00	4,350.50	110.7%
Colorado Stone Maintenance Reim	3,000.00	3,300.00	-300.00	90.9%
Colorado Stone Use Agreement	22,673.10	27,208.00	-4,534.90	83.3%
Donations	3,000.00	500.00	2,500.00	600.0%
Holy Cross Electric Rebates	598.50	500.00	98.50	119.7%
Interest Income	116.95	500.00	-383.05	23.4%
Non-Specified	2,248.75	1,000.00	1,248.75	224.9%
Pheromone Patches	1,141.00	3,000.00	-1,859.00	38.0%
Transfers (In) Out	20,000.00	20,000.00	0.00	100.0%
Total Other Revenue	97,628.80	96,508.00	1,120.80	101.2%
Taxes				
Additional License Tax	633.00	100.00	533.00	633.0%
Property Tax	20,346.45	20,950.00	-603.55	97.1%
Property Tax Interest	66.43	100.00	-33.57	66.4%
Special Use & Sales Tax	0.00	0.00	0.00	0.0%
Specific Ownership Tax	1,195.90	1,500.00	-304.10	79.7%
Total Taxes	22,241.78	22,650.00	-408.22	98.2%
Total Income	171,410.41	182,958.00	-11,547.59	93.7%
Gross Profit	171,410.41	182,958.00	-11,547.59	93.7%
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	5,950.00	3,000.00	2,950.00	198.3%
Rent	550.00	600.00	-50.00	91.7%
Salaries				
Enforcement Officer	0.00	5,000.00	-5,000.00	0.0%
Park Employee	7,186.50	6,500.00	686.50	110.6%
Planning Consultant	612.00			
Town Administrator	23,800.00	15,600.00	8,200.00	152.6%
Salaries - Other	9,550.00	6,000.00	3,550.00	159.2%
Total Salaries	41,148.50	33,100.00	8,048.50	124.3%
Treasurers Fees	414.45	500.00	-85.55	82.9%
Tree Maintenance Program	1,368.00	5,000.00	-3,632.00	27.4%
Unclassified	2,448.70	1,000.00	1,448.70	244.9%
Total General Government	55,490.53	50,200.00	5,290.53	110.5%
General Government - Operating				
Dues & Fees	0.00	300.00	-300.00	0.0%
Legal Publication	399.08	1,000.00	-600.92	39.9%
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	5,103.51	3,500.00	1,603.51	145.8%
Payroll Tax	3,101.04	2,500.00	601.04	124.0%
Workshop/Travel	375.00	1,000.00	-625.00	37.5%
Total General Government - Operating	33,978.63	28,300.00	5,678.63	120.1%
Other Purchased Services				
Bank Building Maintenance	0.00	0.00	0.00	0.0%
Campground/Office Expenses	30,024.94	10,000.00	20,024.94	300.2%
Earth Day Expenses	5,406.25	5,500.00	-93.75	98.3%
Grant Writing	2,283.81	4,000.00	-1,716.19	57.1%
Liability & Worker Comp Insc	3,391.75	4,000.00	-608.25	84.8%
Playground & Park Improvements	5,358.02	0.00	5,358.02	100.0%
Utilities	2,831.06	1,500.00	1,331.06	188.7%

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	Jan - Dec 18	Budget	\$ Over Budget	% of Budget
Total Other Purchased Services	49,295.83	25,000.00	24,295.83	197.2%
Purchased Professional Services				
Accounting and Audit	6,850.00	10,000.00	-3,150.00	68.5%
Engineering	525.00	8,958.00	-8,433.00	5.9%
Legal Expense	24,848.87	20,000.00	4,848.87	124.2%
Municipal Court	0.00	5,000.00	-5,000.00	0.0%
Total Purchased Professional Services	32,223.87	43,958.00	-11,734.13	73.3%
Roads				
Snow & Ice Removal	14,464.30	25,000.00	-10,535.70	57.9%
Street Maintenance	2,748.13	20,000.00	-17,251.87	13.7%
Total Roads	17,212.43	45,000.00	-27,787.57	38.2%
Total Expense	188,201.29	192,458.00	-4,256.71	97.8%
Net Income	-16,790.88	-9,500.00	-7,290.88	175.7%

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TOWN OF MARBLE
GENERAL FUND
11/1/2018

	2017 Audit	2018 Estimate	2019 Budget
Beginning Balance	239,547	336,079	308,115
Revenues			
Taxes			
General Property Tax	24,889	20,950	21,171
Specific Ownership Tax	0	1,500	1,500
Special Use & Sales Tax	0	0	0
Additional License Tax	0	700	500
Property Tax Interest	0	100	100
Total Taxes	24,889	23,250	23,271
Licenses & Permits			
Business Licenses	950	1,000	1,000
Building Permits	2,324	1,000	1,500
Driveway Access Permits	50	0	300
Septic Permits	1,947	0	1,000
Other Licenses & Permits	650	0	0
Total Licenses & Permits	5,921	2,000	3,800
Intergovernmental			
General Sales Tax	37,278	34,759	35,000
Highway User Taxes (HUTF)	10,986	12,834	13,000
Colorado Trust Fund	0	0	0
Severance Tax	56,999	2,470	2,500
Mineral Lease Distribution	86,709	2,412	2,500
Other permit and license fees	0	1,100	1,000
Cigarette Tax	0	150	100
Total Intergovernmental	191,972	53,725	54,100
Other			
Parking Program Revenue		0	50,000
Campground/Store Revenues	34,596	55,000	60,000
Interest Revenue	50	150	500
CSQ Lease Agreement	24,329	27,208	29,000
CSQ Maintenance Payments	3,600	3,300	3,300
Holy Cross Electric Rebates	617	600	500
Donations	0	3,000	500
Non-Specified	691	2,453	3,000
Tree Maintenance Program	0	1,141	1,000
Transfer In & Out	0	20,000	20,000
Total Other	63,883	112,852	167,800
Total Revenue	286,665	191,827	248,971

**TOWN OF MARBLE
GENERAL FUND
2019**

	2017 Audit	2018 Estimate	2019 Budget
Expenditures			
Wages & Benefits			
Total Wages	27,060	44,959	73,272
FICA/Medicare	2,126	3,417	7,069
Total Wages & Benefits	29,186	48,375	80,341
General Government			
Parking Program Expenses	0	0	20,000
Campground/Store Expenses	50,945	32,000	25,000
Treasurer Fees	0	500	500
Abated Tax	0	0	0
Elections	0	2,111	0
Unclassified	3,354	3,000	3,000
Marble Fest Donation	0	6,000	6,000
Church Rent	600	600	600
Tree Maintenance Program	0	1,368	2,000
Civic Engagement Fund	0	1,500	5,000
Office Expenses	3,585	5,200	5,000
Legal Publications	66	500	1,000
Dues & Subscriptions	1,056	0	300
Workshop/Travel	0	375	1,000
Marble Water Co. 2017 Tap Fee	5,000	5,000	0
Marble Water Co. 2017 Payment	0	20,000	20,000
Marble Water Co. Monitoring Wells	8,000	0	0
Weed Mitigation Program	0	0	3,000
Recycle Program	0	0	2,000
Total General Government	72,606	78,154	94,400
Roads			
Street Maintenance	22,215	15,563	20,000
Snow & Ice Removal	25,430	20,000	25,000
Total Roads	47,645	35,563	45,000
Purchased Professional Services			
Legal - General	17,933	28,000	25,000
Audit	7,428	6,850	7,000
Municipal Court	0	0	9,000
Engineering Services	1,275	2,000	5,000
Total Purchased Professional Services	26,636	36,850	46,000
Other Purchased Services			
Liability & Workers Comp. Insurance	3,760	4,070	4,500
Utilities	1,226	3,088	3,500
Bank Building Maintenance	0	0	0
Playground & park improvements	6,764	6,000	6,000
Grant Writing	0	2,284	3,000
Earth Day Expenses	2,310	5,406	6,000
Total Other Purchased Services	14,060	20,849	23,000
Total Expenditures	190,133	219,791	288,741
Ending Balance	336,079	308,115	268,345

**Wages & Benefits
2019**

	Gross	FICA	Medicare	Work Comp	Total
Town Administrator	38,400	2,381	538		
Camp Ground Host	6,000	372	84		
Bathroom Maintenance	6,552	406	92		
Book Keeper	3,120	193	44		
Clerical	1,200	74	17		
Enforcement Officer	8,000	496	112		
Parking Attendant	10,000	620	140		
Total	73,272	4,543	1,026	1,500	80,341
Medicare	0.014				
FICA	0.062				
	0.076				

Town of Marble
Paid Parking
11/1/2018

2019 Budget

Revenues

Parking space rentals	50,000
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Expenditures

Reservation card sign posts	500
Installation of sign posts and signs	500
Reservation card sign posts	100
Big sign with regulations and fines	500
Adds for parking host position	500
Helmet for parking host while riding ATV	300
Fuel	100
ATV license	100
ATV insurance	100
Personal costs... insurance, Workmans comp etc.	400
Legal costs for ordinances etc.	2,000
Ticket books	100
Web site construction & maintenance	500
Reservation management	6,000
Parking space stripping	500
Round about space indicators	200
Golf Cart for parking host	7,400
Walkie talkies	200

Total Expenditures	20,000
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**TOWN OF MARBLE
PARK FUND
2019 BUDGET**

	2017 Actual	2018 Estimate	2019 Budget
Beginning Balance	16,878	18,206	18,206
Revenues			
CTF Funds	1,328	1,500	1,500
Interest	0	0	0
Donation	0	0	0
Transfer	0	0	0
Total Revenue	1,328	1,500	1,500
Expenditures			
Maintenance	0	1,500	1,500
Improvements	0	0	0
Earth Day Clean Up	0	0	0
Grant Writer	0	0	0
Total Expenditures	0	1,500	1,500
Ending Balance	18,206	18,206	18,206

**TOWN OF MARBLE
WATER FEE FUND
2019 BUDGET**

	2017 Audit	2018 Estimate	2019 Budget
Beginning Balance		12,845	12,845
Revenues			
Fee for Service	18,217	20,000	20,000
Interest	0	0	0
Total Revenue	18,217	20,000	20,000
Expenditures			
Service Charge	0	0	0
Water Clerk	0	0	0
FICA Withholding	0	0	0
Office	0	0	0
Fire Protection/Water Tank	20,000	20,000	20,000
Total Expenditures	20,000	20,000	20,000
Ending Balance		12,845	12,845

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, L, 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.

To the extent reasonably practicable, 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 purposes AVL T deems appropriate and consistent with the intent of subsection B.3. above.

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 AVL T and additional fees as deemed appropriate by AVL T 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 may either warrant or allow in the winter, or weekly in the summer); however, AVL T 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 AVL T 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 AVL T 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 AVL T 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 AVL T prior to installing or making additional improvements to the Property, which shall be granted at AVL T'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 AVL T 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 AVL T owns the Property or as long as AVL T 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. 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 also name AVL T as an additional insured on its liability insurance for the Property.

H. 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 and adjust public and Town access to the Property as AVL T deems appropriate and consistent with subsection B.3. above.

I. 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

October 10, 2018

Ron Leach: Town Clerk

sent via-email

Town of Marble

leach@townofmarble.com

322 West Park St.

Marble CO 81623

Re: Mill Site Park, Marble Colorado 81623

Ron,

I would request that you abandon and cease the "paid" parking plan that has been listed on the agenda for Thursday October 11, 2018 and discussed in the October 4, 2018 meeting. From the documents I have reviewed as of this date it is clearly prohibited per the deed restriction. The deed restriction prohibits commercial use, along with *any* destruction of the historic value of the Park. A massive amount of paid, commercial parking of large rigs, trailers and haulers for OHV'S would certainly be a destruction of value and is not in the spirit of the agreement signed in January of 2002.

Jim Aarts stated in the October 4, 2018 town council meeting, the turn table was to be destroyed. This would be a clear violation of the agreement with the SBA that calls for maintaining the historic preservation of this restricted area. I feel all of this is an egregious act.

The damage must be corrected immediately and the parking plan canceled.

From the master plan of the park, the agreement and the deeds, several parking places just to the west of W. 3rd Street (Quarry Rd.) are to be maintained for access to the main entrance to the Park for visitors.

Nowhere does it allow for the parking that is currently being used by the "rigs" hauling in recreational vehicles that are driven and utilized miles away. My interpretation of the documents is that none of the current parking is allowed and should be discontinued immediately. Signs indicating no parking for these rigs should be on County Rd 3 and Hwy. 133, and on Park St. at the entrance to town.

The turnaround on the east side of 3rd street (Quarry Rd.) just before the bridge is for a turnaround only. The entire area east of the Quarry Rd. starting 300 ft. south of Park St., traveling east 300 feet and then south 400 feet, is also part of the Mill Site Park and is deed restricted. It is not to be used for commercial purposes. The Quarry was never supposed to park there, or remove items to make any additional parking spaces.

Per the Deed: *The Town of Marble shall not rent, lease or otherwise permit the property to be used for any commercial purpose.*

I am surprised that your legal counsel has not discussed this with you. Anna Blasi from the Small Business Administration in Denver has attended town council meetings in the past. The park cannot be used under any circumstances for commercial purpose or it reverts back. I questioned Will Handville when he stated the town was going to implement parking for the ATV and OHV haulers. At the time he said it would only be 8. (now 20/25) He stated it was approved because it was unpaid. I believe it is not approved, paid or otherwise.

Now as many other things in the town, it is out of control. It is not the responsibility of the Town to provide parking for something that occurs miles away.

It appears from the plans, documents and agreement the truck/trailer parking south of the Firehouse should be eliminated immediately. This area is designated for public vehicles for access to the path and entrance to the park. This is the main entrance to the Mill Site Park on the east side shown on exhibit B deed. It is also on the Marble Town Park Master Plan.

Per the agreement:

2. *Parking area and access. The Town of Marble agrees that it will ensure that the Historic Mill Site park has adequate parking and access available to the public in an area in and around the real property which is designated solely for this purpose. Such parking area and access shall be clearly marked and shall be maintained by the Town. This parking area and access shall be in substantially the location and configuration as labeled gravel parking and proposed trail as shown on Exhibit D, attached hereto and incorporated herein by this reference.*

20-25 large vehicles with trailers and 40/50 razors or OHV's with app. 100 people is hardly within the Spirit of the agreements for this public park. The town is breaching its fiduciary duty to protect this land and the environment.

The town is breaching the agreement it made with the SBA, incorporated and memorialized in the Deeds. Please discontinue the parking and adhere to the agreement and the deed.

Sincerely,

Steve Lucht

290 West Marble,

Marble, CO 81623

970-963-1962

Denver number 303-242-9966 (best)