

Town of Marble
Regular Meeting of the Board of Trustees
November 11th, 2021 7:00 P.M.
Marble Community Church, 121 W. State St. Marble, Colorado
Agenda

6:00 P.M.

Work Session, 2022 Budget

7:00 P.M.

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

- B. Consent Agenda
 - a. Approve October 7, 2021 regular meeting minutes
 - b. Approve Current Bills, November 11, 2021
 - c. Approve 2022 Budget Public Hearing Notice
 - d. Approve Colorado Opioid Settlement Memorandum of Understandings

- C. Mayor's comments

- D. Committee Reports
 - a. Historical Preservation Committee, Emma
 - b. Parks committee report, Amber
 - c. LKL working group report, Ron
 - d. CTO grant meeting report, Amber

- E. Land Use Issues
 - a. OWTS repair permit application, Chris Lawrence, Ron

- F. Administrator Report

- G. Old Business

- H. New Business

- I. Adjourn

Minutes of the Town of Marble
Regular Meeting of the Board of Trustees
October 7th, 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 7:04 p.m. Present: Ryan Vinciguerra, Emma Bielski, Larry Good and Josh Vogt. Absent: Tim Hunter. Also present: Ron Leach, Town Administrator and Terry Langley, minutes.

B. Consent Agenda

- a. Approve September 2, 2021 regular meeting minutes
- b. Approve September 16, 2021 work session minutes
- c. Approve Current Bills, October 7, 2021

Larry Good made a motion to approve the consent agenda. Emma Bielski seconded and the motion passed unanimously.

C. Mayor's comments – Ryan welcomed everyone.

D. Committee Reports

a. Parks committee report, Brent – Dave Erickson with Aspen Valley Land Trust (AVLT) said he has been exploring a water source for Thompson Park and that it is possible to run a line down East 2nd and pump from the river until there is a call. He presented a conceptual site plan for the park. The first step is for an easement or license for the water line, tying into the power pole and building a small pump station. Next is some parking, landscaping, signage, baseball diamond improvement and fencing, move the horseshoe pit, build a minimal shade structure and planting native grasses. They have some grant money to help pay for these improvements. Mike Yellico asked about the horseshoe pit and was told the plan is to move it slightly so horseshoes will not hit the jail house. Rob Anderson asked if the budget covered maintenance and there is some funding for long-term maintenance but may require some fund raising. Richard Wells suggested collecting water off of the proposed shade structure. Suggestions and questions can be submitted to Dave. Part of the grant will be used for the jail house restoration project.

Brent Compton said they would like to do a master plan for the Mill Site Park and the park committee members are working on their ideas for that. They are working with the chamber on signage which will include rules, history, old photos and a disc golf map. They discussed a park permit process and are working on that form separate from the special event permit. One item needing research is the legality of using the park for a money-making event. Ryan said he would like money-making events to benefit the town. Brent spoke to a permit fee to help support the work and maintenance on the park. Larry explained that the special event permit was developed in 2015 and those fees may need to be adjusted. Ryan asked if there was a number of participants that would trigger the need for fees and Brent said they felt that more than 25 would need a paid permit and suggested a cap of 250. He also spoke to the need for a deposit. Mike Yellico asked that not every weekend be booked with special events. They are working on a parking plan for the MarbleMarble side of the park as well as the sculpture garden plan. A marble amphitheater across from the stage is an idea from Greg Tonazzi. The quarry is donating the stone and the placement. It will be sited to blend into the natural hill. MarbleFest – they are working with the chamber on a summer schedule for two small events with

vendors and a couple of bands. Richard talked about the ice rink space, capping off the electric lines and setting a date when the New Year's Eve bonfire burn pile could be started and still be able to use the space in the summer.

Emma said that the vision process should be opened to the community. Josh said that the parks survey should be utilized in developing a master plan and he thanked Amber for that survey. Emma asked when the permit system might be ready and Richard said the goal is to have it ready in the Spring. Emma asked about a reasonable number of special events. Amber said the reservations could be added to a calendar on the town website. Monique Villalobos said the chamber could also have a web calendar. In relation to special events, representatives from the Wilderness Workshop explained that they are hosting an event this weekend. This is an event to celebrate the Crystal River and they are working with multiple groups and would hold nature walks, pumpkin carving and other children's events, films, food and drink. Ryan asked them to communicate parking recommendations to the people who are coming. Ron spoke to the number of volunteers who have worked on the park effort and said it has never looked better.

b. Lead King Loop (LKL) working group report – Ron explained who makes up the group. They are going to engage a formal facilitator and have put out an RFP for that position. The county and the forest service are going to split the cost of that. He explained that the Gunnison County Commissioners had sent a letter earlier asking for concrete solutions and the possibility of closing CR 3 to OHV traffic. They have softened their stance on that deadline. He said the FS has employed a Forest Service Protection Officer who has been patrolling the loop. He also spoke to the increased sheriff's presence and their enforcement. He said that the town has staffed a person at the parking area every weekend in a meet and greet session. They spend 1-2 minutes explaining rules, giving directions, etc. He feels they need 2-3 next year. There are 20 spaces available and they are filled by noon. Overflow was parking in the quarry parking but that was stopped by the quarry. They were then parking on the mud slide area but the county asked that that be stopped. Citizens constructed fences and installed signs and that helped keep truck/trailer parking out of the town. Emma spoke to the need for data collection to be able to measure the effectiveness of the program. Ryan said that he feels it has helped with speeding, noise and visitor behavior. Josh agreed. He spoke to the fact that OHV traffic is only one component and that the hikers have increased and their need for parking has increased as well, contributing to the parking problems on Daniel's Hill. Josh asked about the commissioner's softening and spoke to the need to know if they will enforce their sunset date. He asked if there had been any communication from the SBA in relation to the deed restriction at Mill Site Park. He suggested asking the town attorney to write a letter to the State legislators outlining the issues the town faces to see if they can help with movement on the part of the SBA.

E. Land Use Issues

a. Chris Cox presentation of development plans for Crystal - Chris Cox and Stewart Gillespie presented their plans for the Crystal ghost town area. Chris explained that he is a descendent of Emma Gould of the 750-acre Treasure Mountain Ranch (TMR). He grew up going every summer. There are now 6 cousins and four wanted to sell to the highest bidder. Through legal means he forced them to sell out to him. He incurred a large debt that he cannot service. Stewart came to him with a vision and a plan that Chris agreed with. They looked for the least amount of development that will solve the financial problems. There are currently 5 rental cabins and they plan to add 20 cabins and a

lodge/restaurant (not open to the public) on about 15 acres. They will not be visible from the road. They will offer back country ski touring (CAT and cross-country skiing), fly fishing and possibly horseback riding. It will be 100% off the grid. They estimate less than a 5% increase in traffic. 85% (600 acres and 2 miles of river frontage) of the property will be put in a conservation easement. They are looking at donating the mill to the Crystal Mill Foundation for preservation and administration. Cabins will average 750-850 square feet, and they plan to build 4 a year over a 5-year period and will mill as much of the lumber as possible on site. Rental cost will be \$450-800 a night. They plan for employee housing of 8 smaller cabins. They want to put a historic preservation overlay over Crystal. Questions from the public:

1. Who would be running this? They are doing this themselves.
2. What are plans for roads, parking and increased traffic? No plans to improve CR 3. People will either be transported from Marble or will drive up on their own.
3. If transported from Marble, where will the parking be? Chris explained that they have private property on a lot in Marble and at the bottom of Daniel's Hill which will be used for parking.
4. Have they talked to CPW, the county and the Forest Service? They have begun talks with the county and the Forest Service.
5. What opportunities will be available on the conservation easement? There will be no more development on the conservation easement but few other restrictions.
6. How will this impact the wilderness areas that are on either side? They plan to have all electric vehicles but this is not in the wilderness.
7. Who is the Crystal Mills Foundation (CMF)? It is a non-profit 501 3c started by Heather Leigh. It was hoped that fund raising by CMF would take care of the debt, but the time it took to get that set up meant having to find alternate means. Brett Taylor, Boulder CO, is stepping in as President.
8. Did the failure of the Marble Ski area raise any concerns for your project? This is on a much smaller scale and they are giving a lot in terms of the conversation easement.
9. Do you anticipate holding large events such as music festivals? They just held the first annual music festival with about 70 attending on Friday, and 130 on Saturday night. He hopes to have these once or twice a year and they will stay small.
10. Will there be sanitation services for that many people? Yes.
11. How do you plan to mitigate slide situations? They will work with forecasters to determine when the road is safe. There will be no commercial applications until they have permits and mitigation plans.
12. Will they be plowing? They will use a snow cat primarily with some plowing on drifts.
13. Who will provide emergency services? They will work with the town, 911 and Carbondale Fire.
14. Where are the investors from? Stewart said the majority of the investors are friends and family from CO, the rest from Memphis, TN.
14. Have you broken ground? They have begun talking to the County. They began work on clearing deadfall from existing historic roads, considering it maintenance. They had complaints and stopped. They got the go ahead to clean up dangerous trees and debris. They found out they needed a reclamation permit for the old roads and that it will need to be part of the permits for the whole project.
15. Will you be drawing on anything from Crested Butte? There will be no ski lifts or heli-skiings.
16. Can you elaborate on the Forest Service use for skiing and how the public might be involved? Currently they plan to use a snow road but there are not plans for the public to access it as it is on private property but they are exploring future plans that may allow the public.
17. Will locals be able to pay to use it? They would like to offer a lottery and discounted rates to locals but they cannot currently commit to that.
18. What is the difference between TMR and the Crystal Mountain Ranch (CMR) TMR owns the property/assets and CMR LLC, which was formed as part of the family buy-out, runs it but does not own any assets. Stewart clarified that outside investors are less than 20%. The Crystal Mill Foundation will be completely separate.

b. OWTS variance request, Laura Walton/Dave Hamra, Ron – The issue is the system as designed encroaches on one corner into the 10' set back from the property line. There needs to be a public

hearing scheduled for next month. Josh said it is a green field site (undeveloped) and he feels the desired placement and orientation of the house can be adjusted to meet code. He recommends that, before granting a variance, the owners first look at the layout, talk with the architect and engineer to see if they can satisfy the requirements of the code. Ryan said that the request has been made so a hearing needs to be set. Josh asked that his concerns communicated to the owners prior to the hearing. Emma expressed concern about setting a precedence for future variances.

c. Discussion draft OWTS ordinance, Ron – tabled until the November meeting. Josh spoke to a property that is undeveloped with no water or septic but is inhabited full time. An executive session to discuss this will be set with the town attorney.

d. OWTS repair permit application, Chris Lawrence, Ron – tabled until November meeting.

e. Discussion regarding road easements, illegally built structures, Mike reported that there are many structures within right of way easements, including fences, signs and structures. He also reported that there are structures being built that are bigger than 10 x 10 and asked if they need a building permit. He also spoke to the need for bike paths in the easements. He would like to see the FS parcel at the bottom of Daniel's Hill used for truck/trailer parking. Richard said the alleys should be part of the easement discussion. Glenn said that the 20-mph speed limit on Daniel's Hill is too high. Ron said that is a Gunnison County sign and concerns should be addressed to them. Glenn said that parking in the turn outs has increased and is a problem.

F. Administrator Report

a. 2022 Budget discussion, Ron – Ron suggests a special meeting/work session for budget discussions. Discussion of changing the date of the November meeting due to Ron's surgery followed. The regular meeting will be moved to November 11 with a budget work session at 6 p.m. The executive session suggested earlier will be pushed to December.

b. Jail Grant update, Emma – Emma met with Ron. She put in 10 hours of revisions of the grant and feels that barely scratched the surface. She feels the suggestions are contradictory and confusing and that the grant focus does not fit Marble. She recommends not applying for this particular grant and going ahead with the first phase of the project (the foundation) which they already have the funds for. She suggests starting a Marble Historical Preservation fund.

G. Old Business – Emma said that there is an election coming up in March. Ron said that nominations petitions need to be in in January. He will check on whose seats are up and will begin advertising.

H. New Business – Terry reported that the community Thanksgiving Dinner would not be held due to Covid concerns.

I. Adjourn – Larry Good made a motion to adjourn. Josh Vogt seconded and the motion passed unanimously. The meeting was adjourned at 9:55 p.m.

Respectfully submitted,
Terry Langley

NOTICE OF BUDGET

Notice is hereby given that a proposed budget for the year 2022 has been submitted to the Board of Trustees of the Town of Marble, Colorado. A copy of such proposed budget has been posted on the bulletin board in front of The Hub, located at 105 W. Main St., Marble, Colorado, 81623, where the same is open for public inspection. The date, time, and location of the hearing at which the adoption of the proposed budget will be considered is as follows: **December 2, 2021, at 7:00 p.m.**, at the Marble Community Church, 121 W. State St., Marble, Colorado, 81623. Any interested elector of the Town of Marble may inspect the proposed budget and file or register any objections thereto at any time prior to the final adoption of the budget by the Board of Trustees.

Ron Leach
Town Clerk

Published _____, 2021 in the Glenwood Springs Post Independent.

Distributor Settlement

The Attorney General’s Office and Keller Rohrback shall jointly submit a written notification to the Escrow Agent when it has been determined that the percentages of populations eligible for Incentives B and C, as described in Sections IV.F.2 and IV.F.3 of the Distributor Settlement, are each 95% or more. For purposes of this Escrow Agreement, the percentages of populations eligible for Incentives B and C under the Distributor Settlement will include governmental entities that sign a Subdivision Settlement Participation Form subject to an escrow agreement and governmental entities that sign a Subdivision Settlement Participation Form that is not subject to an escrow agreement.

J&J Settlement

The Attorney General’s Office and Keller Rohrback shall jointly submit a written notification to the Escrow Agent when it has been determined that the Participation or Case-Specific Resolution Levels for Incentives B and C, as described in Sections V.E.5 and V.E.6 of the J&J Settlement, are each 95% or more. For purposes of this Escrow Agreement, the percentages or populations eligible for Incentives B and C under the J&J Settlement will include governmental entities that sign a Subdivision Settlement Participation Form subject to an escrow agreement and governmental entities that sign a Subdivision Settlement Participation Form that is not subject to an escrow agreement.

Colorado Subdivision Name **Town of Marble**

Authorized Signature

Date

11. Nothing herein is intended to modify in any way the terms of the Distributor Settlement, to which Governmental Entity hereby agrees. To the extent this Participation Form is interpreted differently from the Distributor Settlement in any respect, the Distributor Settlement controls.

I have all necessary power and authorization to execute this Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____

I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____

This **Colorado Opioids Settlement Memorandum of Understanding** is signed
this ___ day of _____, _____ by:

Name & Title _____

On behalf of _____

Parks and Rec Meeting
October 4, 2021
Present: Richard, Lise, Brent, Marja, Chrissy, Amber
Meeting called to order 6:15

Minutes

I. Masterplan for the Mill Site Park. Can someone bring the original??

II.

A. Richard met with Dana from Colorado Department of Local Affairs. Sounds like he can help us quite a bit with our needs at the Millsite in the future.

B. Master Plan Visioning Session

C.

1. Structures?
2. What does the community want?
3. We will have a focused discussion on master plan next month and will review the plan from 2012 that Richard will send and the 2000 master plan for the town "parks and rec" section

II. Signage

III.

A. The Chamber meeting is Wednesday morning and they have pledged \$2000 for signs and \$2000 for winter activities.

B.

1. purchased 4 basic brown No Motorized vehicles beyond this point signs.
2. Will decide on other ones such as no removal of historic artifacts. National Historic Site. Removal of artifacts is a federal crime. Wayfinding signs. No climbing.
3. Three new entrance sign each with historic pictures, rules of park, disc golf map (and brochures), holders for historic map and Disc Golf Course.
4. Ask Chamber for another 2K for Signs (\$4,000 total).

III. Park permit process.

IV.

A. Larry started writing up a proposal.

B. We reviewed and updated the proposal

C. Fee Structure and Security Deposit reviewed

IV. Dave AVLTL updates : None

V. Possible ice rink cover : Not at this time

VI. Parking plans / Fence / Marble Symposium

VII.

A. Approved by Marble Marble, next step

B. First priority: Two handicap spots are approved, one open spot will be left where there is an historic ditch for water run off, and 4 additional spots after that.

C. Second priority: Parking along the front entrance to the park.

D. Marble Marble started taking down the fence. Madelyn would like people to be able to walk between the two sites. Signage needed to let the public know that they are entering Marble, Marble.

E. Sculpture Garden: Madelyn envisions 4-5 sculptures.

VII. Marble amphitheater plan and approval.

VIII.

A. Marja will send photo of the drawing

B. Marja will ask Tonozzi if he and Stefano are available to meet

VIII. Marble Wall to protect or just fence off to delay collapse and protect park visitors?

Notes from the Lead King Loop Working Group Conference Call
Oct. 12, 2021

Present on the call: Ron Leach, Melanie Armstrong, Suzy Meredith-Orr, Terry Havens, Roland Mason, Shelley Grail, Marlene Crosby, Wyatt Christ, John Gross, John Gallowich, (Note: these notes are from a recording of the call. The recording began after participants were announced.)

Dr. Armstrong is in the process of hiring a facilitator and they have a student who is interested in working as well. Suzy asked what happened to Maddie and Dr. Armstrong explained that she had taken another position. Suzy asked if the facilitator had to come from the Center for Public Lands? Dr. Armstrong said that the contracts were drawn with them to run the process so she will begin as facilitator. Suzy asked if there was a list of participants, what the time frame/length of the process is, what are the expected deliverables, is it focused on the permit solutions or will it encompass possible interim solutions? There will be two public listening sessions, 3 stake-holders workshops. First listening in November. Potential members 10 with additional ex-officio members. Goals include holding the meetings, outcomes of those meetings, learn about the recreation use with stake-holders group, management options, anticipated consequences, management recommendations. She explained that the listening sessions would be meetings of a few hours and workshops would be multi-day sessions. She is working with the tourism association as well.

There is a meeting scheduled with the Marble Chamber tourism group on Oct. 26.

Ron reported that the town council had discussed last summer at their October meeting. They have staffed at least one person at the parking area each weekend and have made personal contact with hundreds of people, providing information, directions, safety and private property respect requests. The council all feels that it has helped with behavior. There are 20 spots below the fire station and they have been full each weekend. They were able to use the quarry parking for overflow but cannot use that any longer. The mudslide area was also used but that has been discontinued. No truck/trailer parking is allowed in town. Ron expects more and the town has budgeted for developing additional car parking and they have paid the parking attendants. He does not recommend using volunteers due to potential conflicts. They hope to increase the number of attendants next summer. The council expressed appreciation for the additional sheriff's presence. Suzy and Roland expressed appreciation for Ron's work this summer. Roland asked about John Armstrong's concern with the agreement with the SBA and parking. Ron explained that the property was deeded to the town with deed restrictions including the parking be available to park visitors. They are not clear if truck/trailer parking is a violation and they are attempting to communicate with the SBA. Sheriff Gallowich reminded that traffic regulations and signage need to be approved by the county commissioners before enforcement can take place.

John Gross reported that this year was better than last. He feels the new regulations and education helped with that.

Ron said that a town board member asked about the potential of closing County Road 3 in relation to the letter from the county commissioners. Roland said the commissioners were

serious in revisiting the issue and they will be discussing that at their November meeting. Shelley reported that the Forest Protection officer program is winding down. They are not spending as much time as earlier in the summer. They report that things are calming down and they will end soon but will be back next season.

Ron reported on the data collection efforts done by Bonnie Neal, traffic counters and Dan from Road and Bridge. Marlene will be developing that into a graph.

Wyatt Christ introduced himself. He has moved here from the Willamette National Forest and will be working with Shelley on dispersed recreation and will be at the Oct. 26 meeting.

Marlene feels it is important to clarify what the counters actually count. She said there were not as many complaint calls to their office this year.

Manette Anderson reported that there were around 17,000 recorded on the counter but it is not known what that is actually counting. She feels there were more hikers. There were moments of dirt bikes and razors ripping through town and that caravans continue to come. Chris Cox put up 5 mph signs and he would be able to report if those were effective. Marlene asked about the concert and traffic. Manette said there were about 50 cars and less than 200 people so there was no permit needed. She does not feel like a one size fits all permit is appropriate for this venue given the difference in infrastructure between Crystal and more developed urban areas.

Sheriff Gallowich reported that once the regulations are approved, he can send his deputies out for enforcement.

Manette would like more clarification about the facilitation process. She asked about the goals and the participants. Marlene said that the contract is public information and asked if she could forward the agreement to the group. Melanie, Shelley and Roland said they are fine with that. Marlene said the chamber had come on board after this was developed.

Melanie said that part of the process of having the focused workshops is to develop a list of recommendations and vision that it is building on the work the LKL group has previously done. Roland said the county and the Forest Service would not be voting on recommendations but would be listening to those.

Roland looks forward to hearing Chris Cox's plans in relation to traffic and the work of this group.

Ron recommends the next meeting be on Nov. 9 so that it follows the town council meeting. Marlene and Roland have a potential conflict but Roland suggested going ahead and scheduling it for the 9th and he will be in contact if that does not end up working.