AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
Quartz Creek Properties Bond Waiver

Action Requested: Motion

Parties to the Agreement: Quartz Creek Properties POA and Gunnison County

Term Begins: 8/19/2014 **Term Ends:** 8/19/2019 **Grant Contract #:**

Summary:
Please see attached memo and photos

Fiscal Impact: Revenue $75.00 from permit fee

Submitted by: Marlene D. Crosby **Submitter's Email Address:** mcrosby@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 8/12/2014

County Attorney Review: (●) Required ( ) Not Required

Comments:

Reviewed by: GUNCOUNTY1\atrezise Discharge Date: 8/25/2014 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\mbirnie Discharge Date: 8/27/2014

( ) Consent Agenda (●) Regular Agenda ( ) Worksession Time Allotted: 5

Agenda Date: 9/2/2014 Follow Up Agenda Date:

Revised April 2013

Gunnison County Public Works Department

195 Basin Park Drive
Gunnison, CO 81230

Phone: 970-641-0044

TO: **Board of County Commissioners**
Matthew Birnie, County Manager

FROM: **Marlene Crosby** Marlene

DATE: **August 12, 2014**

SUBJECT: **Quartz Creek Properties**

I received a series of calls from the same person regarding road work that was being done in Quartz Creek Properties without a Reclamation Permit. Initially it seemed that the clearing they might be doing was for defensible space, but that does not provide an exemption (per the LUR) from obtaining a Reclamation Permit.

On August 11, 2014 I met with Terry Davis the President of the POA and Lawana Langston their road representative to discuss the road work that is being done. It is not clearing for defensible space, although they have been working with Scott to do clearing and thinning on numerous properties. The work they are doing is trying to improve roads in their subdivision to allow emergency vehicle access.

The subdivision was developed in the 1970's and there were no road standards and most of their roads were two track roads. In the 1980's a POA was formed, but membership was voluntary so they only collected enough money to blade their major roads annually. In 2006 all property owners were required to belong to the POA and pay membership "fees". At that time they began a major program to improve their roads so that two vehicles could pass and there would adequate room for emergency vehicles to respond safely.

Their roads that are public access roads have a 60' ROW and private access roads have a 40' access. Normally they are only clearing 10' on each side of the existing road. They are able to work on 1-3 miles of road per year, depending on their budget.

I have attached pictures of the work that has been done. The back slopes out of the ditch are 1-1/2:1 or 2:1. Some of the back slopes are too steep to reseed, but it is not clear how successful reseeding would be at 10,000 – 12,000 feet even if the slopes were not so steep.

It appears they do need a Reclamation Permit since their average disturbance would be over 100,000 square feet per mile of road work. If they have to bond that type of work they will not have funding to continue, which is important to them and to emergency response crews.

We tried to work out a reasonable compromise which would give the County assurance that erosion and drainage are addressed, and allow them to continue spending their funding on road improvement.

RECOMMENDATION

Authorize the Public Works Department to issue a Reclamation Permit at the regular $75.00 fee. Waive any bonding requirement due to the nature of the work. Issue a one year permit that is renewable on an annual basis for 5 years if there are no problems. The POA agreed that in areas that do not require extensive clearing they will flatten the back slopes and reseed with a seed mix recommended for their area by the Conservation District.

I also provided them with Noxious Weeds of Colorado reference books to help them identify any noxious weeds that currently exist in their area or that might be a result of their road work.

Cc: Jon Mugglestone, Weed Coordinator
Scott Morrill, Emergency Services Coordinator
Russ Forrest, Community Development Director

Fossil View Rd

Fossil View Rd

Upper Highline Rd.

High line Rd

High line Rd.

Fossil View Rd.

60' ROW Clear Cut 2012

100' Thinning 2013

Roadwork 2014

North Pond Rd.

Section of Chicago Park Rd
Not Widened Yet

Typical Section of Narrow Unimproved Road

Improved Grasshopper Rd.