AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: ATV Use on CR #55 - Union Park Cut-Off

Action Requested: Discussion

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

For many years this road has been perceived to be a County Road. Last year as we began trying to clean-up ownership and jurisdiction on roads within the Gunnison National Forest it was discovered that the road is largely on Forest Service land. The private property owners adjacent to the

Fiscal Impact: Road improvements would cause additional impact.

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

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
ok db 11/17/16

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 11/17/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 11/18/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 30

Agenda Date: 11/22/2016

Revised April 2015

Staff Comments on CR #55

There were not enough characters allowed on the LaserFiche form to explain the issues.

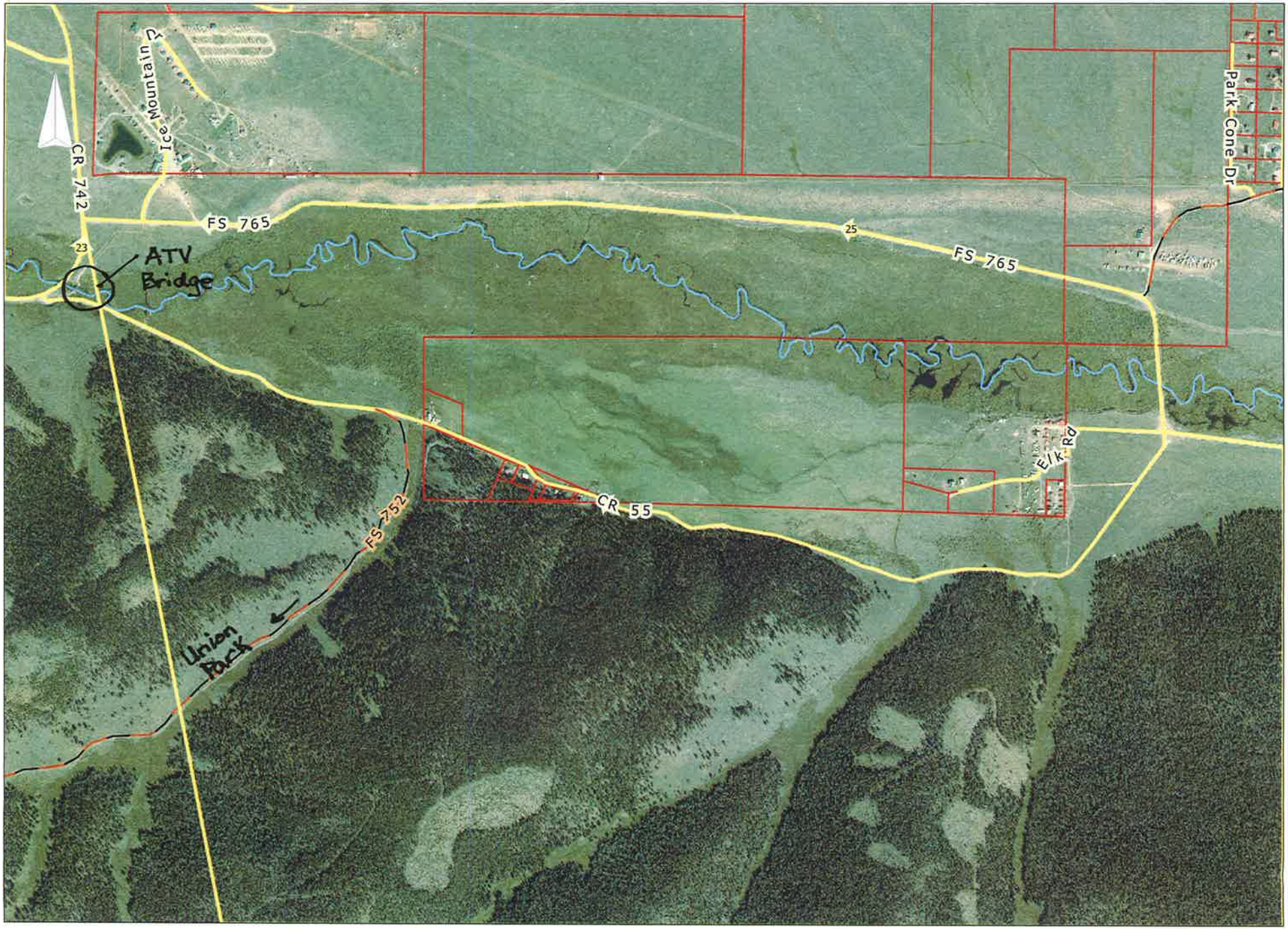
I have met with the Forest Service and David and I have met and reviewed as many options as we have been able to identify for this road. The deeds to the private properties call out a public road as one of their boundaries. Some of the parcels are small and the homes are built close to the road. They do have dust and noise impacts from the traffic on the road. We currently apply mag chloride to the portion of the road through the neighborhood.

As long as I have been with the County this has been perceived to be a County Road, but I always wondered why when it was the only County Road in the Taylor Park area. We have had some complaints about the ATV traffic before, but the past two years with the increase in traffic (as shown on the attached traffic information) the concerns and complaints have increased.

It seems there are three options: The first is to do nothing and leave the status quo. The second option would be to enter into a Schedule A agreement with the Forest Service which would provide for continued County maintenance, but would allow the use of ATVs. The third option is to ask the Forest Service for a FRTA easement from the FS#752 into the Union Park area to the intersection of this road and the Tincup Road. If this option is selected the Board would have to determine whether or not ATV/OHV traffic would be allowed on the road.

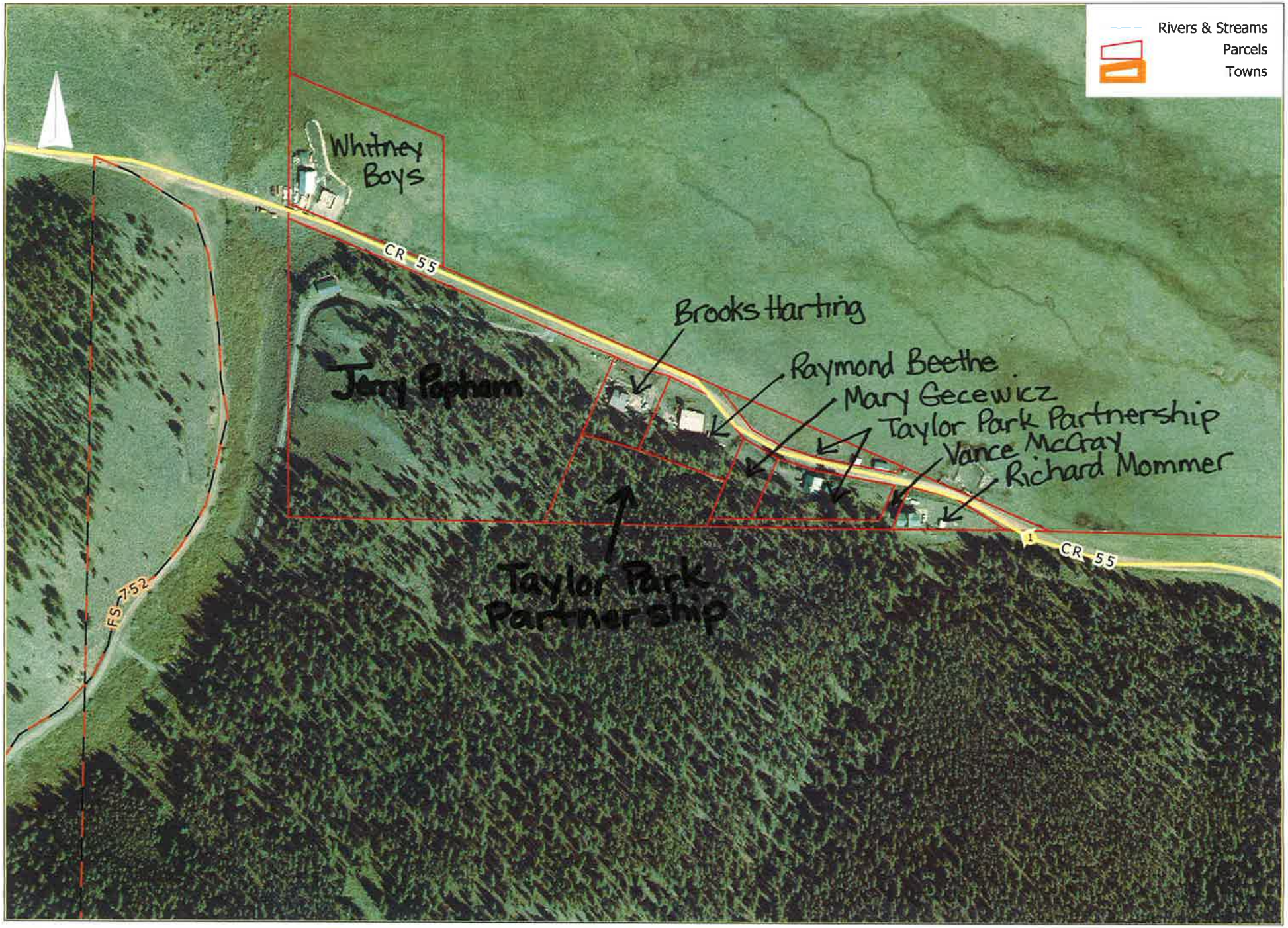
As you are considering the options that you would like to direct staff to pursue there are a couple of issues that need to be considered. It is unlikely the Forest Service will give a FRTA easement on the entire section of road. They have installed an ATV bridge over Willow Creek to connect the Tincup Road and this road to minimize impacts to the wetland area. They want ATV users to be able to access the Union Park area. If the County accepts a FRTA easement and closes ATV use there will be a huge enforcement issue. I am concerned that if it is closed and ATVs continue to use it we may face the same issues as in Tincup where residents decide to take the law into their own hands.

Another concern that I have discussed with the Forest Service is the impact of putting all of the ATV use onto the Tincup Road. Currently people using the Union Park area and some percentage of other users going to the new trail use this instead of the Tincup Road. Is it wise to divert all of that traffic to the Tincup Road when we know that the section of road from the Trading Post to Holts is difficult to maintain and is frequently in poor condition?



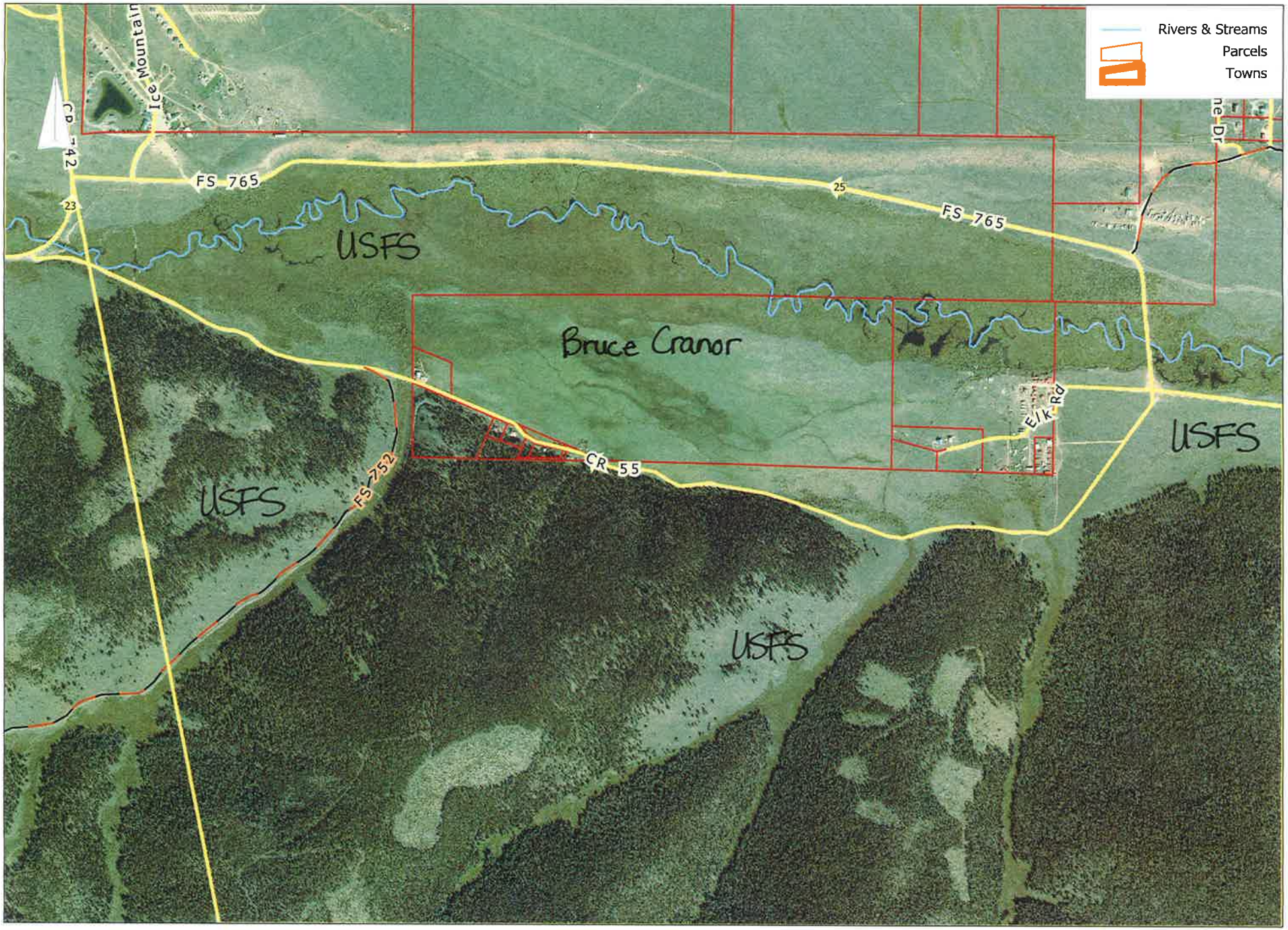
Scale = 1:12000

Thursday, November 17, 2016



Scale = 1:3100

Friday, August 05, 2016



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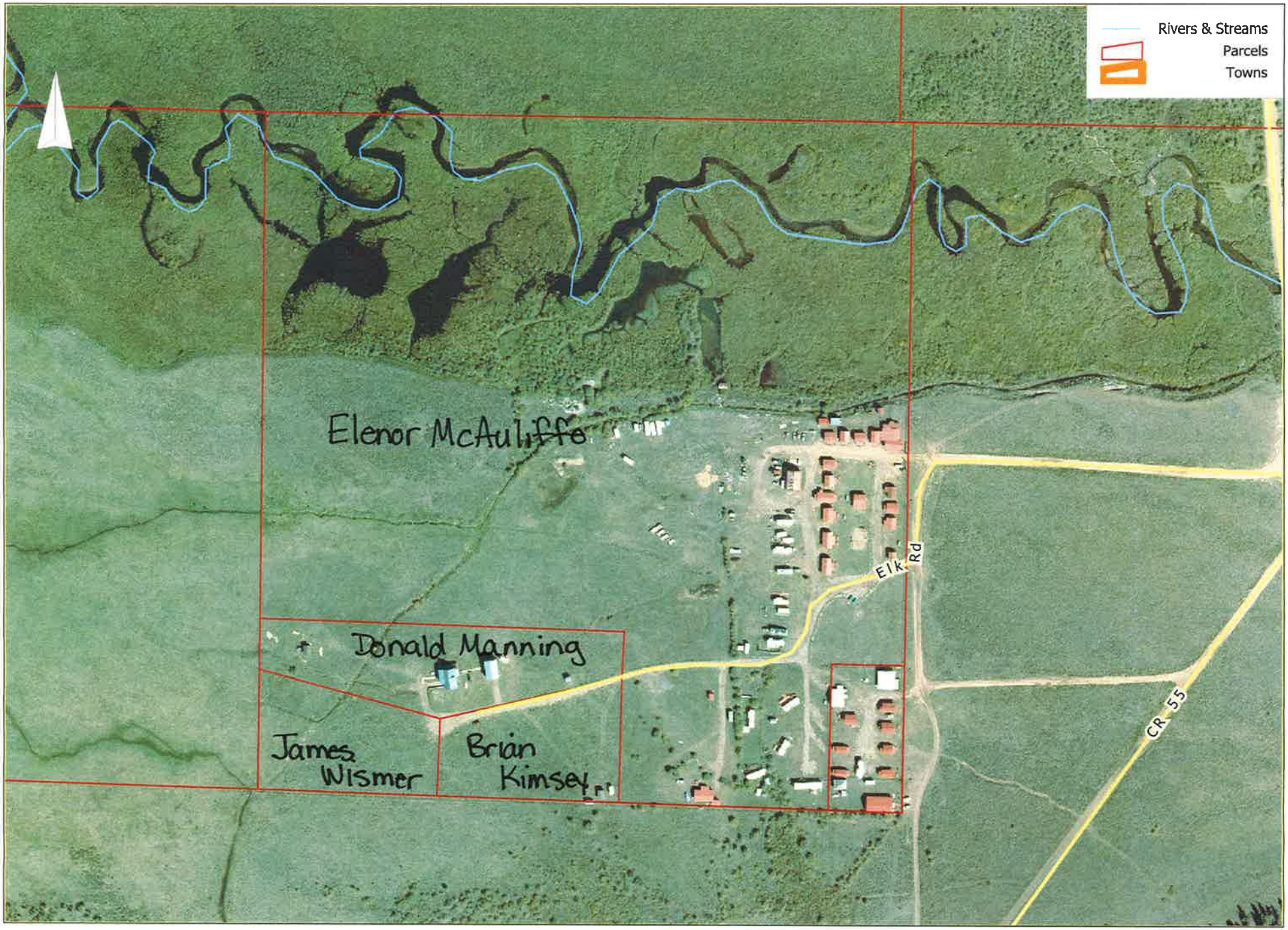
Friday, August 05, 2016



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Friday, August 05, 2016

765
742
752
55
55C
55A
© 2016 Google
Imagery Date: 10/12/2015 38°49'01.39" N 106°32'37.95" W elev

Marlene Crosby

From: Dick Mommer <rmommer@uniscopeinc.com>
Sent: Monday, September 26, 2016 10:31 AM
To: Marlene Crosby
Cc: jlstone02@fs.fed.us; David Baumgarten
Subject: RE: County Road 55 Taylor Park Meeting

Marlene Crosby and John Murphy,

During our fall neighborhood meeting on 09-24-16 (property owners along CR 55) the topic of ATV traffic came up. Some Comments Were: there is so much ATV traffic the sheriff could write tickets all day long, someone is going to get hurt or killed as fast as they drive, they tear up the road creating dust and noise, it's nonstop in the summer, this uncontrolled ATV traffic on a county road has got to stop. **The main question was why is the county continuing to allow OHV/ATV traffic on CR 55?**

I explained that I had been in contact with the County and Forest Service and voiced my concerns. The general consensus of the property owners was OHV/ATV traffic should not be allowed on this county road.

The property owners asked what is the next step to get OHV/ATV traffic prohibited on CR 55. I told them that the County and Forest Service are trying to work out some issues with CR 55 and we should let them try to solve these problems.

If we cannot get some solution to get OHV/ATV traffic stopped, the next step would be for the property owners to prepare letters of their concerns and then put together a presentation to be given to the County Commissioners to try and get CR 55 added to the Gunnison County sheriff's Office OHV/ATV prohibited list. (OHV/ATV Regulation Brief Revised July 29, 2008).

Thank you for giving us the opportunity to voice our concerns.

Best Regards,

Dick Mommer
820 CR 55
Taylor Park, CO

Bus: 970.587.47614:
Cell: 970.396.5027

From: Marlene Crosby [mailto:MCrosby@gunnisoncounty.org]
Sent: Sunday, September 18, 2016 6:15 AM
To: Dick Mommer
Cc: jlstone02@fs.fed.us; David Baumgarten
Subject: RE: County Road 55 Taylor Park

Good Morning,

Marlene Crosby

From: Dick Mommer <rmommer@uniscopeinc.com>
Sent: Saturday, September 17, 2016 8:51 AM
To: Marlene Crosby
Cc: jlstone02@fs.fed.us
Subject: County Road 55 Taylor Park

Dear Marlene and John Murphy,

I recently presented some of my concerns about the high traffic on county road 55. After some thought I have a simply solution.

Place a locked gate at the east end of the existing CR 55.

This will allow land owners and the public access to the properties along this stretch of CR 55.

This will also allow public access to Forest Service land on the road from FS road 765 to the proposed locked gate on CR 55.

While this will be an inconvenience for property owners traveling to FS road 765 to Tin Cup. It will also be a inconvenience to the public that use FS road 752 to Union Park. Property owners and the public both have alternatives for access to these other roads.

This may be a simple solution to an existing long term problem.

This locked gate could be opened when an alternative public road is needed for construction, fire control, law enforcement, etc.

Best regards,

Dick Mommer
820 CR 55
Taylor Park, CO

Office: 970.587.4614
Mobile: 970.396.5027
rmommer@uniscopeinc.com

When I meet with the County Attorney this week (copied on this e-mail) I will discuss this solution with him. I have been with the County over 30 years and I have never known them to put a locked gate on a public road, so I doubt this will be an acceptable solution.

I did advise Mr. Mommer that the road would not be gated

Thank you,
Marlene

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Cc: jlstone02@fs.fed.us
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Best regards,

Dick Mommer
820 CR 55
Taylor Park, CO

Office: 970.587.4614
Mobile: 970.396.5027
rmommer@uniscopeinc.com

CR # 55

GUNNISON COUNTY
SHERIFF'S OFFICE
510 Bidwell, Gunnison, Colorado 81230

OHV/ATV Regulation Brief

(Established protocol date: September 1997; last revised: July 29,2008)

1. You are ***required*** to obey all applicable federal, state and local motor vehicle regulations, statutes and ordinances while driving an **Off-Road-Vehicle** (e.g., ATV, trail bike, motorcycle) in the National Forest.

2. Each **Off-Road-Vehicle** must be currently registered in the state of Colorado either with a resident's registration or visitor's registration and ***must*** display or have in possession a current, valid state Off Highway Registration as required by Colorado State Statute.

3. Each Off Road Vehicle ***must*** be equipped with standard operational brakes, muffler and spark arrestor(s) when operating on public lands or roads and ***must*** be equipped with at least on head lamp and tail lamp when being operated between sunset and sunrise.

4. Please be advised, all use, whatsoever of any ATV (unlicensed OHV) is expressly prohibited on the following Gunnison County roads that are wholly or partially within the National Forest:

a. **Gunnison County Road 742** (Taylor River Road)	From intersection of HWY 135 (in Almont) to CR 209 (Cottonwood Pass Road).
b. **Gunnison County Road 209** (Cottonwood Pass Road)	From intersection of CR 742 to Gunnison/Chaffee County line at the summit of Cottonwood Pass.
c. **Gunnison County Road 738** (Brush Creek Road)	HWY 135 to Forest Boundary, section 28
d. **Gunnison County Road 813** (Jack's Cabin Cut-off Road)	HWY 135 to CR 742 (Taylor River Road)
e. **Gunnison County Road 12** (Kebler Pass Road)	Town of Crested Butte municipal limits to State Highway 133.
f. **Gunnison County Road 317** (Gothic Road)	Town of Mt. Crested Butte municipal limits through Gothic town site
g. **Gunnison County Road 771** (Gold Creek Road)	CR 76 to Forest Service Road 879
h. **Gunnison County Road 76**	State Highway 50 to Pitkin city limits

5. You may drive an ATV on the remainder of the established and designated roads in the National Forest.

6. ***IN ADDITION:*** Please reference the **Gunnison Basin Area Map and Travel Availability Guide** for additional areas where **Off-Road-Vehicle** use is specifically prohibited.

7. A person, age ten or older, may operate and Off-Road-Vehicle only when possessing a valid operator's license, or be under the direct supervision of an individual possessing a valid driver's license. Constant visual supervision may be considered sufficient.

Upcoming SlideShare

OHV Travel County Road 55 Gunnison County, Colorado

August 22, 2016

Discussion

OHV traffic on CR 55 continues to increase and be a problem in the road section of the McCray Tracts. We are seeing increased vehicle traffic and the combination has the potential for an accident of a non-licensed and licensed vehicles.

The counties efforts to slow traffic with putting up slow signs (2008) in the section that is narrow, windy with restricted visibility has not solved the problem.

The new OHV vehicles are larger and faster and travel at a high speed though this section of road. There also seems to be more children on small motor cycles or driving ATVs.

This section of CR 55 is narrow (approximately 15 feet) does not have a shoulder, so the road really functions as a one way road and oncoming traffic must stop. This is more pronounced when motorhomes, trucks pulling travel trailers, boats or propane trucks are on the road.

On July 29th I watched a propane truck that had to come to a stop in front of my property and 4 ATVs had to turn around so the truck could pass through this section.

Traffic Count July 30, 2016

On this day I monitored and counted all vehicles traveling on CR 55 from 6:15 AM to 6:12 PM.

The traffic volume was: **114 OHV** and **58 licensed vehicles**. See document showing the time and the number of vehicles.

Total traffic 172 (12 hour period).

Reason for high ATV traffic on CR 55

Currently the majority of OHV traffic is coming from Tin Cup or the camping areas along FS road 765. These ATVs will take the CR 55 turnoff to Union Park FS road 752.

At the intersection of FS 765 & CR 55 there is a <u>forest sign</u> pointing to turn off CR 55 to go to FS 752 in Union Park. The CR 55 road is not marked as a county road and it is a narrow one way road that looks unimproved. There isn't a sign that says no ATVs.

Alternative OHV Route to Union Park

ATV traffic should continue past the FS 765 & CR 55 intersection and continue to the Taylor Park Trading post and take the unimproved ATV road on the left before CR 742. Then they can use the ATV Bridge that crosses Willow Creek. Then come back on CR 55 to the East and take the Union Park FS 752 road.

ATV traffic is allowed on FS 765 & FS 752 roads.

Signage should be placed at the Taylor Park Trading Post showing the ATV/OHV route to Union Park.

Options to stop OHV traffic on CR 55

In Taylor Park other county roads are posted with No OHV traffic. My neighbors and I have asked ourselves why is the county allowing OHV/ATV on CR 55 and not enforcing the law?

I investigated with the Gunnison County Sherriff's Office and learned that ATV/OHV is prohibited on certain county roads. See Regulation Breif. CR 55 is not listed.

What is the procedure to get CR 55 on this list?

Recommend that the county place signage at the intersection FS 765 & CR 55 posting that this is a county road and no ATV/OHV are allowed.

Post no ATV/OHV sign after Holts Quest Ranch on CR 55. West bound.

Post as county road and no ATV/OHV on CR 55 & FS 752 intersection. East bound.

Traffic Study Gunnison County Road 55 Taylor Park, CO

Objective to count the number of licensed vehicles, trailers and OHV /ATV motorcycle traffic for a 12 hour period on July 30, 2016.

Time	Number	Vehicle Type
6:15 am	1	ATV RAZOR 4 people
7:30	1	car
8:00	2	car
8:07	1	truck with camper
8:10	1	truck with camper trailer
8:20	1	ATV
8:40	1	truck camper trailer
8:55	1	Street motorcycle
9:04	1	truck
9:15	1	car
9:40	4	ATV Razors
9:40	1	truck & travel trailer
9:47	4	ATV Razors
9:50	1	Truck
9:52	3	ATV side/ side 2 people
9:55	4	OHV motorcycles
9:55	2	ATV Razors
10:02	1	truck and ATV trailer
10:07	5	ATV Razors
10:15	1	truck
10:20	1	OHV motorcycle (baby)
10:22	1	ATV Razor
10:30	2	ATV
10:38	1	ATV side/side (child)
10:40	2	jeeps
10:45	3	ATV Razors
11:00	2	ATV side/side
11:05	3	ATV
11:10	1	truck
11:15	1	ATV Razor
11:18	3	ATV side/side
11:28	1	ATV side/side
11:28	2	OHV kids motorcycle's
11:40	1	ATV Razors
11:40	1	Jeep
11:42	2	OHV motorcycles

Continued Traffic Study on CR 55 July 30, 2016

Time	Number	Vehicle Type	Time	Number	Vehicle Type
12:00 pm	1	ATV Razor	2:37	1	Truck
12:04	1	Truck	2:41	5	OHV motorcycles
12:30	2	Trucks	2:43	2	Trucks
12:30	1	Truck	2:44	2	ATVs
12:55	2	ATVs	2:44	2	OHV motorcycles
12:55	1	Car	3:05	1	ATV
1:02	1	ATV side/side	3:08	1	Car
1:20	1	Jeep	3:12	1	Truck
1:50	1	Truck	3:12	1	ATV
1:52	1	Car	3:17	1	ATV Razor
1:54	1	ATV side/side	3:17	1	Truck
1:56	2	Trucks	3:19	2	OHC motorcycles
1:58	1	Car	3:22	4	ATVs
1:59	1	Truck	3:22	3	OHV motorcycles
2:01	1	ATVs side/side	3:38	1	Jeep
2:08	2	ATVs side/side	3:39	1	Truck
2:15	1	Car	4:00	1	Truck
2:26	2	Trucks	4:07	3	ATV side/side
2:30	1	ATV side/side	4:14	2	Trucks
2:30	1	Car	4:20	3	ATV Razors
2:34	3	ATVs	4:34	1	ATV side/side

Continued Traffic Study CR 55 on July 30, 2016

Time	Number	Vehicle Type
4:35 PM	1	ATV side/side
4:41	1	ATVs
4:41	1	Truck
4:44	2	ATVs
4:44	2	OHV motorcycles
4:53	1	Truck/travel trailer
4:56	1	ATV Razor
4:56	1	Truck
5:00	1	ATV Razor
5:00	1	Car
5:09	1	Car
5:11	1	Motor home
5:13	2	OHV motorcycles
5:13	1	ATV
5:14	1	Truck
5:27	1	Truck
5:30	1	Truck
5:32	3	ATV Razors
5:33	3	ATV
5:40	3	ATV
5:42	1	Car
5:48	4	ATV side/side

Continues Traffic Study on CR 55 July 30, 2016

Time	Number	Vehicle Type
5:55 PM	1	Car
6:06	1	Car
6:08	1	Car
6:12	3	ATV
6:12	1	Car

ATV OHV	**89**	
Motorcycle OHV	**25**	
Total OHV	**114**	
Licensed Vehicles	**58**	
Total Vehicles	**172**	**(12 hour period)**

Request to Prohibit OHV/ATV Travel on Gunnison County Road 55

November 18, 2016

Gunnison County Board of Commissioners: Meeting on November 22, 2016

Marlene Crosby: Director of Public Works Gunnison County

John Murphy: District Ranger Gunnison Ranger District

Richard Mommer: Spokesperson for the property owners of McCray Tracts

Discussion

OHV/ATV traffic on CR 55 continues to increase and be a problem in the road section of the McCray Tracts. Property owners are seeing increased vehicle traffic and the combination has the potential for an accident of a non-licensed and licensed vehicles.

The counties efforts to slow traffic with putting up slow signs (2008) in the section that is narrow, windy with restricted visibility has not solved the problem.

The new OHV vehicles are larger and faster and travel at a high speed though this section of road. There also seems to be more children on small motor cycles or driving ATVs.

Some of the licensed motor vehicles travel though this windy section at a high speed leading to a potential accident with an ATV.

The McCray Tracts was developed in the late 1950's and consists of 6 cabins on this ½ mile section of CR 55. The cabins were built right next to the road. The road was developed for low volumes of traffic. This section of CR 55 is narrow (approximately 15 feet) does not have a shoulders and barbwire fencing borders it. The road really functions as a one way road and oncoming traffic must stop or slow to pass. This is more pronounced when motorhomes, trucks pulling travel trailers, boats or propane trucks are on the road.

There are also hidden driveways and blind corners that increase the safety/liability risk for licensed and unlicensed vehicles on this section of road.

On July 29th I watched a propane truck that had to come to a stop in front of my property and 4 ATVs had to turn around so the truck could pass through this section.

Traffic Count July 30, 2016

On this day I monitored and counted all vehicles traveling on CR 55 from 6:15 AM to 6:12 PM.

The traffic volume was: **114 OHV** and **58 licensed vehicles**. See document **Exhibit 1** showing the time and the number of vehicles.

Total traffic 172 (12 hour period).

Reason for high ATV traffic on CR 55

Currently the majority of OHV traffic is coming from Tin Cup or the camping areas along FS road 765. These ATVs will take the CR 55 turnoff from the east to the Union Park FS road 752.

At the intersection of FS 765 & CR 55 there is a forest sign pointing to turn off CR 55 to go to FS 752 in Union Park. The CR 55 road from the east is not marked as a county road and it is a narrow one way road that looks like an unimproved forest service road. There aren't any sign that says no ATVs.

McCray Tracts Neighbor Meeting September 24, 2016 - Exhibit 2

Discussion by the homeowners resulted in support to request to the Gunnison County to prohibit ATV traffic on the section of CR 55 in the McCray Tracts.

Alternative OHV Route to Union Park – Exhibit 3 Goggle Map

OHV/ATV traffic has an alternative route to forest service roads to Union Park. This ATV traffic from the east should continue past the FS 765 & CR 55 intersection and continue to the Taylor Park Trading post and take the unimproved Forest Service ATV road on the left before CR 742. They can use the ATV Bridge(built by County and forest service) that crosses Willow Creek. Then come back on CR 55 from the west and take the Union Park FS 752 road.

ATV traffic is allowed on FS 765 & FS 752 roads.

Signage should be placed at the Taylor Park Trading Post showing the ATV/OHV route to Union Park.

Request to prohibit OHV/ATV traffic on CR 55

The prohibited OHV/ATV traffic on CR 55 should be posted on the west side at the intersection of CR 55 and FS 752.

On the east side prohibited OHV/ATV traffic should be posted past the McCray Tracts at the County Slow Curve Sign.

By stopping OHV/ATV traffic in this section, it improves the road safety and reduces liability from accidents on this narrow section of road.

Bridge construction Willow Creek summer 2017

The proposed re construction of the Willow Creek bridge on FS road 765 will require an alternative route to Tin Cup and other areas in Taylor Park. During the McCray Tracts neighbor meeting I presented that CR 55 was considered the alternative route during construction. The property owners agreed to support the County Forest Service plan to accommodate traffic.

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