AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

AgendaTitle:
October 2013 Colorado State Historic Fund Grant Application for Stabilization and Preservation of the Ohio City Town Hall; Grant of Temporary Construction Easement, Chromerk Properties, LLC

Action Requested: Motion

Parties to the Agreement:

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

Summary:
Attached please find a memo re: the October 2013 CSHF grant application for the Ohio City Town Hall and request for motions. Also, please find a Grant of Temporary Construction Easement for the BOCC's acceptance by signature. Please return the original signed easement to Rachel for recording.

Fiscal Impact: $50,000.00

Submitted by: Rachel Magruder **Submitter's Email Address:** rmagruder@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:

The April submission was discusssed at the March 19, 2013 BOCC meeting. The cash match was acknowledged and approved pending a formal budget amendment for the 2013 budget if the grant was awarded. That hasn't changed, however, there are more demands on previously identified possible funds recognized as available early in 2013. We can prioritize and make the cash match available should this application be approved.

Reviewed by: GUNCOUNTY1\LNIENHUESER Discharge Date: 9/16/2013

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

Comments:

Reviewed by: GUNCOUNTY1\ATREZISE Discharge Date: 9/12/2013 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reviewed by: GUNCOUNTY1\MBIRNIE Discharge Date: 9/16/2013

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

Agenda Date: 9/24/2013 Follow Up Agenda Date:

Revised April 2013

Office of the Gunnison County Attorney
Rachel Magruder, Paralegal

MEMO

TO: Paula Swenson
Phil Chamberland
Jonathan Houck
Matthew Birnie
Marlene Crosby

FROM: Rachel Magruder

RE: October 2013 Colorado State Historic Fund Grant Application for Stabilization and Preservation of the Ohio City Town Hall

DATE: September 10, 2013

This memo serves to provide you with the issues identified in the April 2013 Colorado State Historic Fund ("CSHF") grant application submitted for the stabilization and preservation the Ohio City Town Hall, the proposed revisions to address those issues for our October 2013 CHSF grant application and in conjunction with the grant application, information on the acquisition of the Grant of Temporary Construction Easement ("TCE") from the adjacent eastern property owner.

This memo also serves as a request to proceed and for authorization of the following actions:

1. Formal approval to pursue the October 2013 CSHF grant; and

2. To reaffirm a $50,000 cash match that will consist of an in-kind contribution and contribution of cash funds for the project as described below; and

3. Acceptance of the TCE by signature of the Board; and

4. Authorization for the county manager or assistant county manager to sign the final grant application should a member of the Board be unavailable.

Office of the Gunnison County Attorney
Rachel Magruder, Paralegal

A. Issues Identified in the April 2013 CSHF Grant Application.

After conferring with representatives of the CSHF, the issues that were identified by reviewers for the April 2013 grant application, though they varied vastly, were:

1. Too much information.

2. A need for a more concise budget and scope of work.

3. To provide further convincing information that Gunnison County has the capacity to carry out the project

4. Non- funding of exterior improvements, though they may be necessary for access and safety and excavation work is necessary for lifting the building, these items will not be covered by the grant funds.

5. A further need for publicity of receiving the CSHF grant funds.

B. Proposed Revisions for the October 2013 CSHF Grant Application.

The October 2013 grant application will be revised to address the issues as follows:

1. Too much information.

   Unlike the legal profession, one does not need to substantiate all assertions. The appendices will be reduced. Significant information will be incorporated into the grant application as much as possible. For instance the plans will reflect only Phase 1 and have been resized to 8.5 x 11.

   For the scope of work there will be less elaboration on the details of the project and this section will be minimized.

   Though required, information on the future and final Phase II will be minimized.

2. A need for a more concise budget and scope of work.

   The budget has been reconfigured to show contingencies at the end of the budget for Phase I and will not detail Phase II costs but only identify the total Phase II cost. The budget will further break out in-kind contributions of the County for all exterior work.

3. Provide convincing information that Gunnison County has the capacity to carry out the project.

   Further elaboration on Gunnison County's capacity to carry out this project will be provided. Inclusion of the Marble State Bank project will be helpful.

4. Exterior improvements, though they may be necessary for access and safety and excavation work is necessary for lifting the building, these items will not be covered by the grant funds.

   All exterior improvements will be provided by Gunnison County as an in-kind contribution for the cash match. The cash match previously allocated was $50,000. Rather than providing $50,000 cash, the cash match would include the in-kind contribution of exterior improvement costs and the remaining balance of the allocated $50,000. For instance if the total cost of exterior work is $25,000, we would provide $25,000 in cash for a total of $50,000 (in-kind contribution: $25,000 + cash: $25,000). We're currently finalizing the in-kind contribution cost total for exterior improvements.

5. A further need for publicity of receiving CSHF grant funds.

   To provide more publicity for the CSHF, we will inform the public of our project and the progress on it on our Gunnison County website. Also, the Quartz Creek Improvement Association will be hosting an annual 5K walk/run to begin next August to raise funds for Phase II of this project. Advertisement of CSHF funding will be included on their website and also on the Association's tee shirts. Signage in front of the building stating that this is a CSHF project can be provided. Notification to historic preservation groups will be

another means of publicity when requesting volunteers for the project. Further publicity may be sought by notifying the Gunnison County Times of this project and perhaps, they would provide an article on it.

C. Grant of Temporary Construction Easement.

The eastern wall of the Ohio City Town Hall sits directly on the property line. Any foundational work would encroach and trespass on the adjacent eastern parcel. It would seem beneficial to have the easement in place so that it may referenced in the grant application. The property owner of this parcel has conveyed a Grant of Temporary Construction Easement which would take effect upon being awarded CSHF grant funds and would expire two years thereafter or upon written notice by Grantee to Grantor.

This easement requires acceptance by the Board of County Commissioners. Please find the TCE attached for your signature.

The grant application will be finalized by the end of this month. Should you have any changes and/or additions to the above, please let me know.

May I ask that the actions by the Board as identified above be approved.

I appreciate the opportunity of preparing the October 2013 grant application.

Thank you.

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

THIS GRANT OF TEMPORARY CONSTRUCTION EASEMENT is made this ___ day of _____, 2013 by and between Chromerk Properties, L.L.C., a Florida limited liability company whose address is 3111 Fortune Way, Suite B17, Wellington, Florida 33414 (hereinafter "Grantor") and the Board of County Commissioners of the County of Gunnison, Colorado whose address is 200 East Virginia Avenue, Gunnison, CO 81230 (hereinafter "Grantee").

WITNESSESETH that the Grantor, for and in consideration of the sum of Ten and No/100 U.S. Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to Grantee, its successors and assigns, a temporary construction easement over and across Grantor's real property described as follows:

> Twenty feet (20') along the east side of the entire western property line of Lot 23, Block 16, according to the official plat of the Town of Ohio City recorded in the records of the Office of the Clerk and Recorder of Gunnison County, Colorado,
>
> Town of Ohio City,
> County of Gunnison,
> State of Colorado,

and as also identified in Appendix "A" attached hereto and incorporated herein (hereinafter "Temporary Easement"). The purpose of said Temporary Easement is to allow for construction activities associated with the rehabilitation and stabilization of the adjacent Ohio City Town Hall located on Lot 24, Block 16, Town of Ohio City. Grantee's rights under this Grant of Temporary Construction Easement shall include but are not limited to the right of Grantee to ingress and egress; the right to excavate, grade and reclaim; and the right to operate construction machinery associated with the rehabilitation and stabilization of the adjacent Ohio City Town Hall.

The parties agree that the real property within the Temporary Easement will be reclaimed by a contractor retained and supervised by Grantee. Such reclamation will include, at a minimum, grading, replacement/repair of any fencing that may be removed and/or damaged and reseeding the disturbed area to the same condition currently existing. Grantee agrees to take such measures reasonably within its control to ensure that such reclamation is performed in a timely and workmanlike manner.

This Temporary Easement shall be in effect upon Grantee being awarded funds by the Colorado State Historical Fund, evidenced by contract, for the rehabilitation and stabilization of the Ohio City Town Hall and shall expire two years after such award of

funds or upon written notice by Grantee to Grantor of the completion of the rehabilitation and stabilization work for the Ohio City Town Hall and reclamation of Grantor's real property, whichever event comes sooner.

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first written.

GRANTOR:

Chromerk Properties, L.L.C.,
a Florida limited liability company

By:_____
Andres Martinez, Manager

COUNTY OF _____)
)ss.
STATE OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2013 by Andres Martinez, Manager of Chromerk Properties, L.L.C., a Florida limited liability company, Grantor herein.

Witness my hand and official seal.
My commission expires:

_____
Notary Public
Address:

Este pasaporte será válido por la temporalidad que se indica en la página de datos. Al término de su validez o de que se haya usado la totalidad de sus páginas, este podrá ser cambiado por uno nuevo, presentando el anterior y cumpliendo con los requisitos establecidos en el Reglamento para la expedición de pasaportes.

En caso de pérdida, destrucción o mutilación del pasaporte, su titular deberá comunicar el hecho inmediatamente a las autoridades locales de policía y las circunstancias en que hubiese ocurrido.

Este pasaporte no es válido si carece de la firma del titular. Es nulo si tiene raspaduras, enmendaduras, entrerreglonaduras o cualquier otra alteración. Contiene 32 páginas y no podrán agregársele hojas. En caso de necesitarse o mucrer, favor de ponerse a la embajada o consulado de México más cercano.

This passport is void if not duly signed by the holder or if there are any erasures, corrections, interlinings or any other alterations. It contains 32 pages and no extra pages may be added. In the event of accident or death, please notify the nearest Mexican Embassy or Consulate.

Ce passeport n'est pas valide s'il ne porte pas la signature du titulaire. Il sera déclaré nul en cas de grattages, corrections, ratures, surcharges ou quelques autres altérations. Il contient 32 pages et il ne peut y être ajouté de feuillets supplémentaires. En cas d'accident ou de décès, prière d'en notifier l'ambassade ou le consulat Mexicain le plus proche.

F144790S4

ACCEPTANCE

The Board of County Commissioners of the County of Gunnison, Colorado, hereby accepts the above Grant of Temporary Construction Easement pursuant the terms and conditions identified herein.

Dated this ____ day of _____, 2013.

GRANTEE:

BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF GUNNISON,
STATE OF COLORADO

By: _____
Paula Swenson, Chairperson

By: _____
Phil Chamberland, Vice Chairperson

By: _____
Jonathan Houck, Commissioner

ATTEST:

_____
Deputy County Clerk

APPENDIX A

Code Summary

APPLICABLE BUILDING CODES

2009 INTERNATIONAL BUILDING CODE (IBC)
2009 INTERNATIONAL EXISTING BUILDING CODE (IEBC)
2011 NATIONAL ELECTRICAL CODE (NEC)
2009 INTERNATIONAL MECHANICAL CODE (IMC)
SECRETARY OF THE INTERIOR STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES (STHP)
2003 ICC/ANSI A117.1 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES (ADA)
2006 GUNNISON LAND USE RESOLUTION (LUR)

GENERAL BUILDING INFORMATION

FOUNDATION: RUBBLE CONCRETE APPROXIMATELY 8" BELOW GRADE WITH A FULL CONCRETE CRAWLSPACE AT THE SOUTHEAST CORNER. CRAWLSPACE VARIES IN HEIGHT FROM 12" TO 2'.
STRUCTURE: WOOD FRAME FLOOR, WALLS AND CEILING. 1x6 SHEATHING COVERED IN METAL PANEL OR WOOD BOARD AND BATTEN SIDING. EXISTING SLOPED ROOF TO THE NORTH HAS BEEN ENCLOSED BY A NEW ROOF STRUCTURE.
ROOF: NEW WOOD TRUSSES AND KNEE WALLS ADDED IN 1970'S. 1X PURLINS WITH A GALVANIZED METAL ROOF
IBC USE GROUP: A-3 ASSEMBLY (302.1)
BUILDING HEIGHT AND AREA LIMITATIONS
CONSTRUCTION TYPE V-B (NOT SPRINKLERED) (602.5)
ALLOWABLE HEIGHT: 40 FT
ACTUAL HEIGHT: >20 FT
BUILDING AREA LIMITATIONS, USE A-3 : 6,000 SF

FIRE RATING REQUIREMENTS
IBC USE GROUP A-3: 0 HRS

SHOW WINDOWS IN THE EXTERIOR WALLS OF THE FIRST STORY ABOVE GRADE SHALL BE PERMITTED TO BE OF WOOD OR UNPROTECTED METAL FRAMING. (601.7)

MAXIMUM ARE OF EXTERIOR WALL OPENING, TABLE 705.8
0-3 FT - NOT PERMITTED, UNPROTECTED, NONSPRINKLERED
5-10 FT - 10% ALLOWABLE AREA, UNPROTECTED, NONSPRINKLERED
(THIS DESIGN ASSUMES A 15 FT RESIDENTIAL SETBACK ON THE ADJACENT LOT)

FIRE RATED CONSTRUCTION
BUILDING ELEMENTS: 0 HRS
STRUCTURAL ELEMENTS (ALL): 0 HRS

INTERIOR WALL AND CEILING FINISH REQUIREMENTS BY OCCUPANCY (TABLE 803.9)

GROUP A-3 NONSPRINKLERED: ROOMS AND ENCLOSED SPACES, CLASS 'C' INTERIOR FINISH
MEANS OF EGRESS (CHAPTER 10)

OCCUPANT LOAD (TABLE 1004.1.1)
MAIN LEVEL: 1176 SF
STAGE: 179 SF
TOTAL AREA A-3: 1355 SF
USE GROUP A-3: (1 OCCUPANT PER 15 SF): 91 OCCUPANTS

MINIMUM EGRESS WIDTH
MINIMUM DOOR WIDTH: (.2" PER OCCUPANT) 9.2" OR 32" MINIMUM
STAIRWAY WIDTH: (.3" PER OCCUPANT) OR 3.6" OR 36" MINIMUM

EGRESS DOORS (1008)
ALL EGRESS DOORS MUST BE SIDE-HINGED SWING TYPE.
DOORS MUST SWING IN THE DIRECTION OF EGRESS WHEN SERVING OCCUPANT LOAD OVER 50.
DOORS IN SERIES MUST BE AT LEAST 48" PLUS THE WIDTH OF THE DOOR SWINGING INTO THE SPACE APART.
PANIC DEVICES REQUIRED ON DOORS SERVING ASSEMBLY OCCUPANCIES AND AREAS SERVING MORE THAN 100 OCCUPANTS.

LANDINGS AT DOORS (1008.1.5)
LANDINGS SHALL HAVE A WIDTH NOT LESS THAN THE REQUIRED WIDTH OF THE STAIRWAY OR THE WIDTH OF THE DOOR, WHICHEVER IS GREATER.
WHEN A LADING SERVES AN OCCUPANT LOAD GREATER THAN 50, DOORS IN ANY POSITION SHALL NOT REDUCE THE LANDING TO LESS THAN ONE-HALF ITS REQUIRED WIDTH. (1009.4 EXCEPTION 2)

EGRESS STAIRS (1009)
STAIR WIDTH
80" MINIMUM HEADROOM
7" MAX RISER HEIGHT, 11" MAX THREAD DEPTH
LEAST DIMENSION OF LANDINGS MUST BE AT LEAST THE WIDTH OF THE STAIRWAY.
HANDRAILS (1009.10)
34" TO 36" ABOVE THE LEADING EDGE OF STAIR TREAD NOSINGS
GRASPABILITY (1012.3)
CIRCULAR: 1-1/4" DIAMETER MINIMUM, 2" DIAMETER MAXIMUM
OTHER: PERIMETER DIMENSION, 4" MIN AND 6-1/4" MAX, CROSS SECTION DIMENSION, 2-1/4" MAX.
EXTEND HORIZONTALLY 12" MIN BEYOND TOP RISER AND CONTINUE SLOPE FOR ONE TREAD WIDTH BEYOND BOTTOM RIEER. RETURN ENDS OF RAIL TO WALL OR POST.
CLEARANCE: MINIMUM 1-1/2" CLEAR TO WALL
PROJECT NO MORE THAN 4-1/2" INTO REQUIRE STAIR WIDTH

RAMPS (1010)
RAMPS USED AS PART OF A MEANS OF EGRESS SHALL HAVE A RUNNING SLOPE NOT STEEPER THAN ONE UNIT VERTICAL IN 12 UNITS HORIZONTAL.
VERTICAL RISE: THE RISE FOR ANY RAMP RUN SHALL BE 30 INCHES MAXIMUM.
MINIMUM WIDTH: MINIMUM WIDTH SHALL NOT BE LASS THAN THAT REQUIRED FOR CORRIDORS. THE CLEAR WIDTH OF A RAMP BETWEEN HANDRAILS, IF PROVIDED, OR OTHER PERMISSIBLE PROJECTIONS SHALL BE 36 INCHES MINIMUM. DOORS OPENING ONTO A LANDING SHALL NOT REDUCE THE CLEAR WIDTH TO LESS THAN 42 INCHES.

LANDINGS: RAMPS SHALL HAVE LANDINGS AT THE TOP AND BOTTOM OF EACH RAMP. POINTS OF TURNING, ENTRANCE, EXITS AND AT DOORS. LANDINGS SHALL BE AT LEAST AS WIDE AS THE WIDEST RAMP RUN. LANDINGS LENGTH SHALL BE 60 INCHES MINIMUM.

RAMP CONSTRUCTION - OUTDOOR CONDITIONS. OUTDOOR RAMPS AND OUTDOOR APPROACHES TO RAMPS SHALL BE DESIGN SO THAT WATER WILL NOT ACCUMULATE ON WALK SURFACES. (1010.7)

RAMPS WITH A RISE GREATER THAN 6 INCHES SHALL HAVE HANDRAILS ON BOTH SIDES. (1010.8)

EDGE PROTECTION - EDGE PROTECTION SHALL BE PROVIDED ON EACH SIDE OF RAMP RUNS AND AT EACH SIDE OF RAMP LANDINGS. (1010.9)

EXIT SIGNS (1011.1)
EXIT SIGNS REQUIRED TO DIRECT PEOPLE TO EXITS WHERE MORE THAN ONE EXIT IS REQUIRED. EXIT SIGNS ARE FURTHER REQUIRED AT EACH EXIT. EXIT SIGNS SOULD BE LOCATED SUCH THAT NO POINT IN AN EXIT ACCESS CORRIDOR IS MORE THAN 100 FEET FROM THE NEAREST VISIBLE EXIT SIGN.(1011.1)
EXIT SIGNS MUST REMAIN ILLUMINATED (MIN 5 FC) FOR AT LEAST 90 MINUTES FOLLOWING LOSS OF POWER (1011.5.2)
ALL EGRESS LIGHTING ELEMENTS MUST BE ILLUMINATED AT NOT LESS THAN ONE FOOT CANDLE LEVEL FOR AT LEAST 90 MINUTES FOLLOWING LOSS OF POWER. (1011.5.3)

LENGTH OF EXIT TRAVEL (TABLE 10.16.1)
UNSPRINKLED BUILDING
USE GROUP A: 200 LINEAR FEET

DEAD END CORRIDOR LIMITATIONS: 20 LINEAR FEET (1016.3)

NUMBER AND CAPACITY OF EXIT COMPONENTS (TABLES 1019.1)
MINIMUM NUMBER OF EXITS: 2 (50 OCCUPANTS AT EACH DOOR)
NUMBER OF EXITS PROVIDED: 2

GUARDS (1013)
(1013.1) LOCATED ALONG WALKING SURFACES MORE THAN 30" ABOVE ADJACENT FLOOR OR GRADE.
EXCEPTION 2 - ON THE AUDIENCE SIDE OF STAGES AND RAISED PLATFORMS, INCLUDING STEPS LEADING UP TO THE STAGE AND RAISED PLATFORMS.
(1013.2.) 42" MINIMUM HEIGHT ABOVE FLOOR.
(1013.3) BALUSTERS CONFIGURED SO THAT OPENINGS DO NOT ALLOW PASSAGE OF A 4" SPHERE TO A HEIGHT OF 34", FROM A HEIGHT OF 34" TO 42" ABOVE THE ADJACENT WALKING SURFACE, A SPHERE 8" IN DIAMETER SHALL NOT PASS.

ADA ACCESSIBLE MEANS OF EGRESS

STAIRS:
CLEAR WIDTH BETWEEN HANDRAILS: 48 INCHES (ADA 4.3.11.3)

HISTORIC BUILDINGS SECTION 3409

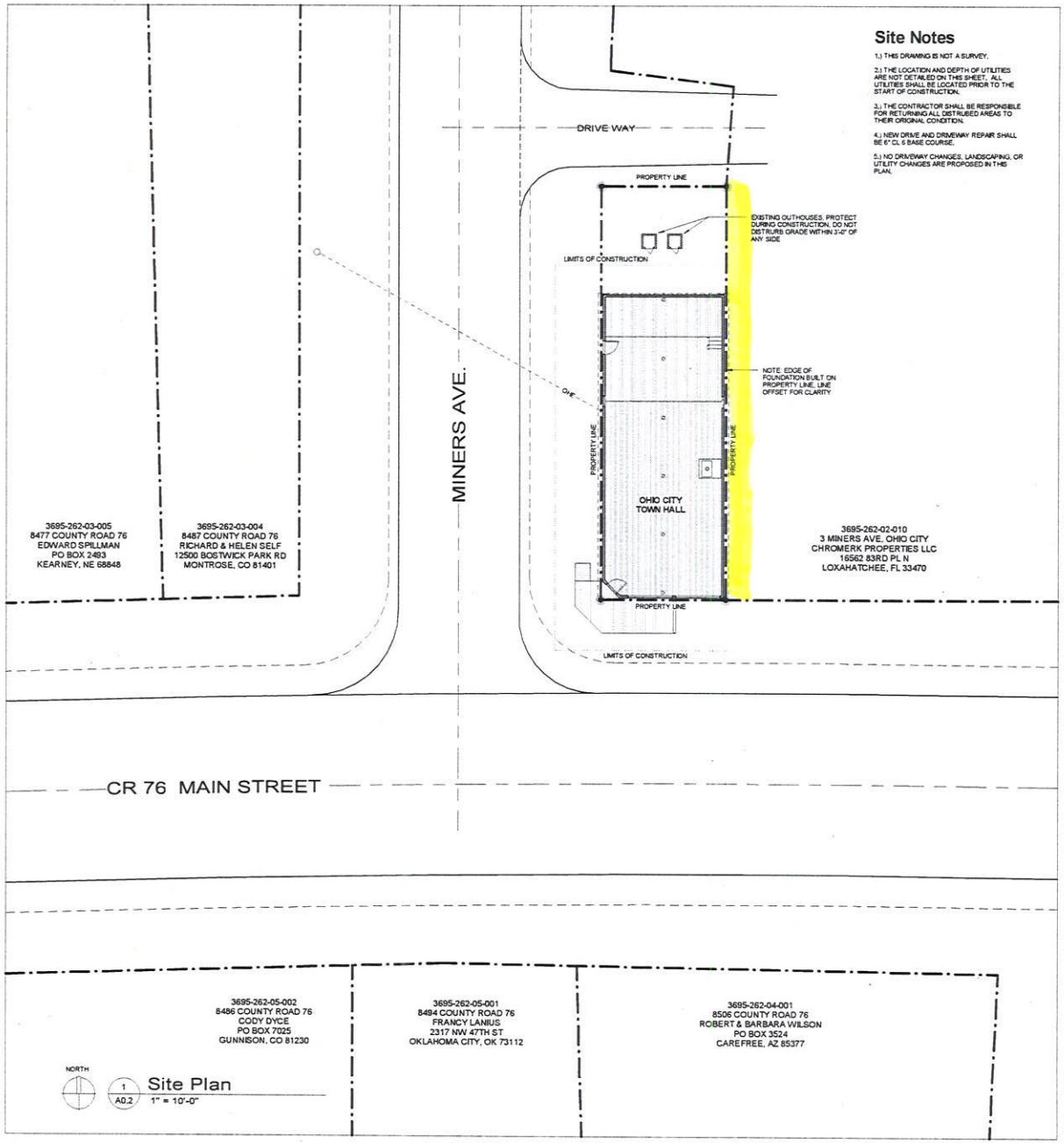
(3409.1) HISTORIC BUILDINGS. THE PROVISIONS OF THIS CODE RELATING TO THE CONSTRUCTION, REPAIR, ALTERATION, ADDITION, RESTORATION AND MOVEMENT OF STRUCTURES, AND CHANGE OF OCCUPANCY SHALL NOT BE MANDATORY FOR HISTORIC BUILDINGS WHERE SUCH BUILDINGS ARE JUDGED BY THE BUILDING OFFICIAL TO NOT CONSTITUTE A DISTINCT LIFE SAFETY HAZARD.

3411.9 HISTORIC BUILDINGS. THESE PROVISIONS SHALL APPLY TO BUILDINGS AND FACILITIES DESIGNATED AS HISTORIC STRUCTURES THAT UNDERGO ALTERATIONS OR A CHANGE OF OCCUPANCY, UNLESS TECHNICALLY INFEASIBLE. WHERE COMPLIANCE WITH THE REQUIREMENTS FOR ACCESSIBLE ROUTES, ENTRANCES OR TOILET FACILITIES WOULD THREATEN OR DESTROY THE HISTORIC SIGNIFICANCE OF THE BUILDING OR FACILITY, AS DETERMINED BY THE APPLICABLE GOVERNING AUTHORITY, THE ALTERNATIVE REQUIREMENTS OF SECTIONS 3411.9.1 THROUGH 3411.9.4 FOR THAT ELEMENT SHALL BE PERMITTED.

3411.9.1 SITE ARRIVAL POINTS. AT LEAST ONE ACCESSIBLE ROUTE FROM A SITE ARRIVAL POINT TO AN ACCESSIBLE ENTRANCE SHALL BE PROVIDED.

3411.9.3 ENTRANCES. AT LEAST ONE MAIN ENTRANCE SHALL BE ACCESSIBLE.

4/1/2013 8:48:44 AM



1 A0.2 Site Plan
1" = 10'-0"

Site Notes

1.) THIS DRAWING IS NOT A SURVEY.

2.) THE LOCATION AND DEPTH OF UTILITIES ARE NOT DETAILED ON THIS SHEET. ALL UTILITIES SHALL BE LOCATED PRIOR TO THE START OF CONSTRUCTION.

3.) THE CONTRACTOR SHALL BE RESPONSIBLE FOR RETURNING ALL DISTRUBED AREAS TO THEIR ORIGINAL CONDITION.

4.) NEW DRIVE AND DRIVEWAY REPAIR SHALL BE 6" CL 6 BASE COURSE.

5.) NO DRIVEWAY CHANGES, LANDSCAPING, OR UTILITY CHANGES ARE PROPOSED IN THIS PLAN.

BEN WHITE
ARCHITECTURE
148 KIOWA AVE. #2
CRESTED BUTTE
COLORADO, 81224
TEL/FAX 970.349.5378

FOUNDATION STABILIZATION & HISTORIC REHABILITATION FOR THE
OHIO CITY TOWN HALL
8503 COUNTY ROAD 76
OHIO CITY, COLORADO 81237

ISSUE LOG

A	3/8/12	15%/BID SET
B	3/4/12	BID SET
C	3/7/12	BID SET

SITE PLAN & CODE REVIEW

PROJECT NO. 120227
PROJECT DATE 4/17/12
SHEET NUMBER
A0.2

TEMPORARY EASEMENT