AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Discussion; Pitkin Snow Plowing

Action Requested: Discussion

Parties to the Agreement:

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

Summary:

Fiscal Impact: $7,000 in 2017 and $30,706 in 2016-2017

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:

Reveiwed by: GUNCOUNTY1\mhoyt Discharge Date: 9/7/2018 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 9/7/2018

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

Agenda Date: 9/11/2018

Revised April 2015

GUNNISON COUNTY
PUBLIC WORKS DEPARTMENT
195 Basin Park Drive
GUNNISON, CO 81230
970-641-0044
FAX 970-641-8120

MEMORANDUM

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

FROM: **Marlene Crosby, Public Works Director** Marlene

DATE: September 6, 2018

SUBJECT: **Pitkin Plowing**

We first began this discussion in April of 2017 when I met with you to discuss plowing in some areas where we were experiencing issues that cost the department time and money. A copy of the memo submitted on April 17, 2017 which detailed our recommendations is attached to this submittal. The Board suggested just plowing Main Street through Town and back, or plowing Main and State Street.

My staff and I met with the Pitkin Town Council on April 28, 2017 to discuss the proposed changes with the Town Council and the residents. They were not happy and felt it was a County obligation to plow. They did not have equipment or funding to assume snow removal.

After numerous discussions with representatives from the Town we received an agreement for Primary and Secondary Routes. The primary routes would be plowed by a motor grader or the sander truck and the secondary routes with a pickup with a plow. The Town would pay an amount basically equal to their municipal share back. An agreement was signed in November of 2017.

Due to the light winter, the cost for snow removal this year was just over $7,000 and the primary and secondary routes worked. However, the Foreman that plowed the secondary loops indicated that it would not work in a heavy snow year.

In an attempt to allow the Town time to acquire some equipment or hire a contractor we met with the Mayor and representatives of the Town Council in late spring. At that time we shared with them that with a new Foreman and a new operator in the district, due to a resignation and a retirement, that we could not plow any of the loops, only the primary routes.

After going back and presenting that information to the Pitkin residents, Mayor Rachel notified the County Manager that the residents would not accept that answer and wanted to discuss the issues with the Board of County Commissioners.

As you know, we have limited resources and stretch every dollar to the extent possible. Marble receives a minimal amount of service and pays for fuel and the Town of Mt. Crested Butte pays for all services provided, including their share of having an employee on call at night.

If you have any questions, please give me a call.

PHONE: (970) 641-0044 **FAX: (970) 641-8120**

Gunnison County
COLORADO

Public Works Department
195 Basin Park Dr., Gunnison, CO 81230
Phone: 970-641-0044
Fax: 970-641-8120

TO: **Pitkin Town Council**

FROM: Gunnison County Public Works
Marlene Crosby Director

DATE: April 28, 2017

SUBJECT: Plowing Costs within the Incorporated Town Limits

This year there were some issues in Pitkin that caused a careful review of the roads being plowed within the incorporated Town boundaries and the cost of the service that we are providing compared to the service we provide in other incorporated municipalities. This information, along with a number of other plowing concerns in the County were discussed with the Commissioners at a work session on April 25, 2017.

In the **City of Gunnison**, we do not provide any service. This year we did provide motor grader help one afternoon when they were having equipment issues.

In the **Town of Crested Butte** the only service that we provide is plowing the main road through the 4-way stop if needed as we are on our way to plow the Gothic Road.

In the **Town of Mt. Crested Butte** we are providing less service than we have in the past as they have purchased some of their own equipment. However, we plow the Gothic Road through the town and the majority of their residential streets. They pay for the services that we provide under a snow removal contract that includes administrative fees and a portion of the cost of the employee who works nights during the winter season.

In the **Town of Marble** we plow CR #3 through the Town which is a distance of 1.1miles of paved road and the gravel portion of Main Street from our shop to the Charter School which is .2 of a mile. In the past we did plow additional mileage and the Town paid for fuel. It was a low cost solution for them because our shop is right in the heart of town and there was little mobilization time or cost. In recent years they have hired a private company to do the plowing in the Town. It has been a stretch on their budget since they have little revenue, but they realized that they could not count on our employee whose priority was CR #3.

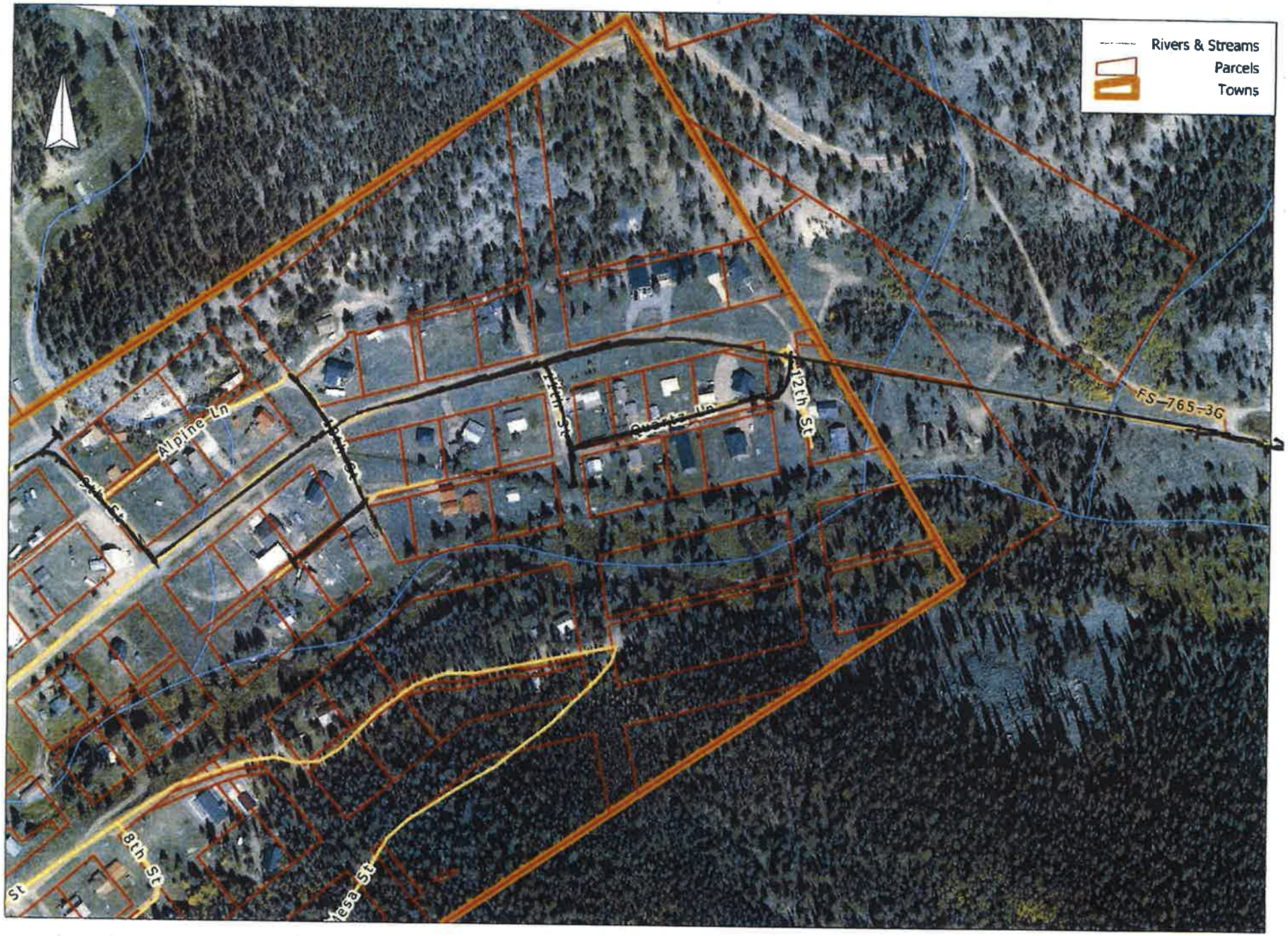
In the **Town of Pitkin** the mileage that is plowed has changed over time. We were plowing almost all of the streets, including those that had residents who only came for the holidays. We worked with the previous Street Commissioner to eliminate some of those routes, but through the years the service has grown again. We currently plow through Town either with a motor grader and/or the plow truck with a sander. We park a loader at the Pitkin Fish Hatchery where it can be plugged in to use on all of the side streets that we plow. I have attached a map showing the streets that we plow. We currently plow approximately 2.96 miles in the Town of Pitkin. The Town has assumed responsibility for some summer maintenance including chloride being applied within the Town, but they do not reimburse the County for any winter maintenance.

Pitkin	2.56	2013-2014	$ 21,353.50
		2014-2015	$ 9,537.54
		2015-2016	$ 13,766.51
		2016-2017	$ 30,706.74

It is our recommendation that we continue to plow Main Street through Town to the trailhead on the Forest Service which is approximately .3 of a mile beyond the Town boundary. We would also plow State Street from the Silver Plume back to the intersection of Second Street and Main, which is just over .6 of a mile. A map showing the proposed route is also included. The Town would be responsible for the remainder of the plow routes, which would be equitable with the service we provide in Marble.

In addition to reducing our costs significantly this change would allow us to keep our loader at the Doyleville shop in the winter to load the sanders. Currently we load sand with a backhoe. When we did our fleet usage analysis as part of our department's strategic plan it was determined that we should be able to reduce the number of backhoes. We could not do that because of winter use. We can schedule the use in the summer to share equipment. If our loader were available to load the sand trucks, we would be able to use a backhoe on trade toward a purchase of equipment that is budgeted for this year.

Quartz Creek - Pitkin Plow Route 2017 (2 pages)


Rivers & Streams
Parcels
Towns
Alpine Ln
12th St
FS-765-3G
8th St
St

Proposed Pitkin Route

Scale = 1:6000

Monday, April 17, 2017

GUNNISON COUNTY, COLORADO

PUBLIC WORKS DEPARTMENT
195 BASIN PARK DRIVE
GUNNISON, CO 81230

MEMORANDUM

TO: Board of County Commissioner
Matthew Birnie, County Manager

FROM: Marlene D. Crosby (Marlene)

DATE: April 17, 2017

SUBJECT: Winter Snow Plowing Concerns

Over the past snow plow season we have had some situations arise that have brought about a closer look at some plowing areas that perhaps need to have procedures updated concerning County plowing as well as inconsistencies in the services provided to incorporated municipalities. We compiled some cost information for the previous 4 plowing seasons for some of the areas.

The first area I would like to discuss is CR #75 (Parlin to Ranch House). The section of road is from the intersection with H #50 to the main house area at Green Mesa Ranch. It is only a total of .62 of a mile, but is time consuming in the ranch house area due to vehicles, ranch equipment, and working around the plowing that is done by the private property owner.

County Road 75	.62	2013-2014	$ 789.72
		2014-2015	$ 1,133.16
		2015-2016	$ 1,311.65
		2016-2017	$ 2,053.31

It is our recommendation that we reduce the plow route so that we are not plowing into the ranch/subdivision headquarters. At .5 of a mile there is an intersection of Meadow Road and CR #75 which with minor improvements could be an adequate turn-around. That would provide access to all property owners who use the road, but we would not be in conflict with the ranch operation.

When the self-help-build portion of Rock Creek Homes were constructed their HOA had not yet been finalized. We were directed to plow the road until such time as they could get organized.

Plowing was going to be one of their HOA responsibilities. We are currently still plowing. We cannot add the road to our HUTF because it is within the City of Gunnison. It is time consuming because of parked cars, the ditch on the north end, etc.

Rock Creek Subdivision		2013-2014	$ 817.49
		2014-2015	$ 819.38
		2015-2016	$ 927.01
		2016-2017	$ 3,523.71

I recommend that the HOA assume the responsibility for plowing. If we no longer plow the Habitat duplex would also have to find someone to plow their drive. We quit plowing the Habitat parking area because there were so many vehicles in the way, so we just plow enough for us to turn around.

A problem that is going to have to be addressed in the near future is the issue of private property owners plowing snow into the County road in areas where there is no room for snow storage. Meridan Lake Subdivision cost a great deal of time and money this year. There is confusion because the cul-de-sacs that were constructed by the developer are not always located where they are shown on the plats. I am going to have some of the private property corners at intersections and the cul-de-sacs located and pinned by a surveyor this summer which will help resolve some of the questions about location of the ROW.

In heavy snow years there has always been a snow storage issue in cul-de-sacs, but there was a limited number of driveways, so the operators could pile snow in locations where people did not need access to their lots. As more homes and driveways have been built there are now 4-5 driveways in some subdivisions coming into a cul-de-sac, so there is no room for us to push the snow from the road/cul-de-sac. We can find a way to manage "our" snow, but the homeowners often landscape their lot so they plow their snow into the cul-de-sac! In some cases they do not have an alternative because their driveway is too steep to plow uphill, but in most cases it is a matter of convenience. As a result, we spend hours of labor and equipment time pushing back banks to get ready for the next storm.

Area	Mileage	Year	County Cost
Meridian Lake		2013-2014	$18,545.77
		2014-2015	$13,150.99
		2015-2016	$12,439.78
		2016-2017	22,906.36
Meridian Lake Park		2013-2014	$18,444.14
		2014-2015	$12,948.19
		2015-2016	$11,793.70
		2016-2017	$25,434.63

After we have the cul-de-sacs physically located on the ground it will be our recommendation that the Board direct staff to work with homeowners in areas where snow storage is limited to eliminate residents from plowing snow from their property into the ROW.

This year there were some issues in Pitkin that caused a careful review of the roads being plowed within the incorporated Town boundaries and the cost of the service that we are providing compared to the service we provide in other incorporated municipalities.

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INTERGOVERNMENTAL AGREEMENT FOR
WINTER ROAD MAINTENANCE

THIS INTERGOVERNMENTAL AGREEMENT made effective on this 30th day of November, 2017, between the **TOWN OF PITKIN, STATE OF COLORADO,** who shall hereinafter be referred to as " Town of Pitkin" and the **COUNTY OF GUNNISON, STATE OF COLORADO,** who shall hereinafter be referred to as "Gunnison County," both of which entities are political subdivision of the State of Colorado.

RECITALS

WHEREAS, pursuant to the Colorado Constitution, Article XIV, Section 18(2.a.) and C.R.S.29-1-201, et seq., any political subdivision of the State of Colorado may cooperate or contract with one another to provide any function, service or facility lawfully authorized to each of the cooperating or contracting units, provided that such cooperation or contracts are authorized by each party thereto with the approval of its legislative body; and

WHEREAS, the Town of Pitkin and Gunnison County desire to enter into an Intergovernmental Agreement to provide for the performance by Gunnison County of winter snow removal and/or plowing on certain streets located within the incorporated Town of Pitkin; and

WHEREAS, the Town of Pitkin and Gunnison County deems such Intergovernmental Agreement to be in the best interests of each of their inhabitants;

NOW, THEREFORE, the Town of Pitkin and Gunnison County in consideration of the agreements and covenants set forth herein; do hereby enter into this Agreement for the provision of winter road maintenance services:

SECTION I
TERM OF AGREEMENT

THE TERM of this Agreement shall be for a period of seven months from November 1, 2017 to May 31, 2018, unless otherwise terminated in accordance with Section III below.

SECTION II
GUNNISON COUNTY WINTER MAINTENANCE OF PITKIN ROADS

Gunnison County shall perform winter snow removal and/or plowing maintenance for the Town of Pitkin only as follows:

1. Gunnison County Public Works Department will provide basic winter maintenance as follows:

   The truck equipped with a plow/sander will plow the asphalt portion of Main Street as part of his initial run on Quartz Creek Road (CR#76).

A motor grader will plow only the Pitkin town streets, identified as primary routes, and marked in yellow as shown on Exhibit A., incorporated herein.

A pickup with a plow and sander will plow only the Pitkin town streets, identified as secondary routes and marked in pink on Exhibit A., incorporated herein.

2. Primary streets plowed with a motor grader equipped with a wing will be plowed and widened to the extent possible on the day of the storm. The arrival time of the motor grader will be consistent with plow times in recent years. Primary streets will be plowed the day of the storm unless heavy snow or equipment failure requires that the equipment be used on other primary roads within the unincorporated County.

3. Secondary streets will be plowed later in the day when the Foreman is checking his routes. These routes are narrow and there will be no parking or obstructions in the roadway and no snow from private drives is to be deposited in the street being plowed.

4. No roads in the Town of Pitkin will be sanded per the request of the Town of Pitkin.

5. Gunnison County will refer any calls related to any aspect of snow removal to the Mayor or her designee.

SECTION III
PAYMENT FOR WINTER MAINTENANCE

The Town of Pitkin, beginning on January 1, 2018, will reimburse the County in an amount equivalent to the County sales tax municipal shareback, which is approximately $6,000 per year. The Town of Pitkin acknowledges that such payment may not reimburse Gunnison County for its total expenses in the performance of the work.

SECTION IV
RESPONSIBILITY FOR ROAD MAINTENANCE AND DAMAGES

The Town of Pitkin and Gunnison County specifically understand and agree that nothing in this Agreement shall be interpreted to require Gunnison County to perform any general road maintenance on the streets in Pitkin other than the snow removal and/or plowing contemplated hereunder. Further, it is understood and agreed that Gunnison County shall not be held liable for any roadbed or roadside damages that occur as a result of such snow removal and/or plowing and that the Town of Pitkin shall be solely responsible for any such road repair or maintenance required as a result of the snow removal and/or plowing performed under this Agreement.

SECTION V
INDEMNIFICATION

Nothing in this Agreement is, or shall be construed to be, a waiver by Gunnison County or the Town of Pitkin of governmental immunity. It is expressly agreed that, the Town of Pitkin shall defend, by an attorney whom Gunnison County shall have an opportunity to recommend, indemnify and hold harmless Gunnison County, its officials and employees from all claims, causes of action on litigation that may arise, directly or indirectly, from Gunnison County's obligations or work under this Agreement.

SECTION VI
RECORDS

Gunnison County shall maintain records of the time and equipment spent on performing the snow removal and/or plowing services described in this Agreement. Such records shall be available to the Town of Pitkin upon request.

SECTION VII
NON-ASSIGNABILITY

Neither party hereto shall assign, sublet or transfer this Agreement nor any interest therein to any other party without the prior written consent of both parties to this Agreement, which consent shall not be unreasonably withheld.

SECTION VIII
BINDING EFFECT

Each and every clause and covenant of this Agreement shall extend to, benefit, and bind the successors and assigns of the parties hereto respectively.

SECTION IX
AMENDMENTS

Any and all modifications or alterations of or additions to or changes in any term, condition, or agreement contained herein shall be void and non-binding unless set forth in writing and signed by both parties hereto.

SECTION X
TERMINATION

It is understood and agreed by and between the Town of Pitkin and Gunnison County that this Agreement may be terminated by either party upon thirty (30) days advance written notice to the other party.

IN WITNESS WHEREOF the parties hereto agree to the foregoing Agreement.

APPROVED on November 21, 2017 by the Gunnison County Board of County Commissioners.

COUNTY OF GUNNISON
STATE OF COLORADO

ATTEST:

Deputy Clerk

Phil Chamberland, Chairperson

APPROVED on _____, 2017 by the Pitkin Town Council.

ATTEST:

Town Clerk

Rachel New, Mayor

IN WITNESS WHEREOF the parties hereto agree to the foregoing Agreement.

APPROVED on _____, 2017 by the Gunnison County Board of County Commissioners.

COUNTY OF GUNNISON
STATE OF COLORADO

ATTEST:

_____
Deputy Clerk

_____
Phil Chamberland, Chairperson

APPROVED on _____, 2017 by the Pitkin Town Council.

ATTEST:

_____
Town Clerk

_____
Rachel New, Mayor

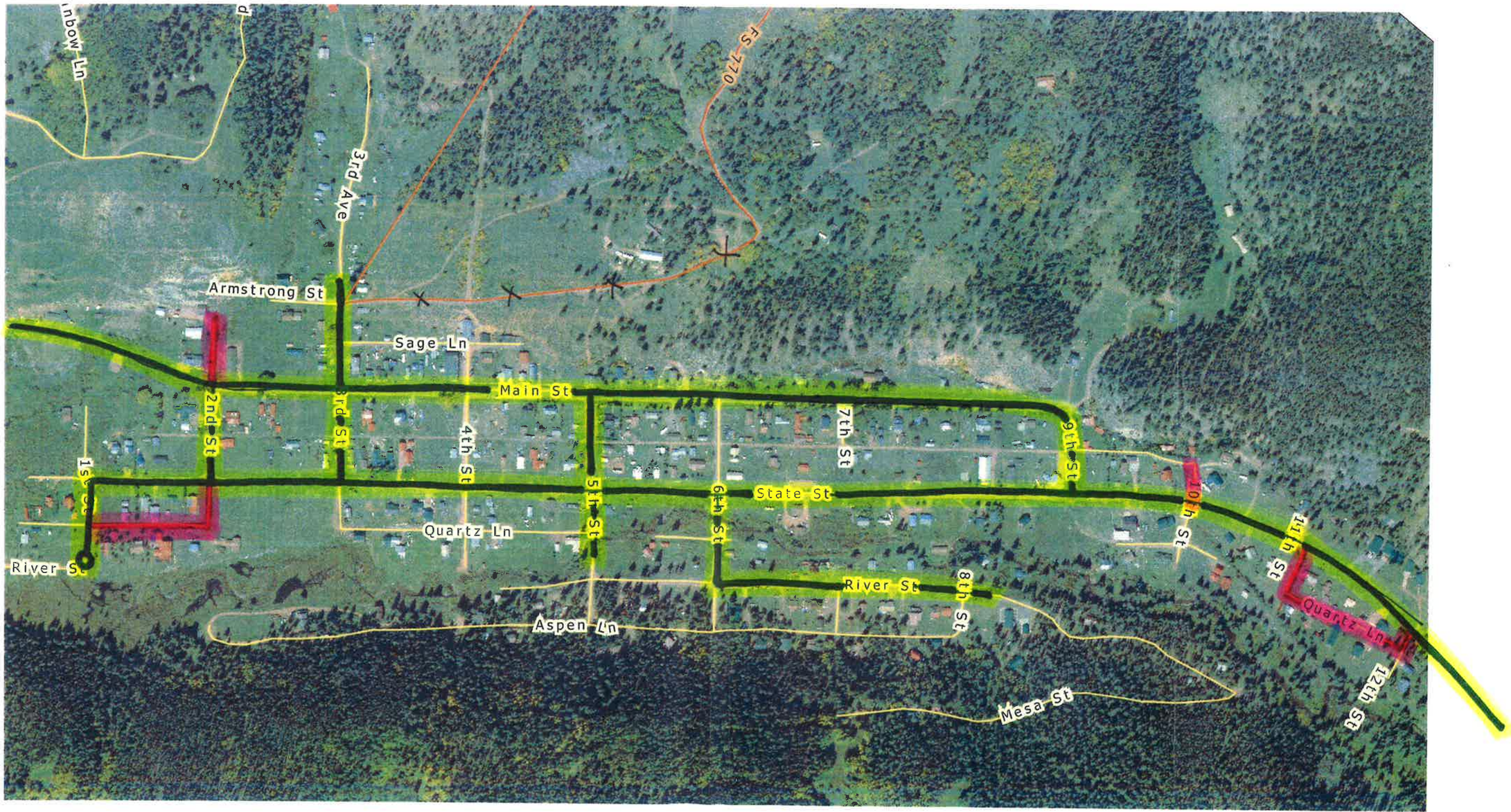
TOWN OF PITKIN
EST.
1879
COLORADO

= Primary Plow Routes
= Secondary Plow Routes

Exhibit A

Town of Pitkin

Scale = 1:6100

Disclaimer: The data herein is general in nature and not assumed to be complete nor accurate in its entirety and is therefore to be used with all discretions necessary.
The data portrayed should not be relied upon to establish legal title, boundary lines, the precise location of improvements, ownership, maintenance, easements or public right-of-ways.

10/23/2017