



PREPARING BIKERS
FOR THE WORST
ROUNDUP, B1

GUNNISON COUNTRY TIMES

50¢
Vol. 136, No. 35
Thursday,
August 31,
2017

SPORTS B13 | ROUNDUP B1 | OPINION A16-A18 | CLASSIFIEDS A19-A22 | OBITUARIES A3-A4 | ONLINE GUNNISONTIMES.COM

Western furthers energy goals

Projects continue to reduce greenhouse emissions

Chris Rourke
Times Staff Writer

The targets are lofty. Yet, step by step leaders at Western State Colorado University are reaching toward a goal set more than a decade ago — to become a "carbon neutral" campus by 2050.

The efforts to achieve this goal span all levels at the university — from the president's office to classrooms — and the benefits may reach far beyond campus borders.

In 2007, Western's then-President Jay Helman signed the American College and University Presidents Climate Commitment, pledging to reduce emissions by certain percentages at benchmark years. The core goal of the commitment is to find ways for colleges and universities to achieve climate neutrality, or "net-zero" greenhouse gas emissions.

Since then, a number of initiatives have been launched to help meet those objectives.

Additionally, students have the option of paying a fee each semester into a sustainability fund, which is used to pay for projects that add to the university's overall renewable energy commitment.

For the last four years, the institution has worked with the City of Gunnison to purchase renewable energy credits (RECs) — certificates representing electricity produced from renewable sources. Most recently, Gunnison city leaders approved an amendment to the power contract between the city and

Western A8



Chris Rourke

No 'Mo
pizza

The iconic "PIZZA" sign outside the Alamo Bar on the second block of North Main Street in Gunnison was disassembled and hauled away Tuesday. Bar owner George Southwell cheered as the first letter — "P" — was removed. The watering hole, which is referred to by many as simply the 'Mo, had not served pizza in the last four years. A flat "Alamo" sign replaced the large letters on the facade of the building.

Family prevails in Thomas civil suit

Jury finds negligence against asphalt co., awards damages

Will Shoemaker
Times Editor

A nine-person jury has awarded damages totaling nearly \$569,000 to the family of a Gunnison cyclist killed two years ago north of the city.

The jury, serving the U.S. District Court in Denver, reached the verdict this past June in the wrongful death lawsuit brought by the widow of Dale Thomas against the owner of the truck involved in the accident, his company and the vehicle's teenage driver. A final judgment in the case was issued earlier this month.

The jury found negligence on the part of AZ Asphalt and the teen driver, awarding non-economic damages totaling \$400,000, economic damages of \$68,810 and punitive damages of \$100,000.

Thomas, a well-known member of the Gunnison Valley cycling community and owner of Rocky Mountain Log and Antler Furnishings, was killed June 19, 2015 after being run over by a 1998 Dodge pickup owned by Mike Collins at the intersection of Hwy. 135 and County Road 8 (also called Allen Lane).

Collins is the owner of AZ

Thomas A8

Valley rallying to aid of hurricane victims

Community Foundation raising money locally for effort

Will Shoemaker
Times Editor

With numerous second homeowners and residents of the Gunnison Valley with Texas ties, locals have begun rallying to the aid of Hurricane Harvey

victims.

Executive Director Pam Montgomery reported that the Community Foundation of the Gunnison Valley (CFGV) became involved in fundraising for Harvey victims this week at the urging of donors — many of

whom live in or have ties to the Houston area. The foundation previously helped raise money following Hurricane Katrina in 2005 and the 2010 Haiti earthquake.

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Western

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the university.

The university will purchase one million kilowatt-hours (kwh) annually of wind-generated energy for three years through Municipal Energy Agency of Nebraska. The purchase includes a pass-through cost of an additional 1.5 cents per kwh above the normal cost of energy. The university will receive 83,334 kwh of wind power per month, totaling a cost of \$15,000 annually. The additional, pass-through cost will be covered through the renewable energy fund.

"It's our students who are

asking Western to take leadership in this — they're saying, 'Hey, it's a fee we're paying so we want to see the fruits of our contributions to this renewable energy fund,'" said Abel Chávez, assistant professor of environment and sustainability. Chávez also Resilient Communities coordinator in the Masters of Environmental Management (MEM) program.

Chávez explained that each unit of electricity has a greenhouse gas "emissions factor." By multiplying the total amount of electricity the university uses by the emissions factor, total greenhouse emissions can be determined. Through RECs and the new power agreement,

Chavez said Western has offset 60 percent of electricity-based greenhouse gas emissions.

Another project that will boost Western's renewable energy commitment, Chávez is said, is in its infancy. A solar farm is being proposed by MEM student Loren Ahonen. Western leaders have ruminated the idea of building a solar array that would contribute to the power grid. The project could start small and build to a larger solar farm, generating as much as 5 megawatts of electricity — enough to power about 800 homes.

"The scale of the project and the deployment mechanism remains to be seen," said

Ahonen. "We're looking for a mid-scale solar solution."

Yet, Ahonen's idea is to go beyond what is needed for the campus. His vision includes the possibility for a community solar garden to be constructed that would not only benefit the school, but residents and businesses in Gunnison. Details are still to be determined, he said.

"We would be the major off-taker," Ahonen explained. "Maybe the city, the county, the school district and city resident ratepayers would have the opportunity to join in the project as well."

Ahonen said that opportunity would provide an economic benefit for all users.

MEM Sustainability Director Nathan King added that a solar farm would not only help Western reach its renewable energy goals, but benefit its "triple bottom line" — the environment, finances and social conditions.

"We've had discussions, how can this benefit the greater community, not just Western? How can we use this to benefit others as well?" King posed. "These are all thoughts and ideas that are going into the ideas and planning at this stage."

(Chris Rourke can be contacted at 970.641.1414 or at chrisrourke@gunnisontimes.com.)

Thomas

from A1

Asphalt. The truck, driven by a 16-year-old employee of Collins who was unlicensed to drive at the time, was pulling a trailer carrying a skid steer traveling south on Hwy. 135.

Thomas was traveling on his bicycle in the same direction. The teen initiated a right turn onto Allen Lane, and during the turn the right side of the trailer struck Thomas, knocking him to the ground, after which he was run over by the trailer tires. Thomas died from multiple traumatic injuries at the scene.

Colorado State Patrol officials confirmed following the accident that Thomas had the right-of-way when he was struck.

Last year, Collins agreed to plead "no contest" to a single misdemeanor traffic offense and pay fees, fines and costs totaling \$571.84 for his role in the accident. The teen driver accepted a plea and was sentenced in October 2015 to two years probation and 96 hours community service.

However, Colorado law does not allow traffic citations to be used in civil trials. As a result, the jury in the civil case did not know about the pleas entered by Collins or the teen. In the civil courtroom, the two sides portrayed much different accounts of what happened leading up to Thomas' death — and who was at fault.



Courtesy

(L-r) Dale Thomas is pictured with wife Ellen Petrick and daughter Leah Thomas.

'I think it sends a message'

Attorney Brian Weiss of Bike Law Colorado, who filed the suit on behalf of Thomas' widow Ellen Petrick, based much of his case on a reconstruction of the scene of the accident utilizing video and diagrams.

Weiss argued that the truck's teen driver was traveling 25-30 miles per hour (mph) when he made the right turn onto County Road 8 — rather than the teen's estimate of 10-15 mph — and Thomas was riding in a legal and proper position on the right shoulder of Hwy. 135 at approximately 25 mph.

The teen should have waited for Thomas to clear the intersection before initiating the turn, Weiss argued. Ultimately, the jury found the teen's actions to be reckless.

"I think it sends a message that people don't want companies to have unlicensed drivers," Weiss said. "It shows this is something we need to take seriously."

Weiss noted during the trial that Collins' trailer did not have functioning brake lights or turn signals. Additionally, recorded statements and depositions revealed that Collins had not checked whether the teen had a driver's license, and did not complete necessary forms or conduct background checks of his employees who were instructed to drive for the company.

Two eyewitnesses testified in court, each with vastly different versions of the crash. Ryan Cross of Boulder was following immediately behind the truck when the accident occurred. He

"I think it sends a message that people don't want companies to have unlicensed drivers. It shows this is something we need to take seriously."

Brian Weiss

testified that Thomas was cut off and struck by the teen driver — an account with which the jury largely sided.

A second eyewitness, Joshua Doran, of Buena Vista, was following in his vehicle multiple cars behind the teen and reported that Thomas was not looking where he was going and rode into the trailer. Weiss argued that Doran changed elements of his story over time.

'It was a terrible accident'

Thomas, who was 64 at the time of his death, had lived in Gunnison for 40 years after growing up in Littleton. He logged thousands of miles each year road cycling in the Gunnison Valley. He is survived by his widow, Petrick, his son Jake Thomas, daughter Leah Thomas, and his grandson Roland.

Despite the jury's award of nearly \$569,000, after a "percent fault" calculation, a settlement with the plaintiffs — which excluded punitive dam-

ages — and attorney's fees, Thomas' family will collect about \$249,000, Petrick said.

When contacted by the *Times*, Collins indicated damages are being covered by his insurance company.

"It was a terrible accident," he said. "We feel very, very sorry for what's happened."

Petrick, who now lives in Redding, Calif., said she decided to bring the civil suit after hearing blame on the part of Thomas — that he wasn't paying attention to where he was going and ran into the back of the trailer.

"It made things much more painful for me," she said. "I just wanted to find out the truth."

Additionally, she said the outcomes of criminal cases against Collins and the teen were unsatisfactory. If anything, she hopes the tragic accident reminds people just how vulnerable cyclists and pedestrians are — and for motorists to exercise caution.

"It was an extremely difficult two years for me," she said. "I felt obligated to do this because it was so hard hearing the accusations. ... The way (Thomas) was described as having ridden his bicycle by the defense and their witnesses was that he couldn't have gotten out of the front yard. I knew he was only capable of riding one way, and that was safely."

(Will Shoemaker can be contacted at 970.641.1414 or at editor@gunnisontimes.com.)

"The money that comes in here, we can say, 'This is from Gunnison Valley folks who appreciate so much what Texas does for the valley. Our valley's nonprofits receive so much generosity from Texas part-time residents and visitors.'"

Pam Montgomery

Hurricane

from A1

CFGV is working with the Greater Houston Community Foundation, which serves the entire coastal area of Texas and knows exactly where to make the greatest possible impact, said Montgomery.

While she recognized that clean-up and rebuilding will take decades, CFGV will wait for awhile before sending the money to help those impacted by the storm rebuild their lives.

"The money that comes in here, we can say, 'This is from Gunnison Valley folks who appreciate so much what Texas does for the valley,'" she said. "Our valley's nonprofits receive so much generosity from Texas part-time residents and visitors."

Those interested in donating through CFGV can do so online by visiting <https://donatenow.networkforgood.org/hurricane-harveyhouston>.

In addition to the website, people can send a check to CFGV (with Hurricane Harvey in the memo line) at P.O. Box 7057, Gunnison, CO 81230, or drop money by its main office at 525 N. Main St.

"We'll make sure it gets to where it needs to go," Montgomery said. "All of the donations made will go down there."

Also, on Saturday, Sept. 2 at 7 p.m., the Majestic Theatre in Crested Butte will offer a screening of the film "Friday Night Lights" to benefit the victims of Hurricane Harvey. The film's licensing fees have been underwritten by Marla Drucker of Crested Butte, so that all pro-

ceeds will go to the Hurricane Harvey Relief Fund established by Houston Mayor Sylvester Turner.

The 2004 film, based on the bestselling book by H.G. Bissinger, has been hailed as "one of the best football movies ever," by *USA Today*. The film, which stars Billy Bob Thornton, profiles the economically depressed town of Odessa, Texas, and their heroic high school football team.

Estimates of damage inflicted by the hurricane early this week were as high as \$42 billion after significant flooding in southeastern Texas and southwestern Louisiana, with the storm system expected to make landfall again sometime this week.

Confirmed deaths resulting from the hurricane had reached 28 as of press time.

The area north of Houston had received more than 40 inches of rain by Tuesday afternoon.

Part-time Gunnison-area resident Ron Watson reported via e-mail Tuesday that the hurricane "went right over our house" in Rockport, Texas, Friday night. While the home was spared, a four-building commercial property owned by the Watsons two miles away "was leveled." No one was hurt.

As of Tuesday, the Watsons were en route to Rockport with a trailer full of supplies from two churches in Gunnison and cases of toilet paper, paper towels and trash bags donated by a local business.

"People are amazing and God is good!" Watson wrote.

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