AGENDA

A.) CALL TO ORDER

B.) PLEDGE OF ALLEGIANCE

C.) ROLL CALL

D.) ANNOUNCEMENTS
   1.) We would appreciate it if you would turn your cell phones off during this meeting.
   2.) A sign-in sheet is located by the door, if you have not already done so, please sign in before you leave.
   3.) A snowmobile poker run to benefit Flight for Life Colorado will be held Saturday, February 25th at 9 a.m. at the Grand Lake Community House.
   4.) A freestyle Nordic Race to benefit the National Sports Center for Disabled Competitive Nordic Program is being held at the Grand Lake Nordic Center on Saturday, February 25th and Sunday, February 26th.
   5.) The Board of Trustees has 2 vacancies to be filled by appointment at the February 27th Board of Trustees Meeting. Interested parties must be at least 18 years old, have resided in the Town of Grand Lake for at least 12 consecutive months immediately preceding the date of appointment, and may not run or hold 2 offices simultaneously. Submit letters of interest to the Town Clerk by February 22nd.

E.) CONFLICTS OF INTEREST

F.) UNSCHEDULED PUBLIC COMMENTS – COMMENTS ARE LIMITED TO 3 MINUTES
   (This time is reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. The Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather, the Board will refer the items to staff for follow up.)

G.) SCHEDULED PRESENTATIONS/DELEGATIONS
   1.) Greg Barnes – Daven Haven Off-Premise Sign.

H.) CONSENT AGENDA
   (The items listed under "Consent Agenda" are a group of items to be acted on with a single motion and vote. This agenda is designed to expedite the handling of limited routine matters by the Board. The Board has received the information on these matters in their Board packets prior to the meeting. The Mayor will ask if any citizen wishes to have any specific item discussed. A Board Member may request that an item be removed from the Consent Agenda on behalf of a citizen or himself and will state when the item will be discussed in the meeting or tabled to another meeting. The removal of an item will require a second and a majority vote of the Board. Items on the Consent Agenda are then voted on by a single motion as presented.)
1.) Minutes – January 23, 2017 (Page E3)
2.) Accounts Payable – January, 2017 (Page E9)

I.) LOCAL LIQUOR LICENSING AUTHORITY – QUASI-JUDICIAL – NONE

J.) OLD BUSINESS
1.) Consideration of Transportation Sponsorship for the Grand Gala a fundraising event for The Grand Foundation. (Page E19)

K.) NEW BUSINESS
1.) Consideration of Letter of Support for a Funding Request for the Grand Lake Area Historical Society. (Page E28)
2.) Consideration to reiterate and reconfirm the Town of Grand Lake’s Support for the DOLA Grant. (Page E30)
3.) Consideration of sponsorship for the 2017 Across the Divide Geo Tour. (Page E32)
4.) Consideration of Ordinance XX-2017, an ordinance amending the Town’s general penalty provision contained in Section 1-1-9 of the Town Code to increase the maximum possible fines for municipal violations. (Page E35)
5.) Consideration of a Public Property Encroachment Application for Shadow Mountain Yacht Club Lot A; more commonly referred to as 605 Lake Front Road. (Page E38)
6.) APPEAL HEARING - Consideration of an appeal to a denied Sign Permit Application for the Shadow Mountain Yacht Club Subdivision Monument. (Page E48)
7.) Consideration to grant variances for required open space, utility locations, and onsite parking requirements for Lots 3-5, Block 12, Town of Grand Lake; more commonly referred to as 824 Grand Avenue. (Page E57)

L.) MAYOR’S REPORT AND COMMENT

M.) ADJOURNMENT
REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, JANUARY 23, 2017 7:30 P.M.

CALL TO ORDER:  The regular meeting of the Board of Trustees was called to order by Mayor Jim Peterson at 7:30 p.m. at the Town Hall, 1026 Park Avenue.

PLEDGE OF ALLEGIANCE:  Mayor Peterson led everyone in reciting the Pledge of Allegiance.

ROLL CALL PRESENT:  Mayor Peterson; Trustees Jenkins, Kudron, and Lewis; Town Manager White, Town Clerk Nicholls, Town Code Administrator ORourke and Town Attorney Krob.

ABSENT:  Mayor Peterson noted that Trustee Goodfellow was absent from the evening meeting, and further noted that there are 2 vacancies on the Board of Trustees.

Trustee Lewis moved to excuse Trustee Goodfellow from the evening meeting. Trustee Jenkins seconded the motion and all Trustees voted aye.

ANNOUNCEMENTS:  Mayor Peterson announced that it would be appreciated if cell phones were turned off during the meeting.

Mayor Peterson announced that the 29th Annual Three Lake Fishing Tournament is scheduled for January 28th & 29th.

Mayor Peterson announced that the Independent Sports Club is having a Wild Game Dinner Fundraiser on February 10th at the Grand Lake Center at 5:30 p.m. Tickets will go on sale Thursday.

Mayor Peterson announced that Winter Carnival is February 11th. This year's theme is Grand Lake Goes Hollywood. As usual the events start with Teapot Curling at 9:30 a.m. and end with the ball at Pancho & Lefty's from 6-10 p.m. Fireworks are at 8 p.m.

Mayor Peterson then announced that the Grand Lake Rotary Club is sponsoring a Valentine’s Day concert featuring Peggy Mann on February 12th at the Grand Lake Community House.

CONFLICTS OF INTEREST:  Mayor Peterson stated that if there are any Trustees wishing to announce a conflict of interest with any items on this evening's agenda, they should do so at this time.
There were no conflicts of interest.

**UNSCHEDULED PUBLIC COMMENTS:**

Mayor Peterson announced that this time is reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. The Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather, the Board will refer the items to staff for follow up. He then asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.

Lance Sabo, 808 Park Avenue, was recognized by the Chair. Mr. Sabo stated that he ran for the Board years ago and was elected. One of the first things he learned was that there will be people of diverse education and backgrounds serving along side him and that they should always treat people with respect and listen to the various opinions. He stated that the Board seems to not want to hear differing opinions and Board members seem to interrupt and comment very loudly when there is an opposing opinion. This happened to him at the last meeting and is the reason he has resigned from the Board. He implored the Board to call for an election and let the citizens decide instead of appointing. He concluded by stating two Trustees have resigned and 8-10 employees have quit. The Board should look closely at this and make the appropriate changes.

Jim Kropf, 133 Alpine Circle, was recognized by the Chair. Mr. Kropf stated that he is the Treasurer for the Grand Lake Area Chamber of Commerce. He thanked the Board for their continued confidence in the Chamber. They had a great 2016 and look forward to another great year.

Jim Gasner, 907 Grand Avenue, was recognized by the Chair. Mr. Gasner stated he felt the Town had the poorest management he has ever seen on a Board. He stated that he felt the Board should hold an election for four Trustee positions, in addition to the two vacancies there are two people who do not live in Town.

**SCHEDULED PRESENTATIONS/DELEGATIONS:**

Mayor Peterson introduced Samantha Bruegger, Grand Lake Area Chamber of Commerce. Ms. Bruegger reviewed the 2016 year for the Chamber, noting a grant awarded from the Colorado Tourism Board, and a new marketing and events director that was hired. She continued by stating that as a member of the Fireworks Committee she wanted to briefly report on the Committee. Due to the extra repairs required to the barge and a dock or pier that is
needed, the Fireworks Committee needs an extra $20,000 in order to have the Fourth of July show. She asked the Town to consider contributing the funds to help with the dock or ensure that the East Inlet construction is done in time. She finished up with the state of the committee's accounts and their plans for the event.

The Board directed Staff to make the Fireworks Committee request an agenda item at the next meeting.

MINUTES APPROVAL:
Trustee Lewis moved to approve the January 9, 2017 Minutes as presented. Trustee Jenkins seconded the motion and all Trustees voted aye, except Trustee Kudron who abstained.

REPORTS: SALES TAX CASH FLOW REPORT FOR DECEMBER 2015:
Mayor Peterson asked Town Clerk Nicholls to present the sales tax cash flow report. Nicholls reported that the amount of revenue received in December 2016 for the month of November was $38,189 or $1,153,629 year-to-date. This amount was 3.86% above what was received through November 2015.

REPORTS: FINANCIAL REPORT FOR DECEMBER 2016:
Mayor Peterson asked Town Clerk Nicholls to present the Financial Report for December 2016, unadjusted. Nicholls reported that the General Fund expenditures through the end of December, totaled $1,820,926 or 63.4% of budget. She said the Water Fund expenditures for the same period totaled $575,845 or 69.7% of budget, the Marina Fund expenditures totaled $163,329 or 75.6% of budget, the PAYT Fund expenditures totaled $27,052 or 70.1% of budget, and the Grand Lake Center expenditures totaled $142,919 or 190% of budget.

LIQUOR LICENSING AUTHORITY
SPECIAL EVENT PERMITS: CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT AND SPECIAL EVENT PERMIT FOR INDEPENDENT SPORTS CLUB FOR A WILD GAME DINNER FUNDRAISER EVENT – Mayor Peterson asked Town Clerk Nicholls present this matter to the Board. Nicholls stated an application for a Special Events Liquor Permit was received with the appropriate state fee, proof of possession, certificate of good corporate standing, and floor diagram, from the Independent Sports Club. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their Wild Game Dinner Fundraiser to be held Friday, February 10, 2017. The Independent Sports Club qualifies for a Special Events Permit in that it is incorporated with the State of
COLORADO as a nonprofit social group, and has not received more than 15 Special Events Liquor License Permits for 2017 (this is their 1st request). The proposed location is the Grand Lake Center at 301 Marina Drive. The Grand Lake Center is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location. Public notice was posted on the premises and attested to by Grand Lake’s Code Administrator Erin O’Rourke on January 13, 2017. The Grand County Sheriff’s Department reviewed the application and found no adverse information which would affect this permit. The Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. She then stated that Code Administrator O’Rourke would be presenting the Special Event Permit Application.

Code Administrator O’Rourke stated The Independent Sports Club has submitted a Special Event Permit Application for consideration of hosting its Wild Game Dinner Fundraiser at the Grand Lake Center on February 10, 2017, from 4 p.m. until 11 p.m. Because this is a first time event, action by the Board of Trustees is required. The Independent Sports Club is a 501(c)(3) nonprofit organization and the proceeds from the Event will benefit Grand County Youth. Staff believes that this event should be a successful event for the Applicant’s fundraising efforts for Grand County Youth. Town Staff recommends approval and execution of the Special Event Permit as presented. It was noted that Julie Gasner was present.

Trustee Kudron moved to approve the Special Event Permit and the Liquor License Application for the Independent Sports Club Wild Game Dinner Fundraiser, and authorize Mayor Peterson to sign the Special Event Permit upon confirmation from Staff that all other application requirements have been met and the Special Event Permit is ready for signature. Trustee Lewis seconded the motion and all Trustees voted aye.

OLD BUSINESS:

NONE

NEW BUSINESS:

CONSIDERATION OF THE BOARD OF TRUSTEES VACANCY – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated the resignations of Trustee Jim Gasner on January 9, 2017, and Trustee Lance Sabo on January 20, 2017 has created two vacancies on the Board of Trustees. The Board of Trustees has 60 days to fill the positions by appointment or order a special election, after which the Board’s only option shall be to order an election. It has been the Board’s
historical preference to fill such vacancies by means of appointment to expedite the filling of the vacancy and avoid the costs of an election. Letters of interest from qualified electors would be requested from the public and brought to the Board for their review and decision. If the Board decides to appoint, the positions will need to be decided upon and filled no later than the February 27, 2017 meeting, as the deadline to avoid election is March 10, 2017. The appointed people would serve until the next election in April 2018. Special election is the other option for filling the vacancy. State statute drives the timeline on elections. A minimum of 91 days is required to meet all the requirements for an election putting the election 3+ months out. Additional costs estimated at $1,500 would be incurred along with the extra overtime necessary for the Town Clerk to run an election. Qualifications for holding office are that the individual must be a registered elector of the Town, 18 years of age on Election Day, resided in the Town for at least 12 months immediately preceding the date of the election, and may not run for or hold 2 offices simultaneously. The Board should direct Staff to advertise the vacancy for appointment or make a motion to have a special election on a specific date.

Mayor Peterson reintroduced the Board's precedent of filling vacancies by appointment and noted that there is currently one Trustee living outside of Town limits.

A discussion ensued regarding the time frame and costs of an election, the length of the appointment term, the burden on the Staff to have an election, and the best decision for the community.

Trustee Lewis stated that she was part of this discussion and she would like to stay on the Board until the next election.

Samantha Bruegger, 217 Marina Drive, was recognized by the Chair. Ms. Bruegger noted that there seems to always be a struggle finding qualified people to fill vacancies. She questioned if becoming a home rule town would open up more possibilities for those living outside Town limits. Mayor Peterson confirmed that it would not.

Jim Kroepfl, 133 Alpine Circle, was recognized by the Chair. Mr. Kroepfl stated that he serves on a couple of boards and gets paid on one of them. He feels the Board should receive remuneration for their service.

Trustee Kudron moved that the Town of Grand Lake Board of Trustees make appointments for the two vacancies based upon a satisfactory number of requests being filled by February 27, 2017.
directing Staff to advertise the vacancies at the earliest convenience. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF APPOINTMENT OF ELMER LANZI TO THE PLANNING COMMISSION – Mayor Peterson asked Town Manager White to present this matter to the Board. White stated former Grand Lake Planning Commission member and former Town Trustee, Elmer Lanzi, confirmed his interest in being re-appointed to the Planning Commission. The Mayor and Town Board of Trustees should consider his appointment to fill one of the two current vacancies.

Andy Murphy, 1224 Lake Avenue, was recognized by the Chair. Mr. Murphy stated he supports Elmer Lanzi being appointed to the Planning Commission. His willingness and past experience on the Commission as well as the Board of Trustees makes him a good candidate.

Trustee Jenkins moved to appoint Elmer to the Planning Commission. Trustee Lewis seconded the motion and all Trustees voted aye.

MAYOR’S REPORT AND COMMENT:

Mayor Peterson thanked the Staff for all the extra work they are going through due to vacancy of the Town Planner. Hopefully the position will be filled and their workload will be much less. He continued by stating it was sad to see the two resignations from the Board and he wished them well. He promised he would not be swayed by friendships. He apologized for the people they disappointed with the decisions they made. He doesn’t feel that he ever stopped anyone from talking, but if he did he apologized.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Jenkins. All Trustees voted aye, and the meeting was adjourned at 8:05 p.m., January 23, 2017.
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TOWN OF GRAND LAKE COMBINED ACCOUNTS PAYABLE AND ACCOUNTS PAYABLE - ALREADY PAID (ATTACHMENT A): JANUARY/FEBRUARY 2017

MAYOR:

JAMES C. PETERSON, MAYOR

ATTEST:

KATIE NICHOLLS, TOWN CLERK
**ATTACHMENT A**

**ACCOUNTS PAYABLE - ALREADY PAID**

**JANUARY 2017**

**ALREADY PAID**

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**TOTAL ALREADY PAID** $36,872.97

**PAYROLL ALREADY PAID**

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**TOTAL Gross Salaries** $41,687.05 $17,654.28 $963.68 $60,305.01

- **Reimbursements** $2,334.21
- **EFTPS** FICA/Federal Withholding $15,537.50
- **Colorado Department of Revenue** State Withholding $1,972.00
- **ICMA Retirement Trust** Retirement/Loan Repayment $8,712.20
- **CEBT** Health/Dental/Vision/ Life/AD&D insurance $10,339.39
- **The Hartford** Life/AD&D Insurance $16.38
- **Genworth Financial** Additional Life Coverage $255.39

**Total Payroll Taxes/Benefits** $39,267.07
Date: February 13, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: Grand Gala Transportation Sponsorship

PURPOSE:

The Grand Foundation is requesting support from the Town of Grand Lake in the amount of $700 as a Transportation Sponsorship, equivalent to a Bronze Level Sponsorship for its annual fundraiser. Last year, the Town did provide this level of support for the Grand Foundation event. Last year’s Grand Foundation fund raising efforts subsequently resulted in awards to the Rocky Mountain Repertory Theater, the Grand Lake Area Historical Society, Grand County Characters, Grand Angels and the Independent Sports Club.

This year’s event will be held at Devils Thumb Ranch Resort and Spa, Tabernash, CO on Saturday, April 29, 2017 at 6pm at High Lonesome Lodge.

STAFF COMMENTS and RECOMMENDATION

Town Staff reports that the Town’s contribution to this event would help cover the cost of transporting Gala guests to and from the event, thereby providing a safe and convenient service to all of the guests throughout the county. The transportation service would provide a pickup/drop off location again in Grand Lake. We have recommended that a funding request for this event be submitted during our budget review process henceforth.

SUGGESTED MOTION
I move to approve (or deny) support in the amount of $700 to provide a 2017 Transportation Scholarship to the Grand Foundation in support of its annual Grand Foundation Gala.
Hi Jim,

After talking with Megan we are both unable to make it on Monday evening and are very sorry!

We did want to include as part of presenting the Grand Gala Transportation Sponsorship that in 2016 the Grand Foundation awarded annual grant funds to the Rocky Mountain Repertory Theatre, Grand Lake Area Historical Society, Grand County Characters, Grand Angels and the Independent Sports Club in addition to the 30+ county wide organizations which include Grand Lake such as Grand County Advocates, Mountain Family Center, Grand County Rural Health Network, etc.

Just as in 2016, the Transportation Sponsorship is listed as an Underwriting Sponsorship to cover the cost of transporting Gala guests to and from the event countywide. The cost of the sponsorship is $700 and includes two (2) tickets to the event, sponsor listing in full-page newspaper spread, sponsor listing on our event website and recognition on social media blasts and at the event. Your contribution in 2016 allowed us to continue to provide this safe and convenient service to all of our guests of which included a pickup/drop off location in Grand Lake. We would love to have your support in continuing this again in 2017!

If you should have any additional questions please feel free to email or call!

Thanks,

**Hannah Cox**

Events Coordinator
Grand Foundation
P.O. Box 1342
Winter Park, CO 80482
970.887.3111 Ext. 1 (Office)
303.549.8398 (Cell)
www.grandfoundation.com
Grand Gala
Saturday, April 29, 2017
6:00 pm

High Lonesome Lodge
at Devil's Thumb Ranch Resort & Spa
Tabernash, Colorado

Entertainment – To Be Announced!

RSVP – hannah@grandfoundation.com or call 970.887.3111 (ext. 1)

What is Derby Attire? Click here for some helpful tips on what to wear!

THANK YOU TO OUR 2017 GRAND GALA SPONSORS

GOLD SPONSORS

Centura Health

Maureen and Dick Graff

Mountain Parks Electric, Inc.

SILVER SPONSORS

Ascendant Title

Centennial Bank and Trust

Watch Local TV
SPECIALITY SPONSORS

SILENT AUCTION SPONSOR -

ENTERTAINMENT SPONSOR -
David & Traci Maddox

UNDERWRITING SPONSORS

FLORAL SPONSOR ~ Woodstem Floral & Decor (http://www.winterparkfloral.com)
TRANSPORTATION SPONSOR ~ Town of Fraser (http://frasercolorado.com), Town of Granby (http://www.townofgranby.com)
WINE SPONSOR ~ Title Company of the Rockies (http://www.titlecorockies.com)
DESSERT SPONSOR ~ Blue Valley Ranch (http://bluevalleyranch.com)

BRONZE SPONSORS

Bishop Built (http://www.bishopbuiltconstruction.com), Ranger Insulation (http://www.rangerinsulation.com)
Kristen L. Meyer & Associates (http://www.kristenmeyer.com)
National Sports Center for the Disabled (http://www.nscc.org)
Rocky Mountain Spray Foam, LLC (http://www.sprayfoamt.com)
Winter Park Dental (http://winterparkdentalcolorado.com)
Woodspur Lodge (http://woodspur.com/index.html)

SPECIAL THANK YOU

Breakthru Beverage Group (https://www.breakthrubev.com)
Republic National Distributing Company (http://www.rncusa.com)
10th Mountain Whiskey & Spirit Company (http://10thwhiskey.com)

RSVP OR SPONSORSHIPS

http://grandgala.grandfoundation.com/
Hi Jim,

I apologize I did not confirm in my email that the Transportation Sponsorship was and still is equivalent to that of a Bronze Level Sponsorship. The cost for each town is $700 for this sponsorship and you will receive two tickets to the night of the event.

With that said, it is listed as an Underwriting Sponsorship because our goal is to have each of the towns share that sponsorship. This is nice because you still receive the benefits of an Underwriting Sponsor which includes:

- Sponsor listing in full-page newspaper spread
- Sponsor listing on event website
- Recognition on social media blasts and at the event

If you would still like to chat over the phone just let me know what time works for you!

Thanks,

Hannah Cox
Events Coordinator
Grand Foundation
P.O. Box 1342
Winter Park, CO 80482
970.887.3111 Ext. 1 (Office)
303.549.8398 (Cell)
www.grandfoundation.com

From: Jim White [mailto:glmanager@townofgrandlake.com]
Sent: Sunday, January 22, 2017 1:29 PM
To: Hannah Cox
Subject: Sponsorship

Hannah,

Please call so we can discuss the Transportation Scholarship cost and value. I know we did not provide $2000 last year. We have a Town Board meeting on Monday, January 23rd and not another one till February 13, 2017.

Thanks,
Jim

Jim White
Town Manager
P.O. Box 99
Grand Lake, Co 80447
glmanager@townofgrandlake.com
970-627-3435 (w)
970-531-8900 (cell)
Sponsorship Opportunities

Presenting Sponsor $10,000
- Ten (10) Tickets to the Event
- Recognition at the event and on all marketing collateral
- Presenting Sponsor logo featured in full-page newspaper spread
  - Linkable logo listing on event website
  - Tag on social media blasts

Gold Sponsor $3,500
- Eight (8) Tickets to the Event
- Gold Sponsor logo featured in full-page newspaper spread
  - Linkable logo listing on event website
  - Tag on social media blasts and at the event

Specialty Sponsor $3,000
(Entertainment, Audio Visual, Cocktail Party, Lodging, Silent Auction & Valet)
- Six (6) Tickets to the Event
- Sponsor listing in full-page newspaper spread
  - Linkable logo listing on event website
- Recognition on social media blasts and at the event

Underwriting Sponsor $2,000
(Dessert, Transportation, Wine, & Floral)
- Four (4) Tickets to the Event
- Sponsor listing in full-page newspaper spread
- Sponsor listing on event website
- Recognition on social media blasts and at the event

Bronze Sponsor $700
- Two (2) Tickets to the Event
- Sponsor listing in full-page newspaper spread
- Sponsor listing on event website
- Recognition on social media blasts and at the event

Patron Ticket(s) $275/ticket
Ticket(s) to the Event

*Valet Parking Service For All Guests*

Grand Foundation P.O. Box 1342 Winter Park, CO 80482
970.887.3111
www.grandfoundation.com
Company or Individual Name

Contact Name ___________________________ E-mail ___________________________

Address _____________________________________________________________

City ___________________________ State ___________ Zip ______________________

Phone: ___________________________ Cell: ___________________________ Fax: ____________

Preferred method of contact: ☐ Phone ☐ Email

Sponsorships are based on availability. Please reserve the following for me:

☐ $10,000 Presenting (10 tickets)
☐ $3,500 Gold (8 tickets)
☐ $3,000 Specialty Sponsor (6 tickets)
☐ $2,000 Underwriting (4 tickets)
☐ $700 Bronze (2 tickets)
☐ $275 x __ Patron Ticket(s) = $____

Guest Names & Email

1. ___________________________ (email) ___________________________

2. ___________________________ (email) ___________________________

Payment information

☐ Enclosed is my check for $___________ (payable to Grand Foundation)
☐ Please charge my credit card. AMEX VISA MC

Credit Card # ___________________________ Exp. ____________

Name on Card: ___________________________ Billing Zip Code: __________

Signature ___________________________ Security Code: ____________

Questions? Call Hannah Cox: 970.887.3111 / Fax: 970.887.3176

Please return this form to: Grand Foundation, P.O. Box 1342, Winter Park, CO 80482
Date: February 13, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: Support for Funding Request for Grand Lake Area Historical Society

PURPOSE

The Town of Grand Lake received a request from Elin Capps of the Grand Lake Area Historical Society in support of a grant application it is submitting to History Colorado.

STAFF COMMENTS

A letter from the Town of Grand Lake will augment and strengthen the Historical Society’s request. The enclosed letter was drafted for consideration by the Town Trustees and explains the historic significance of this project as the Smith Eslick Cottage Court. It is thought to be the earliest, original-condition “motor Court” in the nation. It has been placed on the Colorado State Register of Historic Properties.

STAFF RECOMMENDATION

Town Staff supports the application and recommends approval and requests Town Board direction to have the Mayor sign the letter of support from the Town of Grand Lake.

SUGGESTED MOTION

I move to support the funding request made by the Grand Lake Area Historical Society to stabilize and preserve the Smith Eslick Cottage Court and to authorize the Mayor to sign the letter for submittal to History Colorado.
February 13, 2017

To whom it may concern:

This letter is written in support of the Grand Lake Area Historical Society in applying for a grant from History Colorado – State Historical Fund to complete development, fabrication and installation of exhibits at the Smith Eslick Cottage Court.

The Smith Eslick Cottage Court is an early, original condition motor court which will become the centerpiece museum at the Cottage Camp in Grand Lake. It is listed on both the Colorado State Register of Historic Properties and the National Register of Historic Places for its inventive adaptation of rustic architecture common in Grand Lake, and for reflecting the impact and commercial/recreational responses to the advent of automobiles and automobile tourism in the area.

Heritage Tourism is a substantial part of the Grand Lake economy, and the Cottage Court is a unique asset for the Grand Lake community; it will become even more valuable when it is filled with engaging, durable; secure exhibits. The Court has four small accommodation units, each with an attached carport, and all under an integrated roof. Exhibits will be installed in each accommodation unit and carport at the site, as well as near the Cairns #3 Ditch fronting the Court. Topics to be addressed in exhibits are wide ranging, but include information about early automobile tourism, road development, entrepreneurs that built a new economy in our town, many inventions and social changes resulting from automobile tourism, as well as information about our mountain landscape, recreational opportunities, Grand Lake’s rustic architecture, and water usage in the West.

The Cottage Camp Planning Committee, composed of local volunteers, has been working for two years with Traub Design Associates, Inc. to develop the overall design for exhibits at the site.

The Town Board of Trustees for the Town of Grand Lake strongly endorses this project and asks for your support for this grant request.

Respectfully submitted,

____________________________
James C. Peterson
Mayor, Town of Grand Lake
Date: February 13, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: DOLA Grant

PURPOSE

We recently submitted our DOLA grant application on January 31, 2017 for an Energy Mineral Grant. We have been asked by our DOLA representative to reiterate and reconfirm the Town Board’s support for the DOLA funding request.

STAFF COMMENTS and RECOMMENDATION

The Town Attorney has drafted a formal motion to verify the Town Board’s support for the DOLA application and the Town’s funding request.

SUGGESTED MOTION

I move to reiterate and reconfirm the Town of Grand Lake’s support for the DOLA grant for our Streetscape and Infrastructure Improvement Project as previously evidenced by the Board of Trustees approval on January 9, 2017 of a contract with Diamondback Engineering to, among other things, provide assistance for the Town’s DOLA grant application, and also to authorize the Mayor/and/or the Town Manager to sign all documents in furtherance of such DOLA grant.
Jim White

From: Scott Krob [scott@kroblaw.com]
Sent: Monday, February 06, 2017 1:13 PM
To: Jim White
Subject: DOLA motion

Jim:

I suggest that the language for the DOLA motion be something along the following lines:

"I move to reiterate and reconfirm the Town's support for the DOLA grant for ___{explain what the grant is for}______ as previously evidenced by the Board of Trustee's approval on January 9, 2017 of a contract with Diamondback Engineering to, among other things, provide support for the Town's DOLA grant application, and also to authorize the [Mayor/Manager] to sign all documents in furtherance of such DOLA grant."

If you have any questions or need anything further, please let me know.

--
Scotty P. Krob
Krob Law Office, L.L.C.
8400 E. Prentice Ave.
Penthouse
Greenwood Village, CO 80111
303-694-0099 (phone)
303-694-5005 (fax)
Scott@kroblaw.com
Date: February 13, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: Across the Divide Geo Tour

PURPOSE

Mayor Peterson was contacted by Fran Grooters of Estes Park regarding consideration by the Town of Grand Lake for sponsorship of the Across the Divide Geo Tour, from Estes Park to Grand Lake, through Rocky Mountain National Park.

STAFF COMMENTS and RECOMMENDATION

The Across the Divide Geo Tour is put on by volunteers who believe geo-caching is a great activity for people of all walks of life and physical abilities. It is a way to let kids and adults use their electronic to explore our natural surroundings, especially here in the western gateway to Rocky Mountain National Park and extending across the divide to Estes Park. The request from the Town of Grand Lake is for the amount of $500.

SUGGESTED MOTION
I move to approve (or deny) support from the Town of Grand Lake in the amount of $500 to provide sponsorship for the 2017 Across the Divide Geo Tour.
Sent from my iPad

Begin forwarded message:

From: fran Grooters <frangrooters@frii.com>
Date: January 27, 2017 at 4:54:25 PM MST
To: Jim Peterson <mayor@townofgrandlake.com>
Subject: Across the Divide GeoTour

Hi Jim,

Thanks for the opportunity to visit with you today. Hopefully, when we are in Grand Lake for a GeoTour Event, we will be able to meet you.

Attached is the Sponsorship Form and the letter with more information about the GeoTour and how it draws people to our areas and how the money is used. Once again, 100% of the monies from our sponsors is spent on the GeoTour – promotion (official on www.geocaching.com), activities, awards, passports, etc. The people making this happen are all volunteers who believe in this as a great activity for people of all walks of life and physical abilities. And, most importantly, it’s a way to let the kids use their electronic devices to see how great our areas are – especially, Rocky Mountain National Park! Several parents have mentioned the kids hunt for the geocache with their phones, see something beautiful or learn something and then put the phones away so they can keep going down the trail!!!

For the first time, the Passports (pamphlets where geocachers record their code word or answer a question to verify they found the geocache) will be in over 100 brochure racks, so we are publishing an additional 5000 Passports. The Passport is being redesigned to catch attention and jump off the rack!

I appreciate your help in securing a sponsorship, for the 3rd year, from the Town of Grand Lake, in the amount of $500. This is a special way for Estes Park, RMNP and Grand Lake to work together on such a unifying and fun activity. FYI: For 2017, Grand Lake Chamber and Visit Estes Park are major sponsors($1000+) and the Mayor of Estes Park has already contributed ($500), as well as many local businesses in each community and other organizations ($250 - $2000@).

Please call or email me as soon as you know, since we are pushing deadlines for publication (going to press by the 15th of February).

Sincerely,

Fran

Across the Divide GeoTour
“A Centennial GeoAdventure”

Fran Grooters       Jan Pauley
frangrooters@frii.com     pauleyjan@hotmail.com
970-586-5224   970-443-4537    970-577-7074

www.visitestespark.com/geocaching   www.grandlakechamber.com/geocache
www.geocaching.com/play/geotours/across-the-divide

Mailing Address
Across the Divide, Attn: Fran Grooters
2148 McGraw Ranch Road, Estes Park, CO 80517
February 13, 2017

To: Mayor Peterson and Town Trustees
From: Katie Nicholls, Town Clerk

RE: Consideration of Ordinance XX-2017, an ordinance amending the Town’s general penalty provision contained in Section 1-1-9 of the Town’s Code to increase the maximum possible fines for Municipal Violations

Upon reviewing the sign code, Town Attorney Scott Krob noticed that the Town’s penalty provisions still provide for a maximum possible penalty of $300 plus jail. The Colorado legislature has increased the maximum amount of fines that municipal courts can impose to $2,650, but this has to be accomplished by the municipality adopting a local ordinance increasing the maximum possible fines. Attorney Krob is recommending that the Town adopt an ordinance that makes the following changes in connection with all its penalty provisions, including its general penalty clause. First, increase the maximum possible fines from $300 to $2650, as permitted by statute. Second eliminate the possibility of a jail sentence. In the 25 years he has represented the Town, the Town’s municipal judge has never imposed a jail sentence, which is true for most small towns. However, if there is a possibility of a jail sentence under the Town's code, then the Town has to provide the defendant with a jury trial if they request one. Jury trials for small towns (particularly for the clerks of small towns) are a truly painful exercise and expensive. However, if the possibility of jail time is eliminated from the Town code, then there is no right to a jury trial and all cases are tried to the judge without a jury.
TOWN OF GRAND LAKE, COLORADO

ORDINANCE NO. _________

AN ORDINANCE AMENDING THE TOWN'S GENERAL PENALTY PROVISION CONTAINED IN SECTION 1-1-9 OF THE TOWN CODE TO INCREASE THE MAXIMUM POSSIBLE FINES FOR MUNICIPAL VIOLATIONS

WHEREAS, the Board of Trustees of the Town of Grand Lake, Colorado, pursuant to Colorado Statute and the Town of Grand Lake Municipal Code, is vested with the authority of administering the affairs of the Town;

WHEREAS, the Colorado legislature has amended Section 13-10-113, C.R.S., to increase the maximum fine amount which a municipal court may impose for violations of a municipal ordinance from $1,000 to $2,650, and

WHEREAS, The Colorado legislature further amended Section 13-10-113, C.R.S., to state that the limitation on municipal court fines is to be adjusted for inflation on January 1 of each calendar year; and

WHEREAS, “inflation” is defined in the statute to mean the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Boulder, all items, all urban consumers, or its successor index; and

WHEREAS, the Town Board of Trustees wishes to increase the maximum monetary penalty which the Municipal Court may impose to conform to state law; and

WHEREAS, the Town Board of Trustees believes that these fines should be adjusted for inflation on January 1 of each year.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE:

1. Section 1-1-9 is amended to read in its entirety as follows:

1-1-9 General Penalty

Except as otherwise specifically provided within the Town Code, any person who shall violate any provision of this Code, or any provision of any code or other regulation adopted by reference by this Code, by doing any act prohibited or declared to be unlawful thereby, or who shall engage in any business, occupation or activity for which a license or permit is required without having a valid license or permit therefor, or who shall fail to
do any act required by any such provision, or who shall fail to do any act when such provision declares such failure to be unlawful or to be an offense, shall, upon conviction, be punished by the penalty specifically provided for such violation or, if none, then by a fine not exceeding two thousand six hundred fifty dollars ($2,650.00) in addition to any costs which may be assessed. Each day upon which a violation continues shall constitute a separate offense unless some other specific time period is provided for any particular offense. The maximum fine set forth above shall be adjusted for inflation on January 1 of each calendar year. For the purpose of this provision, inflation shall mean the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, consumer price index for Denver-Boulder, all items, all urban consumers, or its successor index.

2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

3. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.


ATTEST: TOWN OF GRAND LAKE, COLORADO

_____________________________    _______________________________
Katie Nicholls, Town Clerk    James C. Peterson, Mayor
January 26, 2017

To: Grand Lake Mayor and
   Town Board Trustees

From: Wally Baird, Interim Town Planner

Purpose
The purpose of this item is the consideration of the attached application for a major Public
Property Encroachment Application to place a new sign for the Shadow Mountain Yacht Club.
The proposed sign would be located on the south side of the yacht club entrance. The existing
sign is on the north side of the entrance. The application is complete.

Background Information
In order to make the entrance to the Shadow Mountain Yacht Club more identifiable, the yacht
club has determined that a new sign at the proposed location would meet their objective. The
proposed encroachment is approximately the same as occupied by the existing sign. The
proposed location also has the same setbacks from the driving surface on Lake Front Road.

The proposed sign plan shows the sign being made with flagstone which is contrary to the
Town's sign code. The sign application has been denied so the owners will be able to appeal the
denial and present their case to use the flagstone surface.
Staff Comments
Removing the existing sign and replacing it with another sign on the opposite side of the road does not appear to create any impact or undue disturbance of traffic, either pedestrian or vehicle. The property is and has been properly maintained and is not in any way a detriment to the neighborhood or the Town.

Staff recommendation
The staff is in favor of granting the encroachment request.

Board Discussion
The Grand Lake Town Board should discuss the request and determine if there is anything contrary to the public good in this request.

Board action
The Board has the options of approving the request for encroachment, approving the request with modifications, or denying the request.

Suggested motions for the encroachment request

1. I move to approve the request for Public Property Encroachment to place a sign for the Shadow Mountain Yacht Club within the public right-of-way at the entrance to the Shadow Mountain Subdivision as described in the plan submitted for the location of the sign, subject to the Town receiving a copy of the property owner/s general liability insurance naming the Town of Grand Lake as an additional insured, and direct the staff to prepare a resolution regarding this matter and authorize the mayor to sign it.

   Or

2. I move to deny the request for Public Property Encroachment to place a sign for the Shadow Mountain Yacht Club within the public right-of-way.
PUBLIC PROPERTY ENCROACHMENT APPLICATION FORM

APPLICATION DEADLINE IS NOON, 14 DAYS PRIOR TO THE NEXT REGULARLY SCHEDULED MEETING

PROPERTY INFORMATION
- Name of Applicant: Doug Pahnke, Treasurer Email: S.yacht6@gmail.com
- Address: 605 Lake Front Road Phone: 303 618-5108
- City: Town of Grand Lake State: CO Zip: 80447 Fax: 303 867-7527
- Street Address: 605 Lake Front Road
- Legal Description: Lot 2 Block A Subdivision Shadow Mist Yacht Club

TYPE OF REQUEST
- Major Encroachment (structures, driveways, fences, retaining walls, utilities, etc.)
- Minor Encroachment (at-grade natural drainage, landscaping, gardens, trees, hedges, etc.)
- Other (explain below)

DESCRIPTION OF REQUEST:
Place a Buff colored Flag Stone sign that is wood like in appearance at the entrance of our condominium complex. Guest of the owners have a difficult time locating our condominium complex since our entry is elevated on the right hand side and treed on the left hand side. Our property line is approximately 20 feet in from the road. A sign placed so far back would not serve to identify the property, therefore, we are requesting an encroachment license to place the sign in a visible location. We have taken extensive effort to design a sign that will present a high quality image of our complex, and since it is made of stone the appearance will not deteriorate due to our harsh winters.

Utility locate scheduled or completed? YES X NO Date scheduled: ____________________________
Utility locate identification number: A621800529 Will update utility location before commencement of project

REQUIRED ATTACHMENTS:
1. A site plan showing existing features and proposed features including: structures, utilities, driveways, fences, etc.
2. An Agreement for Services
3. Deposit

Application Received By: 2/17/17
Deposit Amount: $250.00

STAFF USE ONLY
Date / Time: 2/17/17 @ 10:00 a.m
Application Complete? Yes

Contacted all utility companies?
Completed Indemnification Agreement by property owner holding the Town of Grand Lake harmless?
A copy of the property owner's general liability insurance naming the Town of Grand Lake as an additional insured?

Municipal Code Chapter 11, Article 6
Revised 6/2013
TOWN OF GRAND LAKE

AGREEMENT FOR PAYMENT OF FEES FOR REVIEW AND PROCESSING OF SUBDIVISION PLATS, ZONING AND REZONING REQUESTS, ANNEXATIONS, REQUESTS FOR ROAD VACATIONS, AND OTHER LAND USE RELATED MATTERS

THIS AGREEMENT ("the Agreement") is entered into this ___ day of __________, 2017, by and between the Town of Grand Lake, Colorado, a Colorado municipal corporation, ("the Town") and Shadow Mountain Yacht Club "the Owner").

WHEREAS, the Owner owns certain property situated in the Grand County, Colorado described on Exhibit A, attached hereto and incorporated herein by reference, (the Property");

WHEREAS, the review and processing includes review of all aspects of land use including, but not limited to, subdivision, zoning and rezoning, annexation, road vacations, change of land use, installation of public improvements, dedication of lands and the availability of and feasibility of providing utility services;

WHEREAS, the Owner requests a change in land use for the Property and has made application to the Town for approval, and

WHEREAS, the Parties recognize that the fees as specified by Resolution No. 1-2012 may not be adequate to fully cover the Town's expenses incurred during the application process, including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineering fees, attorney fees, consultant fees, and fees for administrative time of Town staff, and

WHEREAS, the Parties hereto recognize that the Town will continue to incur expenses through the entire development review process until final completion of the development including but not limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineer fees, surveyor fees, geologist fees, hydrologist fees, landscape architect fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements;

NOW THEREFORE, for and in consideration of the foregoing premises and of the mutual promises and conditions hereinafter contained, it is agreed as follows:

1. The Town has collected or will collect certain land use fees from the Owner and the Town will apply those fees against the review and processing expenses incurred by the Town while processing the Owner's land use review proposal. In the event the Town incurs review and processing expenses greater than the monies collected from the Owner, the Owner agrees to reimburse the Town for the additional expenses and fees upon submittal of an
invoice. Owner shall pay all invoices submitted by the Town within ten (10) days of the Town’s delivery of such invoice. Failure by the Owner to pay any invoice within the specified time shall result in immediate suspension of the review process by the Town, including cancellation of any scheduled hearings. Nor shall any building permits, certificates of occupancy or other Town approvals be issued or granted and for the Town to exercise such rights and remedies as are otherwise available to it in law or equity or under the applicable provisions of the Town Code.

2. Except where the law or an agreement with the Town provides otherwise, the Owner may terminate its application at any time by giving written notice to the Town. The Town shall take all reasonable steps necessary to terminate the accrual of costs to the Owner and file such notices as are required by the Town’s regulations. The Owner shall be liable for all costs incurred by the Town in terminating the processing of the application.

3. If the Owner fails to pay the fees and costs required herein when due, the Town may take those steps necessary and authorized by law to collect the fees and costs due, in addition to exercising those remedies set forth in Section 1, above. The Town shall be entitled to recover from Owner all court costs and attorney’s fees incurred in collection of the balance due, including interest on the amount due from its due date at the rate of 18% per annum.

4. The Town will account for all funds expended and fees and expenses incurred by the Town as a result of the development review of the application throughout the development process. Statements of expenses incurred will be made available to the Owner by the Town. Expenses to be charged to the Owner’s account shall include, but shall not be limited to, legal publications, notices, reproduction of materials, public hearing expenses, recording of documents, engineer fees, surveyor fees, geologist fees, hydrologist fees, landscape architect fees, attorney fees, consultant fees, and fees for administrative time of Town staff, security, permits and easements. Within sixty (60) days after the completion of the processing of the application by the Town, the Town will provide Owner with a statement of account and will refund to the Owner any funds paid by the Owner that were not expended by the Town, except where the Parties expressly agree to the contrary.

5. Owner’s obligation to pay costs and expenses provided for in this Agreement shall exist and continue independent of whether the Owner’s application, or any part thereof, is approved, approved with conditions, denied, withdrawn, or terminated by the Town or the Owner prior to a final decision in the process.

IN WITNESS WHEREOF, The Town and the Owner have caused this Agreement to be duly executed on the day and year first above written.
TOWN OF GRAND LAKE

By:

Joe Biber, Town Planner
Dou W. Baird, Interim

Attest:

Katie Nicholls, Town Clerk

OWNER: Shadow Mountain Yacht Club

By: ______________________
# Proposal

**Grand County Landscaping**  
PO Box 56  
Granby, CO 80446  
970.725.3546  
info@grandcountylandscaping.com

**Bill To:**  
Shadow Mountain Yacht Club  
Doug Pahnke

<table>
<thead>
<tr>
<th>Physical Address</th>
<th></th>
</tr>
</thead>
</table>
| Shadow Mountain Yacht Club  
Doug Pahnke  
Grand Lake, CO 80447 |  |

<table>
<thead>
<tr>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
</table>
| Installation of a flagstone slab sign  
-exposed area approximately 4 feet by 6 feet  
-set into the ground with a rebar and concrete footer  
-stone to be a single stone with natural/irregular edges  
-engraving to be a separate/additional price  
-right of way and permits to be supplied by Shadow Mountain Yacht Club | 2,600.00 | 2,600.00 |  |

Please visit us at www.GrandCountyLandscaping.com

Total: $2,600.00

Engraving: $1,100.00  
Total: $3,700.00

To accept this proposal, please sign, date and return to Grand County Landscaping.

Signature ____________

44
Doug

Here is a rough layout based on your input. I would obviously need a picture of the stone once it is set to fit the design to the stone shape and exact size, but this should give you a good idea. If you choose me to complete the engraving, we can make any adjustments necessary once the stone is set and I have a photo of it. Changes can include anything from a slight positioning change to a change of font or total reworking of the layout to ensure the layout is exactly what you want. The cost for this engraving including the design work would be $1100.

I look forward to hearing back from you and completing this engraving for you.

Thanks

Dean Kittel
Living Stone Custom Engraving
(720)663-1102
info@LivingStoneCustomEngraving.com
www.LivingStoneCustomEngraving.com Photos and Updates on our Facebook page

[Quoted text hidden]

Shadow Mountain Yacht Club.pdf
345K
February 13, 2017

To: Mayor Peterson and Board of Trustees
From: Erin ORourke – Code Administrator

RE: APPEAL HEARING – Consideration of an appeal to a denied Sign Permit Application for the Shadow Mountain Yacht Club Subdivision Monument.

Purpose
The Town has received a Sign Application for a sign to be placed, at the corner of Shadow Mountain Yacht Club and Lake Front Road, for the use of identifying the Shadow Mountain Yacht Club Subdivision. Staff denied the request based on the Municipal Code. The applicant is Doug Panke and he has requested an appeal, which requires Board review.

Municipal Code
Municipal Code 6-2-3 General Restrictions States:
(0) All signs shall have a wood-like appearance with a natural flat wood tone background.

Staff Comments
The Sign Application was submitted on 1/25/17. Applicant was contacted on 1/30/17 and notified the sign application was denied and why. On 1/31/17 Town Staff received a written request, from Doug Panke, to appeal the denial of the Sign Application.

Staff Recommendation
Staff recommends the Board consider granting the appeal request of the denied Sign Application appeal based on the following:
- The proposed sign does not meet the wood-like appearance requirement however the etched stone proposed by the Applicant is in keeping with Grand Lake's natural and rustic feel.

Board Discussion
The Board should discuss the Applicant’s appeal to Staff’s decision regarding the sign application.

Board Action
The Board has the following options:
1. Grant the appeal request, thus approving the Sign Application Request as presented; or
2. Grant the appeal request with recommended modification; or
3. Deny the appeal request.
Suggested Motions:

1. I move to grant the appeal request thus, approving the Sign Application Request for Shadow Mountain Yacht Club, as presented; and direct staff to draft a resolution outlining this motion; and authorize the Mayor to sign it.

   Or

2. I move to grant the appeal request with the following recommended modifications

   ______________________________________________________________________.

   Or

3. I move to deny the appeal request.
TOWN OF GRAND LAKE SIGN APPLICATION
(One Sign per Application)

It is the policy of the Town to encourage aesthetically pleasing signs without substantial interference with the business to which signs are related.

BUILDING OWNER In care of Doug Pahnke, Treasurer TELEPHONE NUMBER 303-618-5108
MAILING ADDRESS OF OWNER 6290 South Yampa Court, Aurora, CO 80016

NAME OF BUSINESS Shadow Mountain Yacht Club TELEPHONE NUMBER 303-618-5108
PHYSICAL ADDRESS 605 Lake Front Road, Grand Lake, CO 80447
MAILING ADDRESS 6290 South Yampa Court, Aurora, CO 80016

CONTRACTOR NAME Grand County Landscaping TELEPHONE NUMBER 970-725-3546

Location of Sign: Address 605 Lake Front Road, Grand Lake, CO 80447
Lot___ Block___ Subdivision___ SHADOW MOUNTAIN YACHT CLUB

Sign Description:
Type: Business ___ Institutional ___ Club/Recreational ___ Off-Site ___ Monument ___
Temporary Sign/Banner ___ Site Informational ___ Project ___

Mounting Method: Wall ___ Projecting ___ Free-standing ___ Cut-out Letters ___
Graphic ___ Projecting Over Town ROW ___ Backlit ___

Lighting: None ___ Backlit ___ Downward Shielded ___

Size: Height 4 Feet ___ Width 6 Feet ___ Total Area 24 Feet ___ Sides: Single ___ Double ___
Height from Ground 4 Feet ___ Overhead Clearance ___ Open ___

Valuation of sign and support structure $3,700________

Total number of signs for this business (proposed and existing): Existing = 2, Proposed Removing 2 signs and replacing with 1 sign

Items to Submit:

___X___ Two (2) copies of detailed drawings drawn to scale containing complete plans and specifications to show methods of construction and anchoring to building or ground, letter/figure dimension, colors, materials and proposed type of illumination characteristics.

___X___ A site plan which must indicate all signs existing or proposed for the site with dimensions, colors, materials, type of illumination characteristics for each sign, building elevations with sign depicted in their respective locations.

___ N/A ___ Property owner's permission for off-site signs and graphic signs. Sign is placed on our property.

___ Appropriate fee.

I HEREBY acknowledge that the above information is correct to the best of my knowledge and agree to comply with the Sign Code Regulations of Section 6, Article 2 of the Grand Lake Zoning Regulations.

APPLICANT'S SIGNATURE ______________________ DATE __________
Office Use: Permit Fee $10.00 Paid 10.00___
Area of this sign 24 sq. ft. Area of all signs for this business _________ sq. ft.
Sign Zone ___ Approved by __________________ Date __________

Denise spoke with Doug 1/20/17
Arizona Flag Stone

Buff
TOWN OF GRAND LAKE
RESOLUTION NO. XX-2017

A RESOLUTION AUTHORIZING THE PERMANENT PLACEMENT OF A SIGN LOCATED AT __________ SHADOWMOUNTAIN YACHT CLUB IN THE TOWN OF GRAND LAKE, COLORADO.

WHEREAS, the Town of Grand Lake Board of Trustees (the “Board”) has previously adopted the Municipal Code Chapter 6; Article 2 (the “Sign Code”); and,

WHEREAS, the Town of Grand Lake (the “Town”) received a Sign Permit Application (the “Application”) from Doug Pancke (the “Applicant”); and,

WHEREAS the Applicant is proposing a permanent Land Development sign, attached herein as Exhibit A the (“Sign”) located at __________ Town of Grand Lake, Colorado; more commonly referred to Shadow Mountain Yacht Club; and,

WHEREAS, Municipal Code 6-2-3 (O) General Restrictions states:
   All signs shall have a wood like appearance with a natural flat wood toned background; and,

WHEREAS, Municipal Code 6-2-7 Permit Application Procedure states:
   (B) Appeal Process for Denial of Permit
      If the Sign Application is denied, the applicant may appeal the decision to the Board of Trustees, whose decision is final.

WHEREAS, the applicant requested an appeal to the denied Application; and,
WHEREAS, the Board reviewed the Application at an Appeal Hearing on February 13, 1017

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO:

THAT, the Board hereby approves the Sign with the following conditions of approval:
   1. The applicant shall comply with all other Sign Code requirements.
   2. The granting of this Sign shall not be considered a precedent for any future sign permit applications.


(SFA1) Votes Approving:
Votes Opposing:
Absent:
Abstained:

ATTEST:

TOWN OF GRAND LAKE

_________________________  ______________________________
Katie Nicholls, Town Clerk  James Peterson, Mayor
Date: February 9, 2017

To: Grand Lake Mayor and
   Town Board of Trustees

From: Wally Baird, Interim Town Planner

RE: Variances recommended by the Grand Lake Planning Commission (Lots 3-5, Block 12,
   824 Grand Avenue)

Attached: Draft copy of the planning commission minutes, draft general design of proposal,
   various sections of the Town Code.

Purpose
The purpose of this item on the Board of Trustees meeting is to consider the variances recommended for
the proposed development at 824 Grand Avenue. The proposed development is known as Boardwalk
Lofts. The variances may be approved, denied or modified by the Town Board.

Background Information
The spokesman for the proposed development, Jim Kruetzer, presented proposed variances to the Grand
Lake Municipal Code concerning a mixed use commercial and residential development, to the planning
commission at their regular meeting on January 18, 2017.

These variances include:
1. A variance in the required open space.
2. A variance in the utility locations.
3. A variance in the onsite parking requirement.

After closing the public hearing the planning commission discussed the matter before them and
determined to recommend a variance to the open space requirement and to the parking for the
commercial space to be worked on by staff with the developer, as stated, would pay the in-lieu fee.

Staff, Mr. Kruetzer and Mountain Parks Electric have developed potential solutions to the electrical line
issues and keeping within the National Electrical Code. The developer would be required to pay all
costs involved in the proposed solutions. These solutions include leaving the existing electrical lines in
place and moving the proposed building (basically decreasing the dimensions of the building), or
burying the electrical lines.

Burying the electric lines create an issue with putting the electric power lines closer to the existing water
line than is preferable. This issue can be mitigated by encasing the power lines in concrete or flowable
fill.
Another alternative to the electric utility issue would be to move the electric line to the south side of the alley and road. This alternative was deemed to be unacceptable due to the impact on the property to the south and the ability of the owners of these properties to enjoy the use of their property.

**Staff Recommendation:**
Staff is in favor of the planning commission’s recommendation for approval.

**Board Discussion:**
The Town Board should discuss the variance requests and the recommendations of the planning commission.

**Board Action**
The Board has several options regarding the recommendations from the planning commission and the request from the applicant.

1. Approve the request as recommended by the planning commission to:
   a. Grant a variance on the open space requirement
   b. Approve a variance on the parking requirement and impose an in-lieu of fee for all spaces waved for the commercial development.
   c. Direct staff to develop a solution to the electrical power lines which does not include moving the poles to the south side of the alley and street behind the proposed development.
2. Deny the variance requests in total or individually;
3. Continue the review of the variances.
4. Set a public hearing and consider the overall plan as it relates to the variance requests and consider the input already received by the Town from residents and property owners in the area.

**For clarity the following suggestions are made for motions on the variances:**
1. I move to grant the request for variances as recommended by the planning commission:
   a. To minimize the open space requirement found at 12-2-26,
   b. To grant the variance on the parking requirement for commercial spaces and impose the parking in-lieu fee of $1,000 for each parking space not provided found at 12-2-26,
   c. Direct staff, in conjunction with the developer and Mountain Parks Electric to develop a solution to the power lines issues on the south side of the property that will be favorable to the Town and adjacent property owners.
Applying to the property located at Lots 3-5, Block 12, 824 Grand Lake, and direct staff to draft a resolution outlining this motion and authorize the Mayor to sign it.

Or
2. I move to continue the review of the request for variances and the recommendation from the planning commission until ________________.

Or

3. I move to continue this request and to set a public hearing on the matter of the variance requested at a time and date to be determined by the Town Clerk.

Or

4. I move to deny the request for the variances as recommended by the planning commission.
CALL TO ORDER: Chairman Hayden Southway called the regular meeting of the Grand Lake Planning Commission to order at 6:34 p.m. on January 18, 2017 at the Town Hall, 1026 Park Avenue.

ROLL CALL PRESENT: Chairman Hayden Southway; Vice-Chairman Robert Canon; Commissioners Paul Gilbert, John C. Murray and James Shockey; Code Administrator ORourke and Town Manager White.

ABSENT: None.

APPROVAL OF MINUTES: Commissioner Murray moved to approve the minutes of the December 7, 2016 regular meeting as written, seconded by Commissioner Shockey. All Commissioners voted aye.

UNSCHEDULED CITIZEN PARTICIPATION: Chairman Southway asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.

There were no unscheduled public comments.

CONFLICTS OF INTEREST: Chairman Southway asked if any members of the Commission had a conflict of interest, or the appearance of.

Commissioner Shockey announced he has two potential conflicts. Shockey stated he received the Public Notice for the Gateway Inn as he is within the 300’ boundary, but he feels no conflict exists. The Commission concluded that no conflict exists. He further stated that he had a conflict with the Boardwalk Lofts development due to meeting with Town Manager White and developers to help plan for the meeting due to the absence of the Town Planner. The Commission concluded that there was no conflict, as it was necessary due to the Staffing situation.

Commissioner Gilbert announced he had received the Public Notice on the Boardwalk Lofts because he is within the 300’ boundary, but does not feel a conflict exists.
The applicants of the Gateway Inn and Boardwalk Lofts both stated they did not feel either Commissioner had a conflict.

ITEMS OF BUSINESS:

PUBLIC HEARING - CONSIDERATION OF THE 2ND AMENDMENT TO THE GATEWAY INN PLANNED DEVELOPMENT LOCATED AT 200 W. PORTAL ROAD - Chairman Southway opened the Public Hearing and asked Town Manager White to present this matter to the Commission. White explained the attachments included in the packet.

Lisa Jenkins – 200 W. Portal Road, Grand Lake, CO
Ms. Jenkins explained the business' background and their need and proposal for the property. She agreed to pay for changes for utility easements.

Todd Clausen, Supervisor of Engineering Services, Mountain Parks Electric
Mr. Clausen explained Mountain Park Electric has no major concerns regarding the project.

Suzi Maki, 1590 W. Portal Road, Grand Lake, CO
Ms. Maki stated her support of the project; the extra rooms it would provide would be a benefit to the Town as a whole.

Chairman Southway closed the Public Hearing and turned the discussion over to the Commission.

After a brief discussion Commissioner Murray moved to approve the conceptual plan for the modifications for the planned urban development. Commissioner Cannon seconded the motion all Commissioners voted aye.

ITEMS OF BUSINESS:

PUBLIC HEARING - CONSIDERATION TO RECOMMEND GRANTING SUBSTANTIAL VARIANCE PER MUNICIPAL CODE 1239-9 LAND DEVELOPMENT REGULATIONS TO LOTS 3-5, BLOCK 12, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 824 GRAND AVENUE - Chairman Southway opened the Public Hearing and asked Town Manager White to present this matter to the Commission. White explained the attachments included in the packet and table settings of correspondence received after the packet went out.

Jim Krueger, Sloan Construction Company
Mr. Krueger explained his proposal for the property, addressing concerns expressed by recipients of the Public Notice. He stated they are asking for a variance on open space and a variance on utility. He further stated he would make the necessary changes as indicated by the Fire District, is prepared to pay the Parking Fees in Lieu per the Town Code requirements, and required snow loads will be met.
Town Manager read letters received after the packet went out, to include a letter from Mountain Park Electric regarding concerns with an existing parallel power line, stating the proposed building violates the National Electric Safety Code.

Todd Clausen, Supervisor of Engineering Services, Mountain Parks Electric
Mr. Clausen explained the power line and utility issues relating to the proposed project and the potential solutions to address them. Mountain Parks Electric's preference entails moving the poles to the south side of the alley, but nothing can be done until Town approval is received. He stated they do not want to hold up the project and promised to do whatever is necessary to get the issues resolved by working with the Town.

Darrel Adolf, 710 62nd Avenue, Greeley, CO
Mr. Adolf explained his development background, financing for the project and history working with Mountain Parks Electric.

Tom Weydert, 401 Ellsworth Street, Grand Lake, CO
Mr. Weydert asked for clarification on what the applicant is seeking from this meeting. He expressed his concern with parking specifically in relation to the commercial portion of the building, the covered parking being used as storage units, and the possibility of potential closed space bear encounters and ventilation concerns within the garage. He concluded by stating his concern that the residential units would be used as Nightly Rental Units.

Chairman Southway closed the Public Hearing and turned the discussion over to the Commission.

The Commission discussed the hardships related to the variances requested, and the overall proposed project. Other topics discussed were ventilation in the garage, utility easements, and placement of dumpsters.

Kathy Weydert, 401 Ellsworth Street, Grand Lake, CO
Ms. Weydert explained her concerns with the building being so close to hers and the impact thereof particularly in regard to snow removal.

This Commission discussed parking and open space requirements.

Commissioner Gilbert moved to grant a variance for the open space and for the parking to be worked on by Staff. Commissioner Murray seconded the motion and all Commissioners voted aye.

ITEMS OF BUSINESS: CONSIDERATION TO RECOMMEND MODIFICATION TO MUNICIPAL CODE CHAPTER 12: [ZONING REGULATIONS] VARIANCE REQUEST PROCEDURE ROAD - Chairman Southway asked Town Manager White to present this matter to the Commission. White stated Staff has prepared a small change to the Town Municipal Code.
regarding the Variance Request Procedure to the Zoning Regulations. The Town adopted Ordinance 14-2009 which amended Municipal Code 12-2-27 Supplemental Regulations for Setbacks, Area, and Height and established the variance procedure for the Zoning Regulations. The Planning Commission discussed this revision at their regularly scheduled meeting on November 16, 2016. Staff believes 12-2-27(B) should be revised to be in its own section and not contained just within the supplemental regulations. Staff believes this was an error in the original adoption of the code. If the variance request procedure is revised as suggested a new section will be created (12-2-39). The new section specifically excludes 2-3-5(A)3 which requires review by the Board of Adjustment; and 12-2-28(D) Parking Regulations which has its own variance process. The revisions provided are shown as follows: moved text is shown in green underlined, new text is shown in blue underlined, and deleted text is shown in green strikethrough. Staff suggests the Commission forward a recommendation of approval for the proposed revision to the Municipal Code. The Commission should discuss the variance request procedure and if changes are necessary to the Municipal Code.

The Commission directed Staff to have the new Town Planner, once hired, review and bring the issue to the Planning Commission at a later date.

OTHER ITEMS OF DISCUSSION:

The Commission discussed the appointment of Elmer Lanzi, signage needed for public lake access off of Cairns Avenue, the OHV Ordinance, and the Town Planner search.

FOR YOUR INFORMATION:

Commissioner Shockey announced he may be absent from meetings through March.

Commissioner Cannon announced he would be absent from the February 1, 2017 meeting.

ADJOURNMENT:

Commissioner Cannon moved to adjourn, seconded by Commissioner Shockey. All Commissioners voted aye, and the meeting was adjourned at 9:32 p.m.

Hayden H. Southway, Chairman

ATTEST:

Katie Nicholls, Town Clerk

January 18, 2017 Town of Grand Lake - Planning Commission
December 21, 2016

Town of Grand Lake
1026 Park Ave.
Grand Lake, CO 80447

To Whom It May Concern:

We are requesting a variance because of the hardships outlined below.

We cannot meet all requirements including but not limited to:

- required commercial space on first and second levels and minimum commercial standards
- on-site parking
- utility easements
- access corridors
- open space required

The following factors should be considered by the Planning Commission and Town Board of Trustees in determining whether to issue a variance:

(a) We feel that we are compatible with the surrounding area as we will be offering commercial/office/residential space;

(b) We feel that we are in harmony with the character of the neighborhood as we have commercial/office/residential on all four sides of our proposed development;

(c) We feel that we meet the need for the proposed action as we are unable to meet all requirements listed above;

(d) The effect of the proposed action shall have a positive influence on the downtown corridor due to the (work where you live) mentality of the proposal. It also reduces the
burden of increased traffic for the downtown corridor by including residential development within the commercial area;

(e) We meet all the requirements for shape, size, topography, slopes, soils, vegetation, and other physical characteristics as well as maximum height restriction as our development will be less than the 35 foot maximum height limitation;

(f) We feel that this is a well thought out design as we have spent several months in the design process with multiple iterations. The design can always be modified reflecting anyone's personal desires and/or tastes; however, we feel the current proposal reflects the optimal design; and

(g) We feel we have met the vision of the Town's Comprehensive Plan by bringing a mixture of commercial/office/residential while minimizing the amount of traffic to the downtown corridor.

Sincerely,

Hanna Sloan, Manager

Hanna Sloan, Manager
Boardwalk Lofts LLC
Boardwalk Lofts Commercial Parking Calculations
824 Grand Ave. Grand Lake, CO.

Total on-street parking provided = 13 spaces

Main Level Commercial Area = 6,048 sf
Upper Level Commercial Area = 8,415 sf
Total Commercial Area = 14,463 sf

Town of Grand Lake Commercial Parking Requirements 12-2-28

<table>
<thead>
<tr>
<th>IV. COMMERCIAL, RETAIL, SERVICE AND OFFICE ESTABLISHMENTS</th>
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<tbody>
<tr>
<td>Bed and Breakfasts</td>
<td>2 Spaces PLUS 1 Space per Rental Room</td>
</tr>
<tr>
<td>Restaurant, Lounge, Bar, Coffee Shop</td>
<td>1 Space/250 S.F. Total Floor Area</td>
</tr>
<tr>
<td>General Retail</td>
<td>1 Space/350 S.F. Total Floor Area</td>
</tr>
<tr>
<td>Retail/Automotive Service and Repair</td>
<td>1 Space/425 S.F. Total Floor Area</td>
</tr>
<tr>
<td>Pharmacy, Grocery Store, and Convenience Store</td>
<td>1 Space/250 S.F. Total Floor Area</td>
</tr>
<tr>
<td>Bank, Office, Government and Public Facilities</td>
<td>1 Space/350 S.F. Total Floor Area</td>
</tr>
<tr>
<td>Recreational Rental, Amusement Services, Greenhouses and Nurseries</td>
<td>1 Space/300 S.F. Total Indoor Floor Area PLUS 1 Space/1,000 S.F. Total Outdoor Floor Area</td>
</tr>
<tr>
<td>Personal Services (to include Health Care and Spas)</td>
<td>1 Space/350 S.F. Total Floor Area - OR - 1 Space/Service Stall or Room, Whichever is Greater</td>
</tr>
<tr>
<td>Commercial Assembly</td>
<td>1 Space/6 Fixed Seats</td>
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**If all area calculated at 1 space / 250 sf:**
14,463 sf / 250 sf = 57.8 spaces = 58 spaces req’d - 13 provided = **45 spaces in-leu**

**If all areas calculated at 1 space / 350 sf:**
14,463 sf / 350 sf = 41.3 spaces = 42 spaces req’d - 13 provided = **29 spaces in-leu**

**If areas are separated by use:**

**Main Level restaurant & retail:**
Restaurant = 2,886 sf Retail = 3,484
2,868 sf / 250 sf = 11.4 = 12 spaces 3,484 sf / 350 sf = 9.9 = 10 spaces

**Upper Level restaurant & retail:**
Restaurant = 2,564 sf Retail = 5,851 sf
2564 sf / 250 sf = 10.2 spaces = 11 spaces 5851 sf / 350 sf = 16.7 = 17 spaces

Total spaces required with separated use = 50 spaces – 13 provided = **37 spaces in-leu**
Dear Jim White,

Mountain Parks Electric, Inc. (MPEI) does not have any objection about a building being built on the old bowling alley property, but MPEI has an existing power line parallel to the south property line and the proposed building violates the National Electric Safety Code. The developer for Boardwalk Lofts has met with MPEI to discuss their proposed building and possible ways to make it meet the electric code. MPEI would like to meet with the Town of Grand Lake to discuss possible re-routes of the existing power line.

Thank you for your consideration. Jean

Jean Johnston
ROW Specialist
Mountain Parks Electric, Inc
PO Box 170
Granby CO 80446
970-887-7055
January 10, 2017

The Town of Grand Lake
Joe Biller/Town Planner
PO Box 99
Grand Lake, CO 80447

RE: Lots 3 – 5, Block 12, 824 Grand Ave., Grand Lake

Dear Mr. Biller,

Public Service Company of Colorado has no concerns to the requested variances for lots 3 – 5, Block 12, 824 Grand Ave., Grand Lake.

Please note that the local Engineering Department of Xcel Energy (Grand County/Mountain Division) will determine all meter locations. Due to the environment of this area we are requiring all gas meters to be located on an approved gable on the front 1/3 of the building.

To apply for natural gas relocation or service you will need to contact the Builders Call Line at 1-800-628-2121.

If you have any questions or concerns feel free to call or email.

Sincerely,

Kathleen Jacoby

Kathleen Jacoby
Xcel Energy/Design Planner
970-262-4055
Jim White

From: Mike Long [mlong@grandlakefire.org]
Sent: Friday, January 13, 2017 3:52 PM
To: Jim White
Cc: marnston@grandlakefire.org; Mike Long
Subject: Broadway Lofts Plan Review

Jim-

Thank you for the opportunity to review plans with you and the developer.

Fire department concerns / input are as follows:

Adequate egress for occupants
Adequate access for firefighters
Fully sprinklered
Fully monitored for fire / water flow
Standpipe system with discharges within 100' of all areas Knox box access FDC supporting standpipe and sprinkler easily accessed from Grand Ave Alarm horn and strobe co-located with FDC and Knoxbox access.
Adequate signage to utility shut offs, alarm panel, sprinkler control

Jim, please know we are open to discussing options to meet the goals noted above. I'll be back in the office on Wed, Jan 18 for any additional details.

Regards,

Mike Long
GLFPD

Sent from my iPad
From: Jean Johnston [mailto:jeanj@mpei.com]
Sent: Thursday, January 12, 2017 1:40 PM
To: Rita Snock
Cc: Joe Biller; Todd A. Clausen
Subject: Boardwalk Lofts project

Dear Jim White,

Mountain Parks Electric, Inc. (MPEI) does not have any objection about a building being built on the old bowling alley property, but MPEI has an existing power line parallel to the south property line and the proposed building violates the National Electric Safety Code. The developer for Boardwalk Lofts has met with MPEI to discuss their proposed building and possible ways to make it meet the electric code. MPEI would like to meet with the Town of Grand Lake to discuss possible re-routes of the existing power line.

Thank you for your consideration. Jean

Jean Johnston
ROW Specialist
Mountain Parks Electric, Inc
PO Box 170
Granby CO 80446
970-887-7065
2. Electric substations and gas regulator stations.
3. Fire stations, police stations and telephone exchanges.
4. Water reservoirs, water storage tanks, water pumping stations, sewer lift stations and wireless towers.
5. Fixed-business kennels, boarding facilities, horseback riding facilities, and other businesses that generate income from the use and utilization of animals.
6. The Commission may in addition prescribe any additional conditions regarding intensity or limitation of use, appearance, hours of operation, setbacks or required open space, or other such conditions which may be deemed necessary by the Planning Commission.

(C) Building Height Limit

Except as provided in Section 12-2-27, the height regulations are as follows:
No structure shall exceed thirty-five feet (35') in height.

(D) Area Regulations

Except as provided in Section 12-2-27, the area regulations are as follows:
1. Minimum Floor Area
   Four Hundred Square Feet (400 sq. ft.) per dwelling unit, except Hotel and Motel units as is defined in the Definitions Section of this Article.
2. Minimum Lot Area
   Twenty-Five Hundred Square Feet (2,500 sq. ft.) except in the case of townhouses where the provisions of Section 12-2-25(G)5 shall apply.
3. Minimum Lot Frontage
   Twenty-Five Feet (25') except in the case of townhouses where the provision of Section 12-6-20 (m) shall apply.
4. Minimum Front Yard
   No minimum requirements except for motor fuel pumps which shall not be erected less than Twenty-Five Feet (25') from the front property line.
5. Minimum Rear Yard
   No minimum requirements.
6. Minimum Side Yard
   No minimum requirements.
7. Density
   Density shall be governed by the requirements in this part (d).
8. Open Space
   There is no open space requirement except in the case of Mixed Use developments where the open space schedule in 12-2-26 Regulations for Mixed Use Developments shall govern.
9. Maximum Lot Coverage
   The combined square footage of all single story principal and accessory buildings on any lot or parcel shall not cover more than eighty-five (85%) percent of the surface area. The remaining fifteen (15%) of the lot or parcel shall provide all items called for in the utility use area described below. The first floor of multi-story buildings may cover one hundred (100%) percent of the lot or parcel but all items called for in the on-site utility use area described below shall still be provided on the lot or parcel.
finally approved, and in the Planned Development Special Permit issued for the development.

12-2-26 Regulations for Mixed Use Developments

(A) Mixed-Use Regulations for the CT, C and RST Districts

1. Mixed-use developments in the above listed districts will be subject to the following supplementary regulations. These regulations are minimum requirements and will also apply to Planned Developments within these districts.

2. Multiple family dwellings may be constructed above commercial uses provided:

   (a) Access to dwelling units is not through commercial establishments.

   (b) Trash, service and loading areas shall be screened from view from the dwelling units and from street entrances to dwelling units.

   (c) Outdoor lighting associated with commercial uses within the structure, including lighting for parking, service and loading areas, shall be designed and located such that the direct source is not visible from any dwelling unit within nor shall there be any glare.

   (d) At least two (2) means of ingress and egress from each floor of dwelling units shall be provided and that all other regulations as may pertain to fire protection be met.

3. Mixed-Use projects shall conform to the following schedule of (Private) Open Space Land Area Requirements:
<table>
<thead>
<tr>
<th>GROUP</th>
<th>GROSS SQUARE FOOTAGE OF FLOOR AREA of STRUCTURE or LAND USE AREA</th>
<th>LAND USE or FLOOR AREA</th>
<th>MINIMUM OPEN SPACE LAND AREA REQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>75% - 99% Commercial (C.)/Office (O.)</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>25% - 1% Residential (R.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>II.</td>
<td>50% - 75% C. &amp; O.</td>
<td>25%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>50% - 25% R.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>III.</td>
<td>25% - 50% C. &amp; O.</td>
<td>35%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>75% - 50% R.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IV.</td>
<td>10% - 25% C. &amp; O.</td>
<td>45%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>90% - 75% R.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>V.</td>
<td>1% - 9% C. &amp; O.</td>
<td>50%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>99%-91% R.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. In all applicable districts, the developer shall submit a proposal for the Open Space Land Area Required for Mixed-Use projects. The Open Space Land Area Requirement is to be provided on-site, in accordance with the 12-2-6 Definitions.

12-2-27 Supplemental Regulations for Setback, Height and Area

(A) The following are supplemental regulations for setbacks, height and area. These regulations will apply to all applicable projects and applications, in all applicable zoning districts no matter the land use action taken.

1. Additional Setback Regulations

(a) R.O.W. Buffers: Where an improvement (structure, parking lot, etc.) borders State Highway 34 right-of-way, the Planning Commission may require a buffer strip of such an extent and type as may be practical with a minimum width of twenty (20) feet or other adequate protection against hazards and undesirable effects of the highway, such as a fence or landscape earthen berm installed by the developer. Snow storage areas are allowed in this setback.

2. Additional Area Regulations - The following additional area regulations shall apply to all zone districts as set forth in this Article.

(a) Unless authorized by the Board of Trustees, no basement or cellar shall be occupied for residential purposes until the remainder of the building has been substantially completed.

(b) Open-lattice enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues and eaves into the front, side or rear yard may be permitted by the Building Inspector for a distance of not more than Three and One-Half Feet (3 1/2') and where the same are so placed as not to obstruct light and ventilation of adjacent buildings.
February 8, 2017

Dear Grand Lake Town Council,

We are writing in opposition to the proposed Boardwalk Lofts project at 824 Grand Ave. Our family has owned property in Grand Lake for over 100 years and we are appalled at the idea of a large condominium building right on the Main Street of this charming Mountain town. We also object based on the proximity of the proposed project to our family’s home at 842 Lake Ave. The density of 30 condos and commercial shops in such a tight space would block views of the surrounding mountains and create traffic, parking, and utility concerns. The brick building will be unsightly and will not fit the traditional, quaint style of this western mountain town. Open space has helped draw people to this beautiful town where there is room to breathe and relax and take in the view and ample space should be made a priority when planning for the future. Condominium projects like this would be better suited for larger tracts of land where the building(s) would be less visible and made to blend in with the surrounding trees and forests.

Our family is concerned about noise pollution, blocked views, blocked sunlight for our land, loss of privacy, and traffic congestion at our driveway where the proposed parking entrance is. Noise pollution from possible parking exhaust fans and residents on balconies and inadequate space for utility lines due to the zero lot line proposal are also major concerns. We reject the requested variances for exception put forth in a letter from Boardwalk Lofts LLC dated December 21, 2016. We do not agree that the project is at all “compatible with the surrounding area”, nor does it allow for enough open space or utilities. We are in complete disagreement that this development project is in any way, shape or form “in harmony with the character of the neighborhood.”

Another concern is that if the individual condominiums are not all privately owned and inhabited, they will be rented as vacation properties and as such will become worn down by careless renters who do not have respect for the property and adjacent homeowners. Vacation renters are not typically invested in the future of the town.

Please do not allow this unacceptable proposal to move forward and destroy the charm of Grand Lake. It will be an eyesore and it will be obvious that the building was an afterthought squeezed into a space that is too small, crowding the surrounding homes and businesses that have been there for decades. Please don’t let it turn into another Breckenridge that has been ruined by overgrowth. We won’t even visit there in the summer because of all the brick condos and way too many people to go in the shops, find a place to eat or walk on the sidewalks.

Sincerely,

[Signature]

Heather Hoffstot Thomas
16635 Lafone Dr.
Spring, TX 77379  713-373-9903, Thomas82491@gmail.com

George William (Pete) Hoffstot
613 S. Honeysuckle
Olathe, KS  66061  9:3-764-3317

(Pete is preparing for cataract surgery this month and is reading and writing very little at this time. He does not have email but asked to be included in this email communication).
To the Town Trustees, Town Staff, and Planning Commission:

The town has every right to and is responsible for investigating every aspect of how any project will impact the town, its appearance, its businesses, its residents, and its visitors. I know nothing about this developer, but the majority are very adept at convincing towns that they need to meet the developers wishes, their timelines, their needs, and are extremely smooth and excellent at pressuring to achieve these ends. They will be there until the project is completed, and they receive their monetary ends, then they are gone. We the people, are left to live with the results, not the developer. The town staff and trustees have the responsibility to protect the people and the town.

There are a number of important issues that need to be resolved by the Town of Grand Lake, concerning the Lofts and Lanes project. Circumstances prevent my being there in person, so I am going into many details based on facts but 80 plus years of first hand observation of this area that adjoins my property. It will take a dedicated, caring, responsible public servant to carefully read through and sincerely weigh and consider all of my concerns. I thank you in advance for your thoughtful consideration.

Gay Shaffer
TRAFFIC AND SAFETY

~As clarification, street along south side of project is not an alley, it is the residential street Lake Avenue.
~This proposal doubles or triples current number of cars required to use this section of Lake Avenue for access to their residence.
~Please see accompanying map for street configuration and residential impacts.
~Note the three 90 degree turns, in street, within the length of 1 block, which already poses dangers.
~Resident on 1 corner, for years now, has found it necessary in summer months, to put out signs, in attempt to slow drivers as they round corner. This problem will only get worse.
~Street carries almost constant, surprising number of walkers and bikers, posing a significant public safety danger.
~Street still used by occasional horseback riders as a safe alternative to Grand Avenue, this would no longer be possible.
~Every year there is a marked increase in tourists using Lake Avenue, just as the number of town visitors grows. This will be greatly magnified, having this number of residences in this small of an area.
~During previous administrations, a great deal of attention was being given to planning to make walking into, and around town, safer. (Note 10 year comprehensive plans) This was a target area, that they determined, needed to be addressed, and that was prior to adding this kind of daily traffic.
~This traffic will certainly end the groups of preschool/daycare children who travel the streets with their teachers on field trips.
~If, in desperation, the residences of this project, their visitors, and the employees decide to attempt to park along Lake Avenue, which we all know they will, it will create extremely dangerous safety issues.

PARKING

~This proposal exhibits totally inadequate parking!
~A Variance of $1000 per parking space does absolutely nothing to solve this parking nightmare.
~Where are residents that don’t have designated garage space going to park?
~Where are visitors of the residents going to park?
~Where are recreational and league bowlers going to park?
~Where are employees of the retail shops, restaurants and bowling alley going to park?
"All of the above will be competing for the same parking spaces with tourists, that the town is trying to attract. Lack of parking does nothing to attract tourists, quite the opposite.

"I believe that there are regulations spelling out the parking spaces required based on square footage of various shops, restaurants etc. Are all of these requirements being met?

**Parking Garage Ventilation**

"Most parking garages today, are open to allow for natural ventilation. This can be open on east, west, and south sides. If it is not, exhaust fans are not an acceptable solution.

"The noise from parking ventilation systems would create constant, irritating, 24hr, 7 days a week, noise for everyone in the area. Would you want to live here and listen to that?

**Trash**

"Not even addressed on plans.

"Major concern with no design for bear proof containment.

"Dumpsters not adequate or safe unless built into parking garage as a “trash room”.

"Dumpsters need to be completely enclosed with bear proof containers.

"Dumpsters on the street are NOT an option! The town of Grand Lake has not enforced bear proof container laws, or their proper usage. This has resulted in bears roaming the town, trash being spread throughout local residences, and the resulting obvious safety issues for bears and people alike. Not to mention being unsightly and unsanitary! The addition of these units again, only magnifies this issue.

**Delivery Vehicles**

"Will these be parking in the middle of Grand Avenue, as they do for most businesses?

"If they park on Lake Avenue, they will block entrance and exits to proposed project, local residences, or street traffic. None of which is acceptable.

**Utilities**

"Still undecided."
“Even if developer puts underground, behind his building, lines must still surface. They will need poles. They will be moved to the south side of Lake Avenue, along my property line, due to codes restricting such close proximity to balconies. For obvious reasons, I do not want large power poles lining my property.

“Unless of course, developer will agree to continue them underground to Ellsworth, on north side of street. That would be the equivalent distance of the width of two lots.

**NOISE**

“This proposal guarantees cars coming and going day and night, car doors slamming, lock and unlock devices beeping. Condo residences opening and closing doors and windows, grilling, talking, laughing, drinking, partying and playing loud music all day and potentially all night.

“The residences to the south of this proposed project, along the top of the hill, already experience significant problems with noise from town. The topography acts as a natural amphitheater that rivals red rocks in sound amplification. The prospect of an additional 32 residences, and their accompanying noise, is ridiculous and unimaginable.

“What noise abatement is the town planning??

“In an effort to accommodate residents, has there been any consideration to eliminate balconies on the south side of the building? This does nothing to help with traffic or the building being an eye sore, but might help with noise pollution.

**HISTORIC**

“Sign on highway, welcoming people to Grand Lake, refers to the town as “historic Grand Lake”. This project only overshadows a historic home (adjoining the east side of the proposal), and does nothing to further the quaint Grand Lake environment.

“Historic house to east of project, is also a home. It will now have a 34 ft high wall, along its’ entire west side. Not only inappropriately dwarfing it with a blank brick wall and balconies, but casting it in a cavernous shadow.

“How does the town allow this type of structure in this quaint, unique downtown environment. These types of projects are inevitable but should be built in areas with sufficient space and where they do not destroy the uniqueness of the downtown area.

“Furthermore, how would each of you like to have a building like this built adjacent to your own home?

“Previous town planners have worked hard toward preservation, a historic district, and many other historic aspects, that would help Grand Lake economically by drawing the historic tourism movement to
our community. This is what sets Grand Lake apart and we would be shortsighted and foolish to forget this fact.

"The Grand Lake area historic society has expended huge amounts of energy and effort, for decades, into the Kaufman house, the Eslick Cottage Court, and historic homes such as the adjacent home to the east.

"Mary Lyons Cairns and Patience Cairns Kemp, who served on the Town Planning Commission, and also chaired it for roughly a decade, worked tirelessly to save this town's history. They saw the value in preserving it, not only for all residences sake, but for the sake of developing what could become a priceless economic factor for the town's benefit. We must not lose sight of their defining vision.

"The 35 ft height of this project is abhorrent. It may be legal, but it doesn't make it right. If this continued in our town, it would wall visitors in and would wall out the welcoming mountains that encircle our town.

"Every comprehensive plan, for the past 3 decades, varied in detail, but all agreed, Grand Lake has invaluable geographic features that need to be recognized and preserved. They should never be blocked or obscured. We need to not lose sight of the wisdom of these visionaries."
The previous pages outline the many things wrong with this project; even if it were acceptable --

IT IS NOT.

Grand Lake is unique. It has to remain unique. To start allowing it to contain enormous "copy cat" high density projects will doom this village and rob it of its one of a kind, unique charm and destroy its charming atmosphere. This project would be right at home in downtown Castle Rock, Denver, even Glenwood, but NOT in Grand Lake.

The obscure gold that miners, the motion over hunted, is right here on the shores of our beautiful lake. It is right here on the shore of our beautiful lake. It is right here on the shore of our beautiful lake. It is right here on the shore of our beautiful lake.

Standing on Grand Avenue they can view the Double Eau Claire, it's own pot of gold right beyond that rainbow that hides the east shore. It will experience the inspiring regeneration of a true wonderland. They will feel the softness of the sun kissed leaves rustling in the wind, feel the warmth of the sun kissed leaves rustling in the wind.

We have a unique history. We have a unique present.

Do NOT allow this project to proceed or any other like it, to begin that domino effect of the destruction of our unique Town of Grand Lake.

Gay Caldwell Shaffer

Mama Lische 89

2.9.17
Re: Boardwalk Lofts, request for variances

To the Board:

What’s the point of having regulations if variances are requested and granted when there aren’t extenuating circumstances? The requirements are there for a reason. That’s the challenge of designing any development. The developer needs to be familiar with the regs and should have taken them into account.

I’m sure somewhere along the way, someone said, “Oh, don’t worry about that, we’ll just go to the board and they’ll grant a variance.”

**Variance should only be granted under extenuating circumstances.**

**Re: open space:** The larger the building, the more open space it needs. In this case, there has to be a set back along the south side of the building. In general, the backs of the buildings in Grand Lake look awful, but at least most of them face alleys. This building actually ‘fronts’ on two streets, Grand Avenue (commercial) and Lake Avenue (residential) Some kind of ‘beautification,’ including some trees, should be required.

**Re: parking:** The residents alone will fill all the parking spaces, and then some. Parking for the businesses will end up using side streets. Cars from the residences will also end up on Grand, Ellsworth and Lake Avenues. (Cut the number of residences, and that would begin to address the parking issues.)

Aside: Parking is also needed for service vehicles (trash trucks, delivery trucks, and construction/repair vehicles). With so many residences and 6 commercial operations, the need for services will be on-going.

**Conclusion:** The developers are trying to skip out on their responsibilities. They are responsible for their own parking spaces. It is wrong to dump additional vehicles into adjacent neighborhoods. AND, the developers are responsible for a certain amount of greenscape. We all are. If everyone tried to shirk these responsibilities, the town would be stark and uninviting. (Why doesn’t the developer see value in trees and landscaping?)

Analogy: What if a coach went to the NFL and said, “I need 2 extra players on the field. I have some really good players, but I need a couple more men out there.” Would that variance be granted? No! The coach knows the rules; so does everyone else. The same things apply here. The developers know the rules; so does everyone else.

**Bottom Line:** This project is much too large for the space; consequently the developers want to encroach on public space. The variance requests should be denied and the project downsized.

Thank you for taking these points into consideration.

Judy Capra, Wilhite Subdivision
Ed & Sue Capra, Gudgel Subdivision

*We’ve been coming to Grand Lake for over sixty years. Unfortunately, we’ve had to live with some poor decisions that were made by the Town. The people who made the decisions and who created the messes are gone. We’re still here.*
From: SARA MORAN [mailto:lucycally@yahoo.com]
Sent: Thursday, February 09, 2017 12:30 PM
To: Jim White
Cc: Michael Long
Subject: fyi

Hi, Jim,

Regarding the "bowling alley".....here's what I hope...

We hope the lighting is such that it's muted and our star gazing sky is NOT ruined.

We hope we continue with the adirondack theme like the hardware and rep theater and NOT the theme of our firehall. (love our firemen though!!!)

We hope the structure isn't so massive it looks out of place and sticks out like a sore thumb.

We hope the planning commission will take this all into consideration.

We hope their street frontage is inviting and beautiful (front and back).

We hope they are fair to condo owners and homeowners as far as deliveries, plowing, lighting etc.

Thanks for listening,

Sara and Ken Moran
February 9, 2017

Mayor Peterson and Town Trustees
Town of Grand Lake
P O Box 99
Grand Lake, CO 80447

Dear Mayor and Trustees,

As you consider the Boardwalk Lofts and future development in Grand Lake, the Board of the Grand Lake Area Historical Society’s (GLAHS) asks that you keep in mind what makes Grand Lake unique and drives heritage tourism to our Town.

The Town’s Comprehensive Land Use Plan, 2006, provides the vision statement: “The rustic Village of Grand Lake is moving into the future on the wings of its past, always striving to protect its natural environment, to preserve its history, and to ensure its quality of life for everyone.” The Society’s mission, listed above, supports that vision. The Plan further states: “The same rustic feeling that homesteaders found a hundred years ago is still what makes Grand Lake a unique Rocky Mountain hamlet for visitors and residents alike.”

Yesterday we became aware of the plans for the Boardwalk Lofts. While it appears that the project largely complies with the Town’s zoning regulations, we are concerned about the structure’s impact on our community’s historic character.

The proposed 35 foot tall, almost 150 foot wide, largely brick structure will certainly dwarf and be out of character with the adjacent 1898 wooden P. H. Smith carpenter shop, which has evolved into several eating establishments (including Cora’s Café), and is now a single family residence. The GLAHS Historic Walking Tour includes this structure (#18 of the 25 historically significant structures on the main loop of the tour).

I thank you for your efforts to preserve, protect and promote the history of the Grand Lake area.

For the Board,

Jim Cervenka,
President
Greetings,

My name is William J. Hoffstot, Sr. and I am writing this letter to the members of Grand Lake Town Council to express my deepest concerns over the Boardwalk Lofts project.

While I am not a full-time resident of Grand Lake, I was born into a family that has enjoyed a long-standing and rich genealogical history with this area. Some of my earliest and best childhood memories are when I stayed at our family's home on Lake Avenue, built by my late grandfather, William H. Hoffstot. Now, as an adult, it has been something very special to return to Grand Lake as a father and a husband, and to provide my wife and sons the same chance to build memories in a beautiful sleepy resort town when we vacation there.

As you might imagine, I cannot say I am pleased with the prospect of this new housing/commercial project being considered. I have read through the zoning request outline written by Hanna Sloan and I take great exception to a number of the items:

First, and foremost, it is arguable that this project is compatible to the surrounding areas. The Grand Lake I have known from my childhood, and into adulthood, has been one that has enjoyed the very essence of being a true resort town — one that residents and weary travelers alike can escape to without worry over what seems to be an ever-present trend of overgrowth without much substance or character.

Second, I take great exception to how this project hardly seems to be well planned. The number of requirements that cannot be met raises a huge red flag, as well as the fact that many of the additional requirements are not mentioned. Asking for variance on any development that withholds any such information is questionable. Additionally, it is almost offensive to say in area (6) that this project is, to paraphrase, well thought out over several months when many of Grand Lake's residents have lived here for years and/or generations. It is also contradictory to say that their well thought out plan can be easily altered to appease personal tastes, preferences, etc.

Last, I'm very concerned about how this will impact residents who live in the immediate area. Problems with pollution, utilities, lighting, population, traffic, etc have to be considered. The idea of "work where you live" is a nice idea in theory, but I tend to think that trying to "master-plan" an area that's already well established is just gambling...if it fails, no one wins, and if it succeeds, the charm of that sleepy resort town is lost as the charge to try to capitalize further on that success will be inevitable.

Sincerely,

William J. Hoffstot
7271 Logedon Drive
Eastvale, CA 92880
909.697.7824
hoffstot4@gmail.com
Dear Jim,

January 16, 2017

I’m writing to you today to share with you our excitement about your proposed development, considering that we will be your closest neighbor to the west upon completion of the project. I enjoyed our initial contact and conversation, and I want to let you know that all of us at the Rocky Mountain Repertory Theatre are very open to your plans and ideas. We are very encouraged at the prospect of this development next to our property.

As you’ll note from our conversation, I shared with you some questions and concerns, and I was encouraged with your willingness to hear me and our concerns.

As you know, we have our main season during the construction season that you’re proposing. While most of our performances and events are during evening hours—after normal construction hours—we do have a number of matinee events. I’m happy that you’re willing and able to work with us, staying aware of our daytime events and curbing construction noise as needed to ensure that our patrons’ experience isn’t adversely affected. I’m happy, too, that you’re determined to keep a neat, attractive construction fence and border—possibly adding banners with our logo and show information—considering that our patio and main entrance will have construction fencing all season.

We also spoke about the plans for the building. Our patio and main entrance will be very different upon completion of the Boardwalk Lanes & Lofts. We’re very interested in keeping a beautiful space, and realize that the wall that will be built to our East will greatly affect the space where our patrons enter and exit. I am encouraged that you are willing to help us keep an aesthetically pleasing space, and are open to discussing ways to beautify our space, which ultimately beautifies yours as well. We also talked about the placement of the kitchen, on the second floor in your current plans, and the potential for kitchen exhaust to be vented into our patio. I’m happy that you’re now considering alterations to your plans to avoid that happening.

Ultimately, we believe this is a welcomed development, and will be beneficial to our town. We look forward to making this a success for the community.

Please feel free to call on me if there is any way I can help us become and remain good neighbors.

Sincerely yours,

Michael Querio

Executive Artistic Director

Email: admin@rockymountainrep.com
Website: RockyMountainRep.com

PO Box 1682 Grand Lake, CO 80447-1682

Phone: (970) 627-5087
Fax: (970) 627-8173

501 (c)(3) Nonprofit Organization
January 14, 2017

Subject: Boardwalk Lofts

Town of Grand Lake Planning Commission,

I am sending this letter as I will not be in town for the January 18, 2017 meeting. I have met with the developers for the proposed 824 Grand Avenue development and I would like you to know I am in favor of this. I believe this development will be great for me personally and great for the Town of Grand Lake.

I feel this development will help extend the traffic down the boardwalk and increase the options for locals and incoming visitors.

The gentlemen involved are extremely professional and I am looking forward to working with them.

Sincerely

Mindy Nelson
826 Grand Avenue
Katie, thank you for including this in the table setting for February 13th for the workshop and/or evening meeting for the Town Trustees.

I request the Trustees to please

a. acknowledge that there was a typo in the Town’s intent for the legal description of my vacated portion of Patterson Street beginning with the original Court Order from 1950 and

b. agree to record whatever official means is appropriate to show that vacating the one half of Patterson Street which borders my Lots 1 and 2, Block 8 was the intent of the Town so that from now on, I will be able to convey title to the entire one half of Patterson Street which borders the north line of my Lots 1 and 2 in Block 8.

Specifically, all that is missing is the call from the center of Patterson Street which lies north of the NW corner of Lot 2 to the NW corner of Lot 2. It is clear that leaving out that call was an error because the next line directs you east along the north line of Patterson to the true point of beginning.

The legal description from my current title commitment still show that the same description has been brought down through the chain of title:

The Land referred to herein is located in the County of Grand, State of Colorado, and described as follows:

Lots 1 and 2,

Block 8, TOWN OF GRAND LAKE

TOGETHER WITH that portion of Patterson Street described as follows:

Beginning at the Northeasterly corner of Block 8, in the Town of Grand Lake, according to the official plat thereof;

Thence Northerly, along the Easterly line of said Block 8, if extended Northerly, to the intersection thereof with the center line of Patterson Street;

Thence Westerly along the center line of Patterson Street, to the intersection thereof with the Westerly lot line of lot 2, of said Block 8, if extended Northerly;

Thence Easterly along the Northerly line of said Block 8 to the point of beginning.

Thank you. I apologize that I will not be able to attend. I live in Utah.

Respectfully,
Anthony F. Czarnecki
Trustee of the Czarnecki Family Trust dated May 1, 2008.

435-632-0268
1372 W 560 N
Saint George, UT 84770-4619
Hi Donna,

Guess what we found. A Cour: Order from 1950, Civil Action No. 855, this is effectively a Quiet Title Decree for the portion of Patterson Street adjacent to the subject property. You'll notice that the legal description is missing that same call as the recorded documents and our title commitment. It is very apparent what the intent was so I don't see a big problem there.

We will need to record this so this is never a problem again.

This is different than a vacation by the Town, but still works to get title where we needed it and we can now move forward.

Scott Miller

Chief Title Officer

Title Company of the Rockies

129 Byers Ave. U.S. Highway 40

Hot Sulphur Springs, CO 80451

Phone (970) 726-5148
Fax (970) 725-3250

mailto:smiller@titlecorockies.com

Aspen | Avon/Beaver Creek | Breckenridge | Glenwood Springs | Grand Lake | Hot Sulphur Springs | Rifle | Steamboat | Winter Park

---

Donna Ready
700 page web site
MountainLake.com
970-627-3103
cell 970-531-3333 OK to call early or late
readydonna@gmail.com

Court Order.pdf
492 KB
That the following described real property, to-wit:

Beginning at the northeasterly corner of Block 8, in the Town of Grand Lake, Grand County, Colorado, according to the official plat thereof; thence northerly, along the easterly line of said Block 8, if extended
for use by the public from the filing of the original plat of the
Grand Lake, to-wit: the 15th day of August, 1903, for any of the purposes for which
Avenue was dedicated to the public in and by said plat; that no title to said
part or portion of said Patterson Avenue, has ever been vested in the public or
Grand Lake for street or highway purposes; and that any right or title therein or
may have been vested in the public or in the Town of Grand Lake has been abandoned.

VI

Reason of the foregoing, the plaintiff Bernard C. Farrell, also known as B. C.
the owner in fee simple of and to that certain property hereinbefore described.

WHEREFORE, hereby ordered, adjudged and decreed as follows:

Plaintiff Bernard C. Farrell, also known as B. C. Farrell, is the owner in fee simple
of the described property, to-wit:

Beginning at the northeasterly corner of Block 8, in the Town
of Grand Lake, Grand County, Colorado, according to the official
plat thereof; thence northerly, along the easterly line
of said Block 8, if extended northerly, to the intersection
thereof with the center line of Patterson Street; thence
westerly along the center line of Patterson Street, to the
intersection thereof with the westerly lot line of Lot 2, of
Block 8 if extended northerly; thence easterly along
the northerly line of said Block 8, to the point of be-

The right, title, interest, claim and estate of each and all of the defendants is and
isent and inferior to the right, title and interest of said Bernard C. Farrell, also
C. Farrell, in and to said property; that the right, title and interest of the plain-
and C. Farrell, also known as B. C. Farrell are hereby established, as against any in-
it, title, claim or estate of any of the defendants in the above entitled action; that
of said Bernard C. Farrell, also known as B. C. Farrell in and to said property is here-
that the defendants and each of them, their and each of their heirs, executors, leg-
isees, successors, administrators and assigns be and each of them is hereby forever
restrained from asserting any interest, title, right, claim or estate in or to any
portion thereof, or in or to any part or portion thereof, or in or to any right of ease-
session of said property or any portion thereof; and that the defendant Bernard C.
so known as B. C. Farrell be and he is hereby adjudged and decreed to be the sole
as simple of said above described property.

It is further hereby ordered, adjudged and decreed that these findings and this decre

thereof are hereby limited strictly in scope and effect, to the portion of Patterson
### Commitment Ordered By:
Donna Ready  
Mountain Lake Properties  
P.O. Box 1350  
Grand Lake, CO 80447  
Phone: 970-627-3103 Fax: 970-627-3003  
email: readydonna@gmail.com

### Inquiries should be directed to:
Cody Mullinex  
Title Company of the Rockies  
P.O. Box 1939  
Grand Lake, CO 80447  
Phone: 970-627-0400 Fax: 970-627-0401  
extem: CMullinex@TitleCoRockies.com

### Commitment Number:
1117590-C

### Buyer's Name(s):
Czarnecki Family Trust dated May 1, 2008

### Seller's Name(s):  
Czarnecki Family Trust dated May 1, 2008

### Property:  
935 Mountain Avenue, Grand Lake, CO 80447  
Lots 1 & 2, Block 8, Town of Grand Lake and Strip of land 100 ft by 21 feet, being a portion of vacated Patterson Street, Grand County, CO

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**TITLE CHARGES**

These charges are based on issuance of the policy or policies described in the attached Commitment for Title Insurance, and includes premium for the proposed coverage amount(s) and endorsement(s) referred to therein, and may also include additional work and/or third party charges related thereto.

If applicable, the designation of “Buyer” and “Seller” shown below may be based on traditional settlement practices in Grand County, Colorado, and/or certain terms of any contract, or other information provided with the Application for Title Insurance.

- **Owner’s Policy Premium:**
- **Loan Policy Premium:**
- **Additional Lender Charge(s):**
- **Additional Other Charge(s):**
- **Tax Certificate:**
- **Total Endorsement Charge(s):**
- **TBD Charge(s):**

**TOTAL CHARGES:**
COMMITMENT for TITLE INSURANCE
issued by
TITLE COMPANY
of the rockies
as agent for
WESTCOR LAND TITLE INSURANCE COMPANY

Reference:
Commitment Ordered By:
Donna Ready
Mountain Lake Properties
P.O. Box 1350
Grand Lake, CO 80447
Phone: 970-627-3103 Fax: 970-627-3003
email: readydonna@gmail.com

Commitment Number: 1117590-C
Inquiries should be directed to:
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Title Company of the Rockies
P.O. Box 1939
Grand Lake, CO 80447
Phone: 970-627-0400 Fax: 970-627-0401
email: CMullinex@TitleCoRockies.com

Reference Property Address:
935 Mountain Avenue, Grand Lake, CO 80447

SCHEDULE A

1. Effective Date: January 04, 2017, 7:00 am
   Issue Date: January 17, 2017

2. Policy (or Policies) to be issued:
   ALTA Owner's Policy (6-17-06)
   Policy Amount:
   Premium:
   Proposed Insured:

3. The estate or interest in the Land described or referred to in this Commitment is:
   Fee Simple
   and Title to said estate or interest is at the Effective Date vested in:
   Anthony F. Czarnecki and Suzanne J. Czarnecki, Trustees, or successor trustee(s) of the
   Czarnecki Family Trust dated May 1, 2008.

4. The Land referred to in this Commitment is located in the County of Grand, State of Colorado, and
   is described as follows:

   FOR LEGAL DESCRIPTION SEE SCHEDULE A CONTINUED ON NEXT PAGE
LEGAL DESCRIPTION

The Land referred to herein is located in the County of Grand, State of Colorado, and described as follows:

Lots 1 and 2,
Block 8,
TOWN OF GRAND LAKE

TOGETHER WITH that portion of Patterson Street described as follows:

Beginning at the Northeasterly corner of Block 8, in the Town of Grand Lake, according to the official plat thereof;
Thence Northerly, along the Easterly line of said Block 8, if extended Northerly, to the intersection thereof with the center line of Patterson Street;
Thence Westerly along the center line of Patterson Street, to the intersection thereof with the Westerly lot line of lot 2, of said Block 8, if extended Northerly;
Thence Easterly along the Northerly line of said Block 8 to the point of beginning.
COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION I

REQUIREMENTS

THE FOLLOWING ARE THE REQUIREMENTS TO BE COMPLIED WITH:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

1. Release by the Public Trustee of Grand County of the Deed of Trust from Anthony F. Czarnecki for the use of ABN AMRO Mortgage Group, Inc., to secure $49,000.00, dated November 12, 2003, and recorded December 24, 2003, at Reception No. 2003-016576.

2. Statement of authority for Anthony F. Czarnecki and Suzanne J. Czarnecki, Trustees, or successor trustee(s) of the Czarnecki Family Trust dated May 1, 2008 a trust, evidencing the existence of said trust and the authority of one or more trustees to act on behalf of said trust and otherwise complying with C.R.S. 38-30-108.5, et. seq.

   NOTE: Review Trust Agreement for authority of party(ies) to act on behalf of said trust and complete the transaction contemplated herein.

3. Certified copy of Town of Grand Lake Ordinance vacating that portion of Patterson Street lying adjacent to Lots 1 and 2, Block 8, Town of Grand Lake.

4. Deed from Anthony F. Czarnecki and Suzanne J. Czarnecki, Trustees, or successor trustee(s) of the Czarnecki Family Trust dated May 1, 2008.

   NOTE: Duly executed real property transfer declaration, executed by either the Grantor or Grantee, to accompany the Deed mentioned above, pursuant to Article 14 of House Bill No. 1288-CRA 39-14-102.
COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION II

EXCEPTIONS

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

Any loss or damage, including attorney fees, by reason of the matters shown below:

1. Any facts, rights, interests, or claims which are not shown by the Public Records but which could be ascertained by an inspection of said Land or by making inquiry of persons in possession thereof.

2. Easements or claims of easements, not shown by the Public Records.

3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

4. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

5. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the Public Records or attaching subsequent to the effective date hereof, but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

7. Right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded June 13, 1903, in Book 19 at Page 446.