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.) The Giant Spaghetti Feast to benefit Grand Lake Fireworks will be held Friday, March 17th at El Pacifico starting at 5 p.m.

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.) Stephanie Ralph, Executive Director, Grand County Library District. (Page E3)

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 – February 27, 2017 (Page E15)
   2.) Accounts Payable – February, 2017 (Page E25)

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

J.) OLD BUSINESS – NONE
K.) **NEW BUSINESS**
   1.) Consideration to officially acknowledge that the “Flowering of Grand Lake” is considered a Town of Grand Lake program, and, therefore, exempt from Town Facility Use Fees. *(Page E35)*
   2.) Consideration of the Town of Grand Lake’s participation in the Northwest Regional Planning Commission for Transportation Planning and to authorize the Mayor to sign the Certificate of Participation. *(Page E38)*
   3.) Consideration of the Town of Grand Lake’s participation in the Grand County Noxious Weed Advisory Board through an intergovernmental agreement with Grand County, appoint Randy Lewis to serve as the Town’s representative, and authorize the Mayor to sign the intergovernmental agreement. *(Page E43)*
   4.) Consideration for the Mayor to sign a Quit Claim Deed for Patterson Street right of way. *(Page E59)*

L.) **MAYOR’S REPORT AND COMMENT**

M.) **ADJOURNMENT**
Strategic Plan
2015-2017

SUSTAIN AND REINFORCE THE LIBRARY DISTRICT.
Goal 1.1: Ensure the Library District is a viable county asset for future library users.
  - Incorporate financial forecasting into strategic planning and decision-making.
  - Routinely evaluate library open hours and services to address changing needs.
Goal 1.2: Maximize professionalism and efficiency of the Library personnel.
  - Recruit and retain staff as key resources.
  - Provide opportunities for professional growth.

FUEL GRAND COUNTY’S PASSION FOR LEARNING AND READING.
Goal 2.1: Provide opportunities for readers and learners of all ages to explore the world of books and reading.
  - Encourage literacy and a love of reading in children.
  - Provide access to a broad choice of materials in a variety of formats.
Goal 2.2: Provide opportunities for lifelong learning to support community prosperity and personal enrichment.
  - Offer information and learning resources for life’s stages and transitions.
  - Assist learners in building information and digital literacy skills.

CONNECT PEOPLE AND COMMUNITIES TO THE VALUE OF THEIR LIBRARY.
Goal 3.1: Increase customer utilization of library services and spaces.
  - Identify and attract new customers including users of the 24/7 library services.
  - Market library services.
Goal 3.2: Inspire library supporters and advocates in our communities.
  - Develop opportunities to engage and re-engage volunteers with specific interests and skills.
  - Staff and trustees champion the value of the Library through their actions.
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<tr>
<th>Name</th>
<th>Position</th>
<th>Biography</th>
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<tr>
<td>Mary Chance</td>
<td>President</td>
<td>Mary Chance has been a resident of Grand County since 2013. She is a distance metadata librarian for the McCracken Research Library in Cody, Wyoming and holds a master's degree in Library and Information Science from Wayne State University in Detroit, Michigan.</td>
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<td>Ann Doudén</td>
<td>Vice President</td>
<td>Ann W. Doudén’s career has been conceiving, designing, and illustrating publications and ephemera. As manager of the graphics department of the Denver Museum of Nature &amp; Science was successful at spearheading their book publishing program. Currently she is packaging books for a variety of publishers and organizations with emphasis on nonprofits with conservation missions such as Cloud Ridge Naturalists, Denver Botanic Gardens and Project WET. A longtime Eskimo Club ski instructor, she and her husband Rich Messer live “as greenly as possible” in their second paper bale home.</td>
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<td>Nancy Knoohuizen</td>
<td>Treasurer</td>
<td>Nancy Knoohuizen and her husband have owned a house in Grand County for 18 years and have lived here full-time since 2008. Her extensive work experience ranges from volunteering for the Peace Corp in Addis Ababa through management of non-profits, consulting in marketing and grant writing to representing Grand County on the Victims Compensation Board for the 14th Judicial Court. Nancy has a MBA from Yale School of Organization and Management and is a Doctor of Philosophy in Human and Organizational Systems.</td>
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<td>Jim Sloan</td>
<td>General Auditor</td>
<td>Jeannie and Jim Soane have lived in Kremmling since 1974. Jim is retired from work at the Henderson Mill. He has served on the West Grand School District Board and the Kremmling Town Board.</td>
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<td>Marcus Davis</td>
<td>Marcus grew up in Hot Sulphur Springs and graduated from Middle Park High School in 1992. He completed a Bachelors and a Masters of Mechanical Engineering at Colorado State University. Marcus worked for Haas Company beginning in Injection Molding, moving to Manufacturing Engineering, Area Manager, and finishing as a Global Product Manager. Additionally, Marcus became an expert in the Danaher Business Systems specializing in lean manufacturing, process improvement, quality, and policy deployment. In 2007, Marcus and his family returned to Grand County and worked for Grand County Planning &amp; Zoning before starting his own company Aspen Grove Caretaking &amp; Cleans, LLC and Grand County Lodging, LLC. In addition to becoming a GCLD Trustee in October 2016, Marcus also serves as a board member for Grand County Planning Commission, Grand County Board of Adjustment, and has various responsibilities with the Grand County Republicans. It is his desire to use his business background to help support the GCLD continue to bring the best and most relevant services to the residents of Grand County both now and into the future!</td>
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<td>Sally Leclair</td>
<td>Sally Leclair graduated from the University of Maine, where she met her husband, Art. She raised a son and daughter on the coast of Penobscot Bay, in beautiful Belfast, Maine. After a career in elementary education as a teacher and principal, retirement brought Sally to Grand County. She has lived in the Fraser Valley permanently since 2015.</td>
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<tr>
<td>Carol Hunter</td>
<td>Carol Hunter taught at the Colorado School of Mines for 14 years, teaching universal design. She lectured on Universal Design for the graduate program at Boulder and Denver. She assisted the U.S. Fish &amp; Wildlife in 17 western states and reviewed visitor access for person with disabilities for the Bureau of Reclamation, U.S. Forest Service and Colorado State Parks and Wildlife. Carol was the Founder and Executive Director of Partners for Access to the Woods, 1988-2014. She has served on the Department of Justices’ Outdoor Developed Regulator Negotiation Committee responsible for writing the ADA regulations for outdoor facilities. Governor Bill Ritter appointed her to the Colorado Independent Living Council.</td>
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Served since 2016
At Large B

Served since 2016
District 1

Served since 2016
At Large A
2016 Financial Summary

January – April 2016
- 2016 property values showed a 1% decrease over 2015, and a 2% decrease for all budgeted revenues.
- The Board of Trustees adopted a 2016 budget with a $339,000 deficit, drawing on reserves to fund difference.
- Employee retention strategies implemented through 1% COLA based salary increase and funding for continuing education for staff. (Strategic Plan 2015-2017)
- The 2016 budget showed an increase to operating expenses of $232,000 over 2015 to support and maintain the additional branch open hours.

May-December 2016
- Reserve accounts created to sustain technology, facilities, debt payments and operations until 2020.
- Forecasting model was built with the intention of using Economic Stabilization Fund reserve to offset property value losses while retaining current District operations and services.
- By 2019, the Board of Trustees determined to reach a balanced budget with the current reserve balances in place. In order to achieve the goal, a reduction in the number of GCLD facilities considered.
- Conservative spending implemented in all budget line items resulted in preliminary end of year figures showing the District under budget by $168,000 in operation expenses. Changes were implemented in the following areas:
  - Administrative building placed on the real estate market and monthly rental increased
  - Reserve balances set as well as refunding mechanisms
  - 10 public computers eliminated throughout the District
  - Reservation fees added for meeting room spaces
  - Library staff and board of trustees no longer exempt from library fines
  - Fees associated with office services (copy, fax, scan) increased at all branch locations
  - Physical media budget reduced
  - Director Technology Position not replaced. Hours in the tech department decreased from 58 to 36 hours.

"Because that’s what Hermione does," said Ron. "When in doubt, go to the library". — J.K. Rowling
• A 0.95 mill levy increase approved by the voters. Mill levy proposal included a ten-year sunset clause and commitment to retire the debt early. Anticipated saving to taxpayers $1.2 million in debt payments. Total mill levy for GCLD increased to 3.36 in 2017 from 2.41.

Looking Forward - 2017

• Board of Trustees is aware of issues that may have potential financial implications for 2017 and may require a supplemental budget including the current injunction of the new Fair Labor Standards Acts and YMCA’s property tax refund.
• Property values are expected to decline resulting in reduced property tax revenues of 3% or additional loss of $48,000.
• Proposed Gallagher amendment may result in a reduced property tax assessment rate from 7.96% to 6.56%.

Strategy - 2017

• The 2017 goal is to achieve a balanced budget by 2019 and maintain approved reserve levels.
• The Board of Trustees adopted a conservative 2017 budget to align library services with anticipated revenues. As additional information on 2017 revenues becomes available, adjustments to the Library District may become necessary.
• The mill levy increase of .95 will pay off the COP’s ten years early. The additional revenues will be held in a reserve account until bonds can be called in 2019.
• 2017 use of Economic Stabilization reserves is budgeted at $114,000.
• In light of public comments, the Library District is engaging in financial transparency by making pertinent financial information available online at gcld.org.
• A thorough MSEC analysis of GCLD salaries is currently under review by the Board in expectation of developing a thoughtful and considered approach to the staff benefit package.

Why do we need libraries — “because more than a quarter of US households do not have a computer with internet connection” - Illibrariestransform
2016 Library Usage

Overview

- Smaller media budget resulting in fewer materials purchased
- Continued shift from browsing the stacks to ebooks, audiobooks, emagazines and downloadable
- Increased consortium use for holds
- Patron visits shift to year-round use
- Increase Wi-Fi usage between the hours of 7am-10pm

Online Resources

Britannica
Heritage Quest
Lynda.com
Mango
Zinio
Colorado Grants Guide

Circulation 2015-2016

- Overall -5% change in circulation
- Largest decrease at the Hot Sulphur Springs Library (-16%)
- Increase in circulation at the Juniper Library (4%)
- Increase usage of online and downloadable materials

*Books make your mind sharper. Life more exciting. Spirits higher. Stress levels lower. The heart more compassionate.* - #librariestransform
Customer Visits 2016

Public Computer and WiFi Usage 2015 -2016

WHY LIBRARIES - BECAUSE TXT R FINE, BUT SRSLY PPL ALSO NEED 2 C REAL SENTENCES -
#librariestransform
2016 Children’s Programs

Summer Reading 2016
Theme: Wellness, Fitness, and Sports

Teen and Children’s Programs
- Bookfloat Competition: 204 entries
- Scary Story Competition: 140 entries
- 1000 Books Before Kindergarten: 262 participants, 60,700 Books completed
- One Book 4 Colorado: 230 books distributed
- Preschool story hour held on a weekly basis in every branch


Libraries – “Because learning to read comes before reading to learn” - #librariestransform
2016 Adult Programs

Community Baby Shower
Outreach - Lions Foundation Luncheon
Adult Summer Reading Program
School outreach—Granby Elementary
Outreach—Granby Rotary Club
Outreach—(Granby, Fraser, Grand Lake, Hot Sulphur and Kremmling) Town Meetings
Grand Futures Prevention Coalition
GCLD Finance Committee Meeting
SBDC Presentation for Small Business
GCLD Board of Trustees Special Meeting
Religious Book Club
Be Well: Adult Coloring
Be Well, Live Mindfully
Be Well: Medicine Cabinet Makeover Essential Oil Class
Outreach - Winter Park & Fraser Chamber Speed Networking Event
What is Quilting? Easier than You Think!
Granby Library Book Group
GCLD Board of Trustees Workshop
Enhance Your Mobile Lifestyle: Building a Tech-Sawy Mindset
Enhance Your Mobile Lifestyle: Capturing Memories
Enhance Your Mobile Lifestyle: Health and Fitness Apps
Enhance Your Mobile Lifestyle: iPad vs. Computer
Book Club for Seniors—Books too Good to Miss
Alpenglow Club Photo Display Changes
Adult Virtual Book Club Meeting
The Juniper Library Presents Moderation Management
Brown Bag Book Group
Meet Martin J. Smith, author of ""Combustion"
Quilting with Janet Schayer
Holiday Book Sale
Technology Classes for Seniors

Meet the Author-Martin J. Smith
Collaborations

Grand County Library District has collaborated with community organizations to provide services to our communities, including:

- Grand Beginnings
- Connect for Health
- Senior Center
- Rural Health Network
- Mountain Family Center
- East Grand and West Grand School Districts
- Businesses across Grand County

"You cannot open a book without learning something" - Confucius
Technology

- Social Media marketing. Central Services staff developed the GCLD Facebook posts to highlight library services and news.
- Grand County communities are provided with public computers, internet access, printers, fax machines and copiers in all five branches.
- The circuits were upgraded and consolidated in the Granby, Juniper and Fraser Valley libraries, resulting in an increase to bandwidth. The Kremmling and Hot Sulphur libraries will receive their upgrade in 2017.
- The gcld website underwent a complete redesign, leading to opportunities for greater transparency and easy access to library information.

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We appreciate your support
Grand County Library District
February 13, 2017

11
REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, FEBRUARY 27, 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 Goodfellow, Jenkins, Kudron, and Lewis; Town Manager White, Town Clerk Nicholls, Town Code Administrator ORourke and Town Attorney Krob.

ABSENT: None.

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

Mayor Peterson announced that announced that a sign-in sheet is located by the door and to please sign in before leaving.

Mayor Peterson then announced that the 6th annual Catch & Release Fishing Contest will be held March 4th & 5th on Grand Lake. Visit www.grandlakeicefishingcontest.com or call 970-798-8021 for more information.

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.

Trustee Jenkins announced that she had a conflict with the Local Liquor Licensing issue as it is her application before the Board.

Mayor Peterson announced that he had a conflict with the property insurance claim as he was an involved party.

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.

Tom Weydert, 811 Tallaqua Drive, was recognized by the Chair. Mr. Weydert stated that he has noted several issues with the Grand Lake Center. The hallways are not ADA compliant due to the removal of the benches for ice skating. The hallways on the gym side are barricaded creating a potential fire hazard. Finally he noted some water damage in the weight room.

Lance Sabo, 808 Park Avenue, was recognized by the Chair. Mr. Sabo stated his concern with the Town Board revisiting the East Inlet boat docks. He stated the Board always comes back to crib docks each time and all these discussions do is delay the project.

**SCHEDULED PRESENTATIONS/DELEGATIONS:**

Mayor Peterson introduced George Coolen, Board President, Grand Lake Metropolitan Recreation District. Mr. Coolen stated they want to continue a relationship of cooperation with the Town and Chamber of Commerce. The sport of pickleball has provided an opportunity for them to work with the Town through the Grand Lake Center. He then presented a check to the Town in the amount of $2,000 for the support of pickleball and other recreational activities at the Grand Lake Center.

**MINUTES APPROVAL:**

Trustee Lewis moved to approve the February 13, 2017 Minutes as presented. Trustee Jenkins seconded the motion and all Trustees voted aye, except Trustee Goodfellow who abstained.

**REPORTS: SALES TAX CASH FLOW REPORT FOR JANUARY 2017:**

Mayor Peterson asked Financial Trustee Goodfellow to present the sales tax cash flow report. Goodfellow reported that the amount of revenue received in January 2017 for the month of December 2016 was $61,633 or $1,215,262 year-to-date. This amount was 4.49% above what was received through December 2015.

**REPORTS: SALES TAX 2012-2016 TOTAL YEAR BY INDUSTRY:**

Mayor Peterson asked Financial Trustee Goodfellow to present the sales tax 2012-2016 total year by industry report. Goodfellow stated that fixed retail, lodging and overall totals saw the highest sales taxes in 5 years. Restaurants saw a slight down tick, while utilities and miscellaneous remained relatively flat.
RECORD OF PROCEEDINGS

REPORTS: FINANCIAL REPORT FOR JANUARY 2017:
Mayor Peterson asked Financial Trustee Goodfellow to present the Financial Report for January 2017. Goodfellow reported that the General Fund expenditures through the end of January totaled $137,345 or 4.2% of budget. He said the Water Fund expenditures for the same period totaled $35,003 or 2.5% of budget, the Marina Fund expenditures totaled $8,189 or 3.2% of budget, the PAYT Fund expenditures totaled $1,596 or 4.6% of budget, and the Grand Lake Center expenditures totaled $46,989 or 24.2% of budget.

At 7:41 p.m. Trustee Jenkins excused herself and took the podium.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A LIQUOR LICENSE CONVERSION AND MODIFICATION FOR THE GATEWAY INN, INC, D/B/A THE GATEWAY INN, LOCATED AT 200 WEST PORTAL ROAD -- Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that the Town has received a Permit Application and Report of Changes for the Tavern Liquor License from The Gateway Inn, Inc., d/b/a The Gateway Inn at 200 West Portal Road. The purpose of the application is to convert the existing Tavern License to a Hotel and Restaurant License and modify the liquor license boundaries to include the hotel rooms. The State Liquor Enforcement Division is allowing Tavern Liquor License conversions through August 10, 2017, in an effort to allow licensees currently holding Tavern licenses that do not meet the definitions of a Tavern License a chance to convert to a more appropriate license type. The Gateway Inn is operated as a hotel with a bar and restaurant. Under the current Tavern Liquor License, hotel guests are unable to take their alcoholic beverages back to their rooms; the proposed modification would enable guests to bring their drinks back to their rooms. The fees have been paid and all the proper application documents have been completed. A letter has been received from the Grand County Sheriff's Department, which states that they have found no adverse information that would affect the transfer of the license. The premise was posted on February 17, 2017 and attested to by Town Code Administrator Erin ORourke. Grand Lake Water Department reports the account is paid in full thru the 1st quarter 2017, and is therefore considered current. The Gateway Inn, Inc has a current Business License from the Town. Their sales tax filings are paid through January 31, 2017, and is, therefore, considered current. She concluded by stating that Lisa Jenkins was present.
Lisa Jenkins, 205 Bella Vista Court Unit 307, was recognized by the chair. Ms. Jenkins stated their desire to change their liquor license. The changes will enable guests to take their drinks to their room and they can do room service.

Trustee Lewis moved to approve the liquor license conversion and modification for The Gateway Inn, Inc, d/b/a The Gateway Inn, located at 200 West Portal Road. Trustee Kudron seconded the motion and all Trustees voted aye.

Trustee Jenkins resumed her seat at 7:45 p.m.

OLD BUSINESS:

QUASI-JUDICIAL – CONTINUATION OF CONSIDERATION TO GRANT A VARIANCE FOR REQUIRED OPEN SPACE FOR LOTS 3-5, BLOCK 12, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 824 GRAND AVENUE – Mayor Peterson asked Town Manager White to present this matter to the Board. White reported that 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. The spokesman for the proposed development, Jim Kruezer, 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: a variance in the required open space; a variance in the utility locations; and 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. Kruezer, 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 flow 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.

Jim Kruetzer, Senior Project Manager, Sloan Construction Company was recognized by the Chair. Mr. Kruetzer stated that the utilities were resolved and they will be using the parking fee in lieu both of which do not require variances. He then reviewed two updated plans one with a bowling alley and one without. The plan with the bowling alley would require a variance for open space.

A discussion ensued regarding the amount of open space required for the project. Mr. Kruetzer was originally told 25%. The Board and Staff questioned the amount required.

Andy Murphy, 1224 Lake Avenue, was recognized by the Chair. Mr. Murphy stated that the Town should definitively tell Mr. Kruetzer the exact amount of open space required. He stated his support of the project and the many benefits he perceived the project would provide to the community. He concluded by stating the Board should go strictly by the rules and keep emotions out of their decision.

Lance Sabo, 808 Park Avenue, was recognized by the Chair. Mr. Sabo stated his agreement with Mr. Murphy. The project answers a lot of needs of the community. He concluded by stating the Board should approve the variance requested.

Tom Weydert, 401 Ellsworth Avenue, was recognized by the Chair. Mr. Weydert stated that if the applicant meets all the requirements he should be granted the approval. He believes that there is not a need for a variance, and that the standards required for granting a variance are not met, it would be nice, but they are not necessary reasons. He concluded there is no need to grant the variance.

Trustee Kudron referenced a section 12-2-26 from the Town Code. He stated that per his read of the code he believes the open space requirement of the project is 20%.

Trustee Kudron moved to grant the request for variances as recommended by the Planning Commission to maintain the open space requirement found at 12-2-26, which is 20%; also to grant the variance, which is not a variance, on the parking requirement for commercial spaces and impose the parking fee in lieu of $1,000 for each parking space not found to be in municipal code; and finally to direct Staff in conjunction with the developer and Mountain Parks Electric to develop a solution to the power line issues on the south side of the property that will be favorable to
both the Town and the adjacent owners to be associated with the plan that includes the bowling alley. Trustee Jenkins seconded the motion and all Trustees voted aye, except Trustee Lewis who voted nay.

NEW BUSINESS: CONSIDERATION OF RESOLUTION 02-2017, A RESOLUTION OPTING OUT OF 2017 WATER INCREASE – Mayor Peterson asked Town Manager White to present this matter to the Board. White reported that during budget talks last year, the Board of Trustees decided to defer the 6% annual increase that would begin April 1, 2017 and continue through March 31, 2018. This action will postpone the last scheduled increase from April 1, 2019 to April 1, 2020.

Trustee Lewis moved to adopt Resolution No. 02-2017, a Resolution Opting Out of the Town of Grand Lake Water Enterprise Fund Water Usage Fee Increase established by Resolution No. 8-2008, for the Year 2017 only. Trustee Jenkins seconded the motion and all Trustees voted aye, except Mayor Peterson who voted nay.

NEW BUSINESS: CONSIDERATION OF RESOLUTION 03-2017, A RESOLUTION ADOPTING A FINANCIAL POLICIES AND PROCEDURES MANUAL – Mayor Peterson asked Town Manager White to present this matter to the Board. White reported that based on recommendations from the Town’s insurance provider, CIRSA, written financial policies are a good practice for all entities to help promote continuity and stability. Many topics, such as money handling, purchases on credit and fund balance reserves are typically addressed in these policies. These policies are in no way exhaustive and will be updated to be more comprehensive as time permits.

Trustee Jenkins moved to adopt Resolution 03-2017, a resolution adopting a Financial Policies and Procedures Manual. Trustee Goodfellow seconded the motion and all Trustees voted aye.

NEW BUSINESS: CONSIDERATION OF GRAND LAKE CLARITY ALTERNATE ASSIGNMENT – Mayor Peterson asked Town Manager White to present this matter to the Board. White reported that the NEPA process to address the CB-T project and its impacts on water clarity in Grand Lake is underway. The Town Manager is the designated representative for the Town of Grand Lake during this process. The Three Lakes Watershed Association has a sincere interest in the NEPA process now underway to address water clarity for Grand Lake. The Directors of the Three Lakes Watershed Association have been involved to improve Grand Lake Clarity for decades. The NEPA process, as currently
established, does allow them to attend the meetings, yet they do not have a formal seat at the table. Three Lakes has been encouraged to attend all meetings regardless to keep informed. Staff is bringing forward the recommendation for the Board to consider authorization to any director of Three Lakes Watershed to be assigned as an alternate in the event the Town’s representative, or any assigned Town alternate, is unable to attend any upcoming NEPA meetings.

A discussion ensued regarding the voting privileges, assigning a specific Trustee as an alternate, and involving Three Lakes Watershed as an advisor to the Town. The Board approved Trustee Kudron to be the alternate.

NEW BUSINESS:

CONSIDERATION OF ASSIGNMENT OF GRAND GALA TICKETS – Mayor Peterson asked Town Manager White to present this matter to the Board. White reported that the Town Board provided support at its last meeting for a Bronze Level sponsorship for $700 for the Grand Gala in April 2017. This was particularly focused on providing transportation to the Gala in the spring. The sponsorship included two tickets for the event, valued at $250 each, or $500 total. The Town Board should assign the tickets, or alternately to create a process to assign the tickets. This could be done by a raffle, auction, or a lottery system, as examples. Similarly, the Town could offer the tickets for sale on a first come, first served basis.

After a brief discussion Trustee Jenkins moved to donate the Town’s Grand Gala Tickets each and every year to whoever is the seated Citizen of the Year. Trustee Lewis seconded the motion and all Trustees voted aye, except Trustee Kudron who abstained.

NEW BUSINESS:

CONSIDERATION TO SET A SPECIAL ELECTION TO FILL BOARD OF TRUSTEES VACANCIES – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that 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. Both vacancies have term expirations of 2018. The Board of Trustees decided to fill those vacancies by appointment. No letters of interest were received by the Town Clerk for the positions. Colorado Revised Statute 31-4-303 states that If a vacancy in the board or in such other elective office is not filled by appointment or an election is not ordered within sixty days after the vacancy occurs, the board shall order an election, subject to the municipal election code, to be held as soon as practicable to fill the vacancy until the next regular election and until a successor has been elected and has complied with section 31-4-401. The 60 day deadline for Jim Gasner's
vacancy is March 10, 2017, which falls before the next Board of Trustees Meeting on March 13, 2017. The Board will need to set a special election in order to comply with State Statute. The Board should take into consideration the out of town residency of Trustee Kathy Lewis. She concluded by stating that Town Attorney Krob had an update.

Town Attorney Krob stated that he suggests the Board not set an election. He further clarified that due to the lack of interest in filling the vacancies by appointment it could be argued to be impracticable to run an election. It would not be practicable to have an election until you have more interest than vacancies.

A discussion ensued regarding appointing someone after the 60 day period, the cost and time of an election, term expiration of the vacancies, and Trustee Lewis’ out of Town status.

Trustee Kudron moved to extend the invitation for applicants to show interest in appointment as a Trustee until April 30, 2017. Trustee Goodfellow seconded the motion and all Trustees voted aye.

Trustee Kudron raised a question to Attorney Krob if there is statute that requires a Trustee to be in person to vote. Attorney Krob stated that the statute stated a Trustee must be present and that is generally interpreted to be in person. He further clarified that there has been no case in Colorado that has determined you can be present on the phone, skye, or in another manner. Most municipalities that have addressed the issue have held to the standard that being present is defined as in person, with the only exceptions, he is aware of, for active military service where they were allowed to participate by skye.

At 8:48 p.m. Mayor Peterson excused himself and left the room.

NEW BUSINESS:

CONSIDERATION OF A PROPERTY CLAIM BETWEEN THE TOWN OF GRAND LAKE AND JAMES PETERSON – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that on Saturday, February 11, 2017 an incident occurred between the Town and James Peterson. Public Works Director Bernie McGinn was driving the 1979 John Deere Grader plowing snow when the incident occurred. Damages occurred to Mr. Peterson’s truck. The incident was reported to the Grand County Sheriff’s Department that day and reported to the Town’s insurance provider, CIRSA, on Monday, February 13, 2017. Since the incident involved the grader, which is considered heavy machinery, the Town has government immunity and is, therefore, not liable to pay. However, if the Town chooses it can pay some or
all of the damages incurred as a "good neighbor" gesture. Any claims in the past that the Town has opted to pay on with government immunity had circumstances that had dangerous conditions that would create the potential for the waiving of immunity. The Town decided it was in the best interest to pay those claims. The claim for the incident between Public Works Director McGinn and Mr. Peterson does not involve a dangerous condition. CIRSA stated that if the incident had involved a regular plow truck, the incident would not be immune and it would be CIRSA's determination to pay the claim as the incident occurred from a vehicle backing up. The Board must determine if the Town would like to pay some or all of the damages incurred as a "good neighbor" gesture, or pay nothing based on the government immunity received. The Board should weigh the precedent that will be set with a decision in either circumstance, as it will affect future claims against the Town and the Town budget.

Trustee Jenkins stated that normally these circumstances are not brought to the Board, but due to the unique situation of the incident involving a tractor and a truck it is being brought to the Board.

Town Clerk Nicholls confirmed this and further stated that due to the incident involving the Mayor she felt it was important for the decision to be transparent to the public.

Trustee Kudron moved to inform James Peterson that because of recommendation by the Town's insurance carrier, CIRSA, and because of government immunity in this case the Town will pay zero of the claim against it and recommend that he follow up with CIRSA directly to dispute that or engage his own insurance company on his behalf as is consistent with the past practices of the Town. Trustee Goodfellow seconded the motion and all Trustees voted aye.

Mayor Peterson resumed his seat at 8:53 p.m.

Judy Burke, 390 West Mary Drive, was recognized by the Chair. Ms. Burke stated that she believes Three Lake Watershed group should have more involvement in the decision making for the NEPA process. Three Lake Watershed group initiated and spent hundreds of thousands of dollars to work on the water clarity situation and have extensive experience. She concluded that the Town should closely maintain their relationship with them.
RECORD OF PROCEEDINGS

MAYOR'S REPORT
AND COMMENT: Mayor Peterson stated that he felt that the motion on the Boardwalk Lofts was a bit dramatic and the Board may catch some grief. He thanked everyone for their hard work so far.

ADJOURNMENT: Trustee Lewis moved to adjourn, seconded by Trustee Jenkins. All Trustees voted aye, and the meeting was adjourned at 8:58 p.m., February 27, 2017.

JAMES C. PETERSON, MAYOR

ATTEST: KATIE NICHOLLS, TOWN CLERK
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## Town of Grand Lake Payment Approval Report

Report dates: 3/1/2017-3/31/2017

Mar 13, 2017 02:32PM

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| **COLORADO MOUNTAIN NEWS MEDIA**
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02/28/2017 | 109557902281 | 10-415-314 Ads & Legal Notices | ADMIN - ORG/CUP | 25.03 |
02/29/2017 | 109557902281 | 10-413-370 Board Contingency | BOT - BOARD VACANCIES | 374.89 |
**Total 109557902281:** |
| **Total COLORADO MOUNTAIN NEWS MEDIA:** |
| **COMCAST**
03062017 |
03/06/2017 | 03062017 | 10-415-344 Telephone Utility | ADMIN - PHONE/INTERNET MAR | 259.80 |
03/06/2017 | 03062017 | 10-450-344 Telephone Utility | GLC - PHONE/INTERNET/TV MAR | 169.62 |
03/06/2017 | 03062017 | 10-431-344 Telephone Utility | PW - PHONE/INTERNET MAR | 130.03 |
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| **CREDIT UNION OF COLORADO**
03102017 |
03/10/2017 | 03102017 | 10-412-211 General Office Supplies | PC - LANZI NAME PLATE | 18.99 |
03/10/2017 | 03102017 | 10-415-215 Computer Software | ADMIN - CLOUD STORAGE TOWN MGR | .99 |
03/10/2017 | 03102017 | 10-413-370 Training/Travel | BOT - MEETING FOOD, CML REG, CML LODG DEP | 1,726.91 |
03/10/2017 | 03102017 | 10-415-211 General Office Supplies | ADMIN - NAME PLATES, RITA, NATE; DOOR PLATE, CODE ADMIN | 56.97 |
03/10/2017 | 03102017 | 10-415-311 Postage/Freight | ADMIN - POSTAGE CRISA VIDEOS, JOE BELONGINGS | 23.28 |
03/10/2017 | 03102017 | 10-415-370 Training/Travel | ADMIN - TM CML REG & LODG DEP | 680.00 |
03/10/2017 | 03102017 | 10-450-220 Operating Supplies | GLC - RETURN PHONES | 32.80- |
03/10/2017 | 03102017 | 10-450-236 Minor/Misc Equipment | GLC - PULL-UP BAR | 83.48 |
03/10/2017 | 03102017 | 10-450-238 Minor/Misc Furnishings | GLC - SCALE | 156.58 |
03/10/2017 | 03102017 | 10-431-224 Safety Supplies | PW - COVERALLS | 46.75 |
03/10/2017 | 03102017 | 10-431-317 Uniform Allowance | PW - UNIFORM ALLOW LEWIS | 39.99 |
**Total 03102017:** |
**Total CREDIT UNION OF COLORADO:** |
| **DE LAGE LANDEN FINANCIAL SERVICES INC**
53426332 |
02/11/2017 | 53426332 | 10-415-226 Small Equipment | ADMIN - COPIER LEASE MAR | 165.83 |
| **Total 53426332:** |
**Total DE LAGE LANDEN FINANCIAL SERVICES INC:** |
| **DENVER INDUSTRIAL SALES & SERVICE CO**
163057 |
02/14/2017 | 163057 | 10-431-242 Road Maintenance | PW - 112-50# BAGS WINTER MIX COLD PATCH | 1,201.76 |
**Total 163057:** |
**Total DENVER INDUSTRIAL SALES & SERVICE CO:** |
| **DIAMONDBACK ENGINEERING & SURVEY INC**
2016-217 |
11/02/2016 | 2016-217 | 20-930-999 Capital Lease Purchase | WATER - STORAGE TANK SEP 2016 | 2,875.00 |
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Total GRAND LAKE HARDWARE: 206.64

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<td>453.31</td>
</tr>
<tr>
<td>Total WCI OF GRANBY:</td>
<td></td>
<td></td>
<td></td>
<td>653.54</td>
</tr>
<tr>
<td>XCEL ENERGY</td>
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Town of Grand Lake

Payment Approval Report
Report dates: 3/1/2017-3/31/2017

<table>
<thead>
<tr>
<th>Invoice Date</th>
<th>Invoice Number</th>
<th>GL Account and Title</th>
<th>Description</th>
<th>Net Invoice Amount</th>
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<td>10-415-345 Natural Gas Utility</td>
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<td>20-330-345 Natural Gas Utility</td>
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Total: 1,622.58

TOWN OF GRAND LAKE COMBINED ACCOUNTS PAYABLE AND
ACCOUNTS PAYABLE - ALREADY PAID (ATTACHMENT A): FEBRUARY 2017

MAYOR: JAMES C. PETERSON, MAYOR

ATTEST: KATIE NICHOLLS, TOWN CLERK
## ATTACHMENT A

### ACCOUNTS PAYABLE - ALREADY PAID

**FEBRUARY 2017**

**ALREADY PAID**

| CREDIT UNION OF CO | DUE - 2/15/17 | $1,888.81 |
| THOMASSON, SAM & BETTY | 1ST QTR 2017 LAND PAYMENT | $6,468.74 |

**TOTAL ALREADY PAID** $8,357.55

### PAYROLL ALREADY PAID

<table>
<thead>
<tr>
<th>Gross Salary (no deductions)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GF</strong></td>
</tr>
<tr>
<td>Ackerman, Erin</td>
</tr>
<tr>
<td>Hassoldt, Gerald</td>
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<tr>
<td>Johnson, David</td>
</tr>
<tr>
<td>Lewis, Randy</td>
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<td>McGinn, Bernard</td>
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<td>ORourke, Erin</td>
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<td>Temple, Tracy</td>
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<td>White, James</td>
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<td>Zeleznikar, John</td>
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<tr>
<td>Myers, Crystal</td>
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<tr>
<td>Baird, Don</td>
</tr>
</tbody>
</table>

**TOTAL Gross Salaries** | $42,565.83 | $15,828.06 | $890.38 | $59,284.27 |

### Reimbursements

| EFTPS | FICA/Federal Withholding | $723.68 |
| Colorado Department of Revenue | State Withholding | $14,723.41 |
| ICMA Retirement Trust | Retirement/Loan Repayment | $1,872.00 |
| CEBT | Health/Dental/Vision/Life/AD&D Insurance | $9,085.64 |
| The Hartford | Life/AD&D Insurance | $12,938.69 |
| Genworth Financial | Additional Life Coverage | $126.96 |

**Total Payroll Taxes/Benefits** $39,470.38
March 13, 2017

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

RE: Consideration to officially acknowledge that the “Flowering of Grand Lake” is considered a Town of Grand Lake program, and, therefore, exempt from Town Facility Use Fees.

PURPOSE
To officially acknowledge that The Flowering of Grand Lake program as a program funded by the Town of Grand Lake and run for the benefit of the Town and its beautification making it exempt from Facility Use Fees.

BACKGROUND
The Flowering of Grand Lake is a program established in the 1980’s to help beautify the Town, which includes the annual Gardener’s Exchange. The Town has been the sponsor of the program since its inception. The Town pays around $1,000 covering the majority of the costs associated with the program; any money raised during the Gardener’s Exchange is used to purchase more materials for the next year. The program is run by volunteers, who have superior gardening experience, but funded by the Town.

The Adopt-a-Lamppost Garden is a part of The Flowering of Grand Lake that the Town took full ownership of to streamline communication and generate more interest for potential garden volunteers. This program relies upon The Flowering of Grand Lake and the Gardener’s Exchange to provide the necessary supplies and interest in beautifying the Town. Discussions with Pam Coonrod, the original organizer of the program, and Public Works Director Bernie McGinn, in addition to independent research, have revealed that The Flowering of Grand Lake program has historically been considered a Town program run by volunteers.

STAFF COMMENTS
The new fee schedule, and specifically the Town Facility Use Fees established for the Community House, has brought forth questions by Staff regarding the use of the Community House for the Gardener’s Exchange. Staff believes that since the program is funded by the Town for the benefit of the Town and is needed to run the Adopt-a-Lamppost Garden program it should be considered a Town program and, therefore, exempt from Facility Use Fees.
March 6, 1989

Professor James R. Feucht  
CSU Extension Service  
15200 West 6th Avenue  
Golden, Colorado 80401

Dear Professor Feucht:

It is my distinct pleasure to confirm your upcoming visit to Grand Lake scheduled for 7:00 pm on March 31 at the Grand Lake Town Hall. Your presentation on high country flowers and gardening techniques will provide a most appropriate springboard to launch our "Flowering of Grand Lake."

Enclosed, please find a copy of an advertisement which more fully explaining the Flowering of Grand Lake concept. We look forward to your participation and hope that you share in our excitement. Thank you for your interest in the Town.

Sincerely,

[Signature]

William A. Ray, Jr.  
Town Manager

p.s. When we last visited, you indicated you may need overnight accommodations. If this is still true, please let me know at your convenience so that I can make any necessary arrangements.
Announcing
The Flowering Of Grand Lake
(A Contest For The Entire Community)

The Idea: An opportunity to help beautify downtown Grand Lake while having a chance to meet new friends, show off your green thumb, and learn a bit more about high country gardening.

The Particulars: There are 30 streetlights in downtown, each with a 64 square feet planter box. Individuals, clubs, businesses or civic organizations will sponsor one planter box and be responsible for planting, watering, weeding and maintaining their box. Judging will take place during Western Days and the winners announced during Buffalo Barbeque.

The Calendar:
March 31 -- Kick-Off Event. Town hall 7:00 p.m.
   Guest Speaker Professor James Feucht of CSU Extension Service on High Country Flowers and Gardening Techniques

April 15 -- Seedlings prepared and 'foster homes' found
May 10 -- All Seedlings labeled
May 12 -- Contestants pickup plants and contest rules
May 13 -- Gardener's Exchange in Town Square
June 10 -- Last day for planting
July 15 -- Judging
July 16 -- Winners announced at Buffalo Barbeque

The Organizers: For information or to become a volunteer, please call Jeannie Hansgen (627-8956) after 5 p.m. or Pam Coonrod (627-3055).
Sponsored By: The Town of Grand Lake
Date: March 13, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: Intergovernmental Agreement for a Regional Planning Commission for Transportation Planning

PURPOSE

The purpose of this item is to include the Town of Grand Lake in the IGA for a Regional Planning Commission for Transportation Planning. This commission is the proper forum for regional transportation planning recognizes by C.R.S. 43-1-1101. The Northwest Transportation Planning Region consists of the areas within the counties of Grand, Jackson, Moffat, Rio Blanco, and Routt. Each entity is allowed to have one member.

STAFF COMMENTS/STAFF RECOMMENDATION

Staff recommends that the Town of Grand Lake sign the Certificate of Participation for the Intergovernmental Agreement for a Regional Planning Commission for Transportation Planning and authorize the Mayor to sign the Certificate.

SUGGESTED MOTION
I move to approve the Town of Grand Lake’s participation in the Northwest Regional Planning Commission and authorize the Mayor to sign the Certificate of Participation.
INTERGOVERNMENTAL AGREEMENT FOR A
REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING
Northwest Transportation Planning Region

THIS AGREEMENT made this 27 day of April, 2017, by and among the following local
governments in the Northwest Transportation Planning Region:

Grand County
Jackson County
Moffat County
Rio Blanco County
Routt County

Town of Fraser
Town of Granby,
Town of Grand Lake
Town of Hot Sulphur Springs
Town of Kremmling
Town of Winter Park

Town of Walden

City of Craig
Town of Dinosaur

Town of Meeker
Town of Rangely

Town of Hayden
Town of Oak Creek
Town of Yampa
City of Steamboat Springs

Participation in this agreement by each aforementioned party is made only upon execution of
a Certificate of Participation.

This Agreement is thereby executed in multiple Certificates of Participation, each of which
shall constitute an original, but all of which, taken together, shall constitute the same
document.

WHEREAS, the parties to this Agreement have the authority pursuant to Article XIV, Section
18 of the Colorado Constitution and Section 29-1-201, et seq., Colorado Revised Statutes, to
enter into intergovernmental agreements for the purpose of providing any service or
performing any function which they can perform individually, and;

WHEREAS, Section 43-1-1101 C.R.S. recognizes Regional Planning Commissions as the
proper forum for transportation planning, and;

WHEREAS, Section 43-1-1102(5) C.R.S. requires that Regional Planning Commissions formed
for the purpose of transportation planning must be formed pursuant to Section 30-28-105
C.R.S., and;

WHEREAS, the parties to this Agreement desire to cooperate in developing and maintaining a
long range Regional Transportation Plan, the purpose of which is to identify the mobility
needs of the Northwest Transportation Planning Region, and prepare a plan for addressing
the needs, and;

WHEREAS, Section 43-1-1103 C.R.S. requires that any Regional Planning Commission formed
for the purpose of transportation planning is responsible for regional transportation
planning for said region, and;

WHEREAS, the Northwest Transportation Planning Region, consisting of the areas within the
counties of Grand, Jackson, Moffat, Rio Blanco and Routt, was designated in the Rules for the
Statewide Transportation Planning Process (2 CCR 604-2) as adopted by the Transportation
Commission of Colorado and effective December 15, 2012, and;

WHEREAS, the parties to this Agreement are governing bodies or officials having charge of
public improvements within their jurisdictions in Northwest Transportation Planning
Region.

NOW THEREFORE, the parties hereby mutually agree as follows:

1. Designation of Regional Planning Commission. The parties to this Agreement shall have
one representative each on the Regional Planning Commission for the Northwest
Transportation Planning Region.

2. Responsibilities of Regional Planning Commission. The Regional Planning Commission
shall be responsible, in cooperation with the state and other governmental agencies, for
carrying out necessary continuing, cooperative, and comprehensive transportation
planning for the Northwest Transportation Planning Region; for creating, amending and
updating Regional Transportation Plans pursuant to all applicable federal and state laws
and rules or regulations including public participation provisions; for recommending the
priority for any transportation improvements planned for the region; and for
participating in the State Transportation Improvement Program development process.
The Regional Planning commission shall keep records of its resolutions, transactions,
contractual undertakings, findings, and determinations, which records shall be public
records.

3. Chairperson and Officers. The Regional Planning Commission shall elect its Chairperson,
whose term shall be one year, with eligibility for reelection. The Chairperson, or their
designee, shall be the representative of the Northwest Transportation Planning Region on
the State Transportation Advisory Committee.

4. Contracting. The Regional Planning Commission may, with the consent of the parties to
this Agreement, contract the services of other eligible individuals or entities to carry out
all or any portion of the responsibilities assumed by the Regional Planning Commission
under this Agreement.

5. Distribution of state or federal funds. The Regional Planning Commission may, through
contracts or Memoranda of Agreement, receive and expend state or federal funds
designated for regional transportation planning.

6. Terms of this Agreement. This Agreement shall remain in full force and effect for so long
as the parties to this Agreement consider necessary to complete and maintain Regional
Transportation Plans for the Northwest Transportation Planning Region and for periodic
updates or amendments as may be required. Any party to this Agreement may, however,
terminate its participation in this Agreement six months after providing written notice of
such termination to the other parties of this Agreement. This Agreement may be
terminated at any time by agreement of all parties to this Agreement unless a grant
contract is in effect with the State. In this case, the State must approve such termination and arrangements for completing the project.

7. Modification and Changes. The terms of this Agreement may be modified at any time by agreement of all parties to this Agreement.
CERTIFICATE OF PARTICIPATION
IN THE
INTERGOVERNMENTAL AGREEMENT
FOR A
REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING
Northwest Transportation Planning Region

Entity Name Here:

THIS is to certify that __[Entity or Official's Name]__ has agreed to participate in this Intergovernmental Agreement for the Northwest Regional Planning Commission.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first written above on page 1.

________________________________________________________________________  Date: ____________
[Name, Title]
[Entity Name]

ATTEST:

________________________________________________________________________  Date: ____________
[Name, Title]

Seal:
Date: March 13, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: Re-Establish the Grand County Noxious Weed Advisory Board through an Intergovernmental Agreement with Grand County.

PURPOSE

The purpose of this item is to revise the Grand County Noxious Weed Advisory Board. See the memo dated January 26, 2017 from Amy Sidener explaining the recent history. The Grand County Board proposes to meet statutory requirements by forming this Board and allowing each incorporated municipality to have one representative on the Board.

STAFF COMMENTS/STAFF RECOMMENDATION

Staff recommends that the Town of Grand Lake participate in the County Noxious Weed Board which will satisfy the statutory requirement to form an advisory board. We further recommend that the Town appointed representative be Randy Lewis from our Public Works/Parks Department. Randy has previously served in this role and his Parks responsibility coincides with the focus of this particular board’s goals and activities. A draft of the proposed IGA and the draft Bylaws of the Advisory Board are included for your review.

SUGGESTED MOTION

I move to approve the Town of Grand Lake’s participation in the Grand County Noxious Weed Advisory Board through an Intergovernmental Agreement with Grand County; in addition, the Town of Grand Lake recommends Randy Lewis to serve as its representative, and further authorize the Mayor to sign the IGA.
From:    Amy Sidener [asidener@co.grand.co.us]
Sent:    Thursday, January 26, 2017 7:57 AM
To:      Jim White
Subject: Noxious Weed Board
Attachments: Weed IGA Draft _GRAND v2.doc; Grand COUNTY WEED ADVISORY BOARD BYLAWS - draft v3.doc

Mr. White:

My name is Amy Sidener and I have taken Jennifer Scott's position as Foreman with the County Div of Natural Resources after having worked with/her for the past 8 years. Prior to her departure in April 2016, she started a project to re-vamp/re-establish the County Noxious Weed Advisory Board, as required by law, and I am trying to complete it. The current Board is, in effect, non-functioning due to the fact that specific people were appointed more than a decade ago and have since moved on and the proper replacement of those individuals did not happen. The Division of Natural Resources (DNR) would like to take this opportunity to rebuild the Board.

By State law (CRS 35-5.5-106-107), all counties and municipalities are required to adopt a Noxious Weed Management Plan and form an Advisory Board. According to our records, all the incorporated municipalities in Grand County adopted the County weed management plan for their weed management plan but we have no records as to any municipality forming an Advisory Board. The BOCC had appointed the Middle Park Soil Conservation District Board as their Advisory Board but as stated above, individuals from that Board have since long moved off the Board and replacements to the Advisory Board were not made. In an effort to "kill two birds with one stone," we (County) would like to propose entering into an Intergovernmental Agreement (IGA) with all incorporated municipalities in Grand County to re-designate the Advisory Board by having each municipality provide a representative to the Board. The Advisory Board would then act as the Board to all entities, meeting the statutorily mandated requirement that each have an Advisory Board.

I have attached a DRAFT copy of an IGA for your review with a DRAFT copy of Bylaws for the "new" Board. We would like to complete this task as soon as possible, so please contact me by February 2 to discuss further. You can call or email me, that is fine. My office hours are 7 am to 3:30 pm, M-F but my cell phone is always an option at any time.

Thank you,

Amy Sidener
Natural Resource Foreman
Grand County Division of Natural Resources
970-887-0745 Office
970-531-1958 Mobile
970-887-8862 Fax
asidener@co.grand.co.us
Intergovernmental Agreement
Regarding the
Grand County Weed Advisory Board

THIS INTERGOVERNMENTAL AGREEMENT ("IGA"), is made and entered into this day of ____________, 2017, by and among the Board of County Commissioners of Grand County (the "County"), the Town Council of the Town of Winter Park, Colorado ("Winter Park"), the Board of Trustees of the Town of Fraser, Colorado ("Fraser"), the Town Council of the Town of Granby, Colorado ("Granby"), the Town Council of the Town of Grand Lake, Colorado ("Grand Lake"), the Town Council of the Town of Hot Sulphur Springs, Colorado ("Hot Sulphur Springs"), the Town Council of the Town of Kremmling, Colorado ("Kremmling"), all of which are either a County, or a statutory or home rule city, or a statutory town or home rule town, or a territorial charter municipality, or a city and county, and all such entities are collectively referred to herein as the "Parties".

WITNESSETH

WHEREAS, the County is obligated pursuant to C.R.S. §35-5.5-105(1) to adopt a noxious weed management plan for all of the unincorporated lands within the county; and

WHEREAS, Winter Park, Fraser, Granby, Grand Lake, Hot Sulphur Springs, and Kremmling are obligated pursuant to C.R.S. §35-5.5-106(1) to adopt a noxious weed management plan for all lands within the territorial limits of the municipality; and

WHEREAS, pursuant to C.R.S. §29-1-201 et seq., C.R.S. §35-5.5-105(3), and C.R.S. §35-5.5-106(3), the County, Winter Park, Fraser, Granby, Grand Lake, Hot Sulphur Springs, and Kremmling may cooperate with other counties and/or towns for the exercise or satisfaction of any or all of the powers, authorities and obligations granted or imposed by the Colorado Noxious Weed Act, C.R.S §35-5.5-101 et seq. (the "Act"); and

WHEREAS, pursuant to C.R.S. §35-5.5-111, the local governing bodies of all counties and municipalities of the State of Colorado are authorized to enter into cooperative agreements with federal and state agencies for the integrated management of noxious weeds within their respective territorial jurisdictions; and

WHEREAS, pursuant to C.R.S. § 29-2-203, each of the parties is authorized to cooperate and contract with each other to carry out duties and authority held by each of them;

WHEREAS, it is to the mutual advantage and benefit of the Parties hereto that the Parties agree to form an advisory board pursuant to the Act to facilitate cooperation among themselves for the integrated management of noxious weeds within their respective jurisdictions within Grand County, Colorado, as a geographic whole, and to exercise or satisfy any or all of the powers, authorities and obligations imposed by the Act.
NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and the reciprocal benefits to be derived therefrom, the receipt and adequacy of which is hereby acknowledged, the Parties agree as follows:

1. **Formation of the Grand County Noxious Weed Advisory Board.** The Parties agree to form the Grand County Noxious Weed Advisory Board (the “Board”) to serve as an advisory board to each of the Parties’ governing bodies, and to facilitate, in whatever reasonable and prudent way possible, voluntary cooperative efforts by the Parties for the integrated management of noxious weeds within their respective jurisdictions within Grand County, Colorado, as a geographic whole, and further to exercise or satisfy any or all of the powers, authorities and obligations of the Act. The Parties agree and understand that, pursuant to C.R.S. §35-5.5-107(5), the local governing bodies of the Parties shall have the sole and final authority to approve, modify, or reject a management plan, management criteria, management practice, and any other decision or recommendation of the Board within the party’s respective jurisdiction.

2. **Responsibilities of the Parties.** The Parties understand and agree that the only responsibilities, financial or otherwise, arising directly from this IGA are for each Party to:
   a. Appoint the Board to act as the local advisory board for its respective jurisdiction pursuant to C.R.S. §35-5.5-107(1), if applicable, with all of the powers and duties specified in C.R.S. §35-5.5-107(4); and
   b. Appoint one authorized representative to the Board.

3. **Powers and Duties of the Board.** The Board shall have the following powers and duties.
   a. Pursuant to C.R.S. §35-5.5-107(4)(a), to develop, for the approval of the governing bodies of the County, Winter Park, Fraser, Granby, Grand Lake, Hot Sulphur Springs, and Kremmling, recommended management plans for the integrated management of designated noxious weeds and recommended management criteria for noxious weeds within Grand County.
   b. To encourage voluntary cooperative efforts among all or any number of the Parties for the integrated management of noxious weeds within Grand County, Colorado. It is anticipated that such voluntary cooperative efforts may be governed by separate management plans entered between Parties actually participating therein, which management plans will each specifically address allocation of responsibilities, financial and otherwise.
   c. Pursuant to C.R.S. §35-5.5-107(4)(b), to declare noxious weeds and any state noxious weed designated by rule to be subject to integrated management.
   d. Pursuant to C.R.S. §35-5.5-107(4)(c), to recommend to the applicable Parties’ local governing body that identified landowners be required to submit an individual integrated management plan to manage noxious weeds on their property.
e. To exercise any other powers and/or duties as authorized by C.R.S. §35-5.5-101 et seq.

4. Meetings of the Board.

a. Regular Meetings will be held as determined by the Board, but no less than annually.
b. All meetings shall be conducted in accordance with C.R.S. § 24-6-401, et seq., (Open Meetings Act). Any interested parties may participate in meetings of the Board.

5. Membership of the Board.

Composition: The Board shall be composed of one voting member for each entity that is a party to the IGA, and one (1) ex-officio non-voting member. The Ex Officio, non-voting member of the Board shall be the Foreman of the Grand County Division of Natural Resources. Each participating entity shall designate a representative to serve as a board member. The following entities not parties to the IGA may designate a representative to serve as its voting board member.

i. Middle Park Conservation District
ii. USDA National Resource Conservation Service
iii. United States Forest Service – Sulphur Ranger District, Parks Ranger District and Yampa Ranger District
iv. Colorado Division of Parks and Wildlife
v. Bureau of Land Management
vi. National Park Service - Rocky Mountain National Park
vii. CSU Extension Grand County
viii. Colorado State Land Board
ix. Colorado Department of Transportation
x. Northern Colorado Water Conservancy District
xi. Denver Water

Subsequent to the first meeting of the Board, additional entities or individuals that wish to be a member shall, upon written request, be considered for membership by the Board. A request for membership shall be granted upon a majority of votes in favor by the current Board members.

6. Officers: Officers of the Board shall include a Chairperson, a Vice-Chairperson, and a Secretary. These positions shall be elected by the Board at the first regular meeting of the Board and once every two years thereafter.

7. Immunity. No provision of the IGA is or shall be construed to be a waiver of sovereign immunity pursuant to C.R.S. §24-10-104 or any other provision of law. Each Party hereto shall be responsible to defend itself, at its sole cost, in any action or claim arising from or under any activity pursuant to this IGA.

8. Indemnification. Each Party, to the extent permitted by law, and without waiving any immunities, protections, or defenses available to it at common law or under statute,
hereby agrees to indemnify and hold every other Party harmless from and against all claims, damages, losses and liabilities including reasonable attorneys’ fees to the extent caused by the intentional or negligent acts of the indemnifying Party arising out of or related to said Party’s participation in this Agreement.

8. **Term.** The term of this IGA shall be for three years from the date the IGA first becomes first effective as to any of the Parties, and will renew automatically for subsequent three year terms absent termination or other written agreement of the Parties. Any Party may terminate its participation in this IGA upon ninety (90) days written notice, by certified mail, to each of the other participating Parties.

9. **Counterparts.** This IGA may be signed in multiple counterparts, all of which, when taken together, shall constitute a single agreement. This IGA shall become effective upon the execution of this IGA by two or more parties and shall be effective as to a particular Party upon its execution of this IGA.

ATTEST:  
TOWN OF WINTER PARK

By: ___________________________ By: ___________________________

Date: ___________________________
ATTEST:

By: __________________

TOWN OF FRASER

By: __________________

Date: ________________
ATTEST:

By: ______________________

TOWN OF GRANBY

By: ______________________

Date: ____________________
ATTEST:

TOWN OF HOT SULPHUR SPRINGS

By: ____________________

By: ____________________

Date: ____________________
ATTEST: 

By: ________________________________

Date: ______________________________

TOWN OF KREMMLING

By: ________________________________
ATTEST:

By: ____________________________

GRAND COUNTY

By: ____________________________

Date: ____________________________
BYLAWS OF
Grand County Noxious Weed Advisory Board

Section 1. Establishment

Pursuant to C.R.S § 35-5.5-107 of the Colorado Noxious Weed Act, and as of [date the IGA was signed by the last entity]; Grand County Government, and the Towns of Winter Park, Fraser, Granby, Grand Lake, Hot Sulphur Springs, and Kremmling have entered into an Intergovernmental Agreement ("IGA"), reestablishing their commitment to function as an active Noxious Weed Advisory Board and that each entity will appoint a person to Board. The Board membership will also include private and other public entities which are interested in being members. These bylaws establish duties and membership.

The principal office of the Noxious Weed Advisory Board shall be located at the Grand County Division of Natural Resources office, located at 469 E. Topaz, PO Box 9, Granby, CO, 80446. The location of the registered office may be changed by a majority vote of the Noxious Weed Advisory Board.

Section 2. Mission and Purpose

A. Mission

The Noxious Weed Advisory Board shall serve the interest of the citizens and landowners of Grand County by recommending actions and policies aimed at reducing or eradicating noxious weeds in the County. The Board will also provide assistance to its members with regard to public education about noxious weeds and compliance with the Colorado Noxious Weed Act. All Members remain obligated to independently satisfy their obligations under the Colorado Noxious Weed Act.

B. Purpose

The Noxious Weed Advisory Board will serve the public interest in an ethical and responsible manner by:

1. Promoting education, outreach, public awareness and management of noxious weeds.
2. Supporting and cooperating with local interest groups, commercial, private and public organizations, as well as state and federal agencies, thereby promoting partnerships and cooperative management of noxious weeds.
3. Assisting the County and any applicable municipalities with the identification of appropriate revisions to the Grand County Noxious Weed List.
4. Providing input on and recommendations for proposed Noxious Weed Management Plans for any of the members.
5. Recommending for approval and adoption of all updated Grand County Noxious Weed Management Plans.

Section 3. Membership and Duties

The membership and duties of the Board are as set forth in the IGA.

A. Composition

The Board shall be composed of one voting member for each entity that is a party to the IGA, one member of each entity that is not party to the IGA but holds a seat on the Board per the terms of the IGA, and one (1) ex-officio non-voting member. The Ex Officio, non-voting member of the Board shall be the Foreman of the Grand County Division of Natural Resources. Each participating entity shall be responsible for designating its representative to serve as a board member, and may designate an alternate member to attend meetings and vote when the regular board member is not in attendance.

Subsequent to the first meeting of the Board, additional entities or individuals that wish to be a member shall, upon written request, be considered for membership by the Board. A request for membership shall be granted upon a majority of votes in favor by the current Board members.

B. Officers

Officers of the Board shall include a Chairperson, a Vice-Chairperson, and a Secretary. These positions shall be elected by the Board at the first regular meeting of the Board and once every two years thereafter at the spring meeting.

1. Chairperson responsibilities: The Chair shall preside over all meetings of the Noxious Weed Advisory Board and shall be the official spokesperson of the Board. The Chair will enforce all Noxious Weed Advisory Board directives, guidelines and membership rules and will guide the conduct in public meetings.
2. Vice Chairperson Responsibilities: The Vice Chair shall carry out the Chair’s duties in the Chair’s absence.
3. Secretary responsibilities: The Secretary shall maintain the minutes of the Noxious Weed Advisory Board meetings and shall sign all approved minutes of the Board meetings.
4. No members shall hold more than one office at a time.

C. Terms

Members of the Noxious Weed Advisory Board shall have no term limits.

Section 4. Meetings

A. Notification

1. Regular meetings will be held annually at the Grand County Board of County Commissioners Meeting Room at 308 Byers Ave, Hot Sulphur Springs, Colorado, or at another previously designated meeting place. Notice to Board Members of regular meetings shall be by designation of the regular meeting day, time and place.
2. Special meetings may be called at any time by the chairman or on the call of any two member entities. Notice, except in an emergency, shall be delivered to the members of the Board not less than three days prior to the meeting via email or telephone or by regular mail. Notice by email shall be complete upon sending to the email address designated by the Board Member unless the sender is notified the email is not delivered; notice by telephone is complete upon speaking with the Board Member; and notice by mail is complete two days after mailing.

3. All meetings shall be conducted in accordance with C.R.S. § 24-6-401, et seq., (Open Meetings Act). Notification to the public shall be posted on the Grand County Division of Natural Resources website and at the Grand County Administration Building, 308 Byers Avenue, Hot Sulphur Springs, Colorado, at least 24 hours prior to the meeting date.

B. Agendas

Agendas shall be prepared by the Chair and copies distributed to members at least five (5) calendar days prior to a regular meeting. Agenda items shall include, but are not limited to, disposition of minutes of the previous meeting, as well as old and new business. Upon the request of any two members, an item shall be included on the agenda.

C. Quorum

Attendance at a meeting by simple majority of all the members shall constitute a quorum of the Noxious Weed Advisory Board.

D. Order of Business

The order of business at all regular meetings shall be as follows:

1. Call to order
2. Roll Call
3. Determination of a Quorum
4. Reading and approval of minutes of last meeting
5. Public comments
6. Old business
7. New Business
8. Adjournment

E. Voting

All voting shall be either by voice or roll call vote. Any action requiring a vote shall be decided by a simple majority. A roll call vote shall be conducted upon the request of a member of the Noxious Weed Advisory Board or at the discretion of the presiding officer. Votes shall be by members in attendance in person or by electronic means providing two way aural communication among all attendees. Delegation of authority to by proxy or otherwise, is explicitly prohibited.

Each member is entitled to one vote, with voting governed by the parliamentary procedure according to Roberts Rules of Order; however, the meeting may proceed under relaxed rules upon consensus of a majority of those present.
Section 5. Community Relations / Public Input

Any member of the public will be welcome to attend and provide input at a Noxious Weed Advisory Board meeting. Public comments will be encouraged and will be accepted verbally or in writing. Anyone who wishes to voice an opinion or present information or concerns to the Noxious Weed Advisory Board can attend meetings or contact the Chair, Vice Chair or Staff of the Grand County Division of Natural Resources. Public comments may be made and time will be allotted at meetings as appropriate to assure broad public participation; however, the Chair may limit the number of speakers and time allowed per speaker as the Chair deems necessary.

Section 6. Revision of or Amendment to Bylaws

Any member of the Noxious Weed Advisory Board may propose amendments to the bylaws. In order for any proposed amendments to become effective, an affirmation vote from a majority of the Board members must be made.

Section 7. Effective Date

These bylaws shall be effective upon adoption by a majority vote of the Grand County Noxious Weed Advisory Board.

Adopted this ___th day of __________ 2016.

Grand County Noxious Weed Advisory Board

By: __________________________
    Chairman

ATTEST:

By: __________________________
    Secretary
    Grand County Noxious Weed Advisory Board
MEMORANDUM

To: Grand Lake Board of Trustees

From: Scotty P. Krob, Town Attorney

Date: March 10, 2017

Re: Quitclaim deed for Patterson Street Right of Way

The Czarneckis own a parcel of property adjacent to the old Patterson Street right of way. On October 2, 1950 a previous owner of the property obtained a judgment from the Grand County District Court deeming the Town’s Patterson Street right of way adjacent to the property abandoned and entered a decree that the right of way belonged to the owners of the property, the Czarneckis’ predecessors. In describing the part of the Patterson Street right of way that the Town abandoned, the Court intended to describe a long narrow rectangle, but made a mistake in the description. The description in the Court’s decree starts at the first corner (the point of beginning) and then goes to the second corner, then the third corner, and then to the fourth corner. However, the Court failed to describe the line that goes from the fourth corner back to the first corner, the point of beginning. In legal terms, the description of the abandoned portion of the right of way “fails to close.”

The Czarneckis’ title company recently discovered this error. To correct it, they have asked the Town to sign the quitclaim deed that is in your packet. The quitclaim deed conveys any remaining interest the Town has in the part of the Patterson Street right of way that the Court deemed abandoned to the Czarneckis, but with the complete and correct legal description.

I have reviewed the Court’s order from 1950 and the Court clearly intended for the owner of the adjacent property, now the Czarneckis, to own the Town’s abandoned right of way. Approval of the quitclaim deed by the Town will accomplish that result with the least time and expense and the Town is not giving up anything other than what the Court ordered abandoned in 1950. The other option would be for the Czarneckis to file an action in the Grand County District Court asking the Court to correct the error in the 1950 decree. That would be a much more expensive and time consuming process and would achieve the same result as having the Town sign the quitclaim deed.
My recommendation is that the Board adopt a motion authorizing the Mayor to sign the quitclaim deed conveying any interest of the Town in the relevant portion of the Pattersson Street right of way to the Czarnecki.

If you have any questions or need anything further, please feel free to give me a call.
QUIT CLAIM DEED

THIS DEED, made this 13th day of March, 2017, between

TOWN OF GRAND LAKE,
whose address is P.O. Box 59, Grand Lake, CO 80447, GRANTOR(S), and

ANTHONY F. CZARNECKI AND SUZANNE J. CZARNECKI, TRUSTEES, OR SUCCESSOR
TRUSTEE(S) OF THE CZARNECKI FAMILY TRUST DATED MAY 1, 2008
whose address is 1372 W. 580 N., St. George, UT 84770-4619, GRANTEE(S):

WITNESS, that the grantor(s), for and in consideration of the sum of TEN AND 00/100 DOLARS ($10.00), the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does remise, release, sell and QUITCLAIM, unto the grantee(s), their heirs and assigns forever, all the real property, together with improvements, if any, situated, lying and being in the County of Grand and State of Colorado, described as follows:

that portion of Patterson Street recorded February 3, 2017, at Reception No. 2017000792 and described as follows:

Beginning at the Northeastly 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 Southerly to the Northwesterly corner of Lot 2, Block 8;
Thence Easterly along the Northwesterly line of said Block 8 to the point of beginning.

also known by street and number as: 935 Mountain Avenue, Grand Lake, CO 80447

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereto appertaining, all the said, right, title, interest and claim whatsoever of the grantor, either in law or equity, to the only proper use, benefit and behoof of the grantee(s), their heirs and assigns forever.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Town of Grand Lake

By:

James C. Peterson, Mayor

State of

County of

The foregoing instrument was acknowledged, subscribed and sworn to before me this __________ day of

LAKE, 20_ by JAMES C. PETERSON, MAYOR OF THE TOWN OF GRAND

My Commission Expires:

Witness my Hand and Official Seal

Notary Public

1117622

QUIT CLAIM DEED - PHOTOCOPY RECORD