AGENDA

CALL TO ORDER

ROLL CALL

CONFLICTS OF INTEREST

DELEGATIONS
1.) DiAnn Butler, REDI Grant Update.
2.) Geoff Elliott, East Inlet Boat Docks.

DISCUSSION
* 1.) Items from Town Manager. (Page A2)
* 2.) Code Administrator Update. (Page A29)

BOARD ACTION ITEMS FOR EVENING MEETING - NONE

FOR YOUR INFORMATION
* 1.) NWCCOG Membership, Opting Out of SB 152 Summary Memo. (Page A31)
* 2.) CIRSA and CML Free Effective Governance Forums. (Page A35)
* 3.) Rocky Mountain Conservancy thank you letter. (Page A37)
Date: April 10, 2017

To: Mayor Peterson and Town Trustees

From: Jim White, Town Manager

RE: Items from the Town Manager

1. Streetscape Project

On March 17, 2017, John Enochs, Diamondback Engineering, sent in our Notice to Publish the Invitation to Bid for the Streetscape Project, Phase 1. Staff held a pre-bid meeting on Tuesday April 4, 2017 with John Enochs, Diamondback Engineering, who was present to review plans. We had representatives from ATH Specialties; Peak Materials; Big Valley Construction; and Conroy Excavating attend. We will hold a Public Open House on April 12, 2017 from 5-7 PM. In addition to Diamondback Engineering, Scott Munn, Munn Architecture, has also indicated his plans to attend.

We have extended the schedule to open bids until Thursday, April 20, 2017 @ 1pm. We plan to award a contract by late April or early May, 2017. Due to some inconsistencies between the project plans represented in the Streetscape Master Plan previously approved by the Town Board and the existing Municipal Code, I am requesting discussion and direction from the Board to address any inconsistencies.

2. Invasive Zebra and Quagga Mussel Management Plan

We are still awaiting word on plans for the 2017 summer season boat inspections regarding the funding shortfall to monitor boats for aquatic nuisance species (ANS). Another meeting was held on Monday, April 3, 2017. Several plans representing a reduction in hours, particularly on Tuesdays, Wednesdays, and Thursdays were presented. This of course would not apply during the Fourth of July holiday week. Funding issues are still being reviewed (SEE ATTACHMENT).

The other issue discussed was to have each entity provide gates so soft or hard closures could be guaranteed. For Grand Lake, the Bureau of Reclamation has indicated its willingness to provide financial assistance for the fabrication and installation of such a device.
3. **Annual Spring Strategic Planning Meeting**

For our Annual Strategic Planning Meeting, I am suggesting Wednesday, May 10, 2017 from 8:30 am till approximately 4:30pm. Last year we used the better part of two days, so Thursday, May 11, 2017 would be an option for a partial or full day in addition.

4. **East Inlet Boat Ramps and Docks**

On Thursday, April 6, 2017, Bernie McGinn, Public Works Director, and I visited the East Inlet Dock area with a representative from Shore Station Docks, and with Geoff Elliott, Grand Environmental, and Steve Kudron, Town Trustee. We have collectively been in the process of researching various types of docks in an effort to secure a plan for replacement of the East Inlet Docks and boat ramp this spring prior to boating season. Fire department representatives were also notified of the site visit as we planned to look at the potential needs for the fireworks loading area nearby.

5. **Off Highway Vehicles**

Town staff continues its research of other local municipal Ordinances and we plan to bring this topic forward for further discussion. Today, I have provided you with a redacted version of an Ordinance from another town which includes some of the elements which some citizens felt we omitted when our Ordinance 17-2016 was passed. I have added another Town’s standards on the use of motorized golf carts as well. Finally, I have also provided some recent correspondence we received. (SEE ATTACHMENTS).

6. **James Cairns Open Space Signage**

We have received a prototype from Lunsford Signs for signage at the James Cairns Open Space area along Cairns Avenue. We have two local residents who are willing to offset the cost. I have included a draft representation for your perusal (SEE ATTACHMENT).

**ANNOUNCEMENTS**

- Following discussion at the last Town Board meeting on March 27, 2017, Town staff did pursue other bids for the redwood needed for the Streetscape Project. Each of the two other firms were unable to deliver either the material or the quantities needed (SEE ATTACHMENTS).

- Staff met on Tuesday, March 28, 2017 to verify the plan for water taps required for the Boardwalk Lofts project. Present were Dave Johnson, Water Superintendent; Erin Ackerman, Town Treasurer; Nate Shull, Town Planner, and myself.
ANNOUNCEMENTS (continued)

- We held our 1st Quarter All Staff Meeting on Wednesday, March 29, 2017.

- Erin Ackerman and I met with Department Directors to do monthly financial review on Wednesday, March 29, 2017.

- The newly formed Steering Committee for the Grand Lake Center met on Wednesday, March 29, 2107.

- On Friday, March 31, 2017, I participated in a conference call to continue the NEPA process related to the Grand Lake Water Clarity issue. Jeff Metzger, Three Lakes Watershed, sat in with me on the call.

- We held the Zoning Board of Adjustment Meeting on Wednesday, April 5, 2017 at 5:30 pm and followed with the Planning and Zoning Commission Meeting at 6:30PM.

- We (Geoff Elliot, Nate Shull, Steve Kudron, and me) met at the East Inlet on Thursday, April 6, 2017 to scope the dock area for replacement options for our East Inlet docks and ramp improvements. While we were there, we also looked at the area under review for the placement of a loading area for future Town of Grand Lake fireworks displays.

- Steve Dazzio and Associates, the Town’s auditors, will be here on Monday, April 24, 2017 to review and discuss the 2016 audit with the Town Board of Trustees here in Town Hall.

- The Town’s Annual Clean Up Day will be held on Saturday, May 20, 2017. On that same day, we will celebrate Arbor Day and the Flowering of Grand Lake. Bernie McGinn, Public Works Director, has secured the Grand Lake Lodge to provide food for our volunteers, following Clean Up. He is also working with Paul Harrington in an effort to secure a tree to plant to help celebrate Arbor Day.

- The Grand Lake Rotary is providing financial assistance to the Town to utilize solar lighting on our current entryway signage. We are working with a local firm, named Simply Efficient, to provide cost estimates and design plans.

- As always, please let me know if you have any questions or concerns. You may also directly contact department directors with questions as well.

Quotable Quote(s):

"Any fool can criticize, condemn, and complain, but it takes character and self control to be understanding and forgiving."

Dale Carnegie
CBT Hour Reduction Options

1. Granby
   a. Stillwater is the busiest ramp among the three lakes and should retain current hours to allow for maximum protection and recreation opportunity.

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   Figure 1: Average Daily Inspections at Stillwater Ramp – By Month

   b. Sunset is the lesser busy of the two ramps at Granby. As a result, there is more potential to reduce hours at this ramp. Ramp users impacted by the reduced hours would still have the option to launch on Lake Granby through Stillwater.
      i. Sunset Hour Reduction Option A: Reduce to 10 hours per day Tuesday - Thursday
         1. Reducing to 10 hour day eliminates current need to have 2 inspectors on these days.
         2. Hours could be 8am – 6pm or 10am – 8pm
      ii. Sunset Hour Reduction Option B: Reduce to 10 hours per day Monday – Friday
          1. Reducing to 10 hour day eliminates current need to have 2 inspectors on these days.
          2. Hours could be 8am – 6pm or 10am – 8pm
Table: Average Hourly Inspections at Sunset Ramp – By Day of Week

|| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| Sunday | 5 | 4 | 6 | 6 | 8 | 9 | 9 | 9 | 9 | 14 | 7 | 10 | 7 | 7 | 15 | 5 |
| Monday | 3 | 2 | 3 | 3 | 3 | 4 | 4 | 2 | 3 | 3 | 3 | 3 | 4 | 4 | 4 | 4 |
| Tuesday | 1 | 2 | 3 | 7 | 3 | 8 | 7 | 2 | 4 | 3 | 2 | 2 | 2 | 2 | 4 |
| Wednesday | 3 | 3 | 3 | 4 | 4 | 4 | 1 | 5 | 5 | 5 | 8 | 5 | 5 |
| Thursday | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 5 | 4 | 7 | 2 |
| Friday | 1 | 2 | 3 | 3 | 3 | 3 | 4 | 3 | 3 | 4 | 4 | 6 | 4 | 5 | 6 | 1 |
| Saturday | 4 | 7 | 4 | 7 | 7 | 9 | 7 | 9 | 8 | 10 | 11 | 10 | 6 | 9 |

Figure 2: Average Hourly Inspections at Sunset Ramp – By Day of Week

ii. Sunset Hour Reduction Option C: Close Sunset Tuesday – Thursday
   1. Weekday ramp users would be required to launch at Stillwater Ramp

iii. Sunset Hour Reduction Option C: Close Sunset Tuesday – Thursday and Reduce to 10 Hours Monday and Friday
   1. Maximum savings, but most impactful to recreation opportunities.

2. Shadow Mountain & Grand Lake
   a. Both Ramps Should Remain open full hours on the weekends to allow for maximum protection and recreation opportunity.
   b. Both Ramps are slower during the weekdays.

Table: Average Daily Inspections at Shadow Mountain – By Day

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Figure 3: Average Daily Inspections at Shadow Mountain – By Day

Table: Average Daily Inspections at Grand Lake – By Day

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Figure 4: Average Daily Inspections at Grand Lake – By Day

i. Shadow Mountain & Grand Lake Reduction Option A: Reduce to 10 hours per day Tuesday – Thursday at one water
   1. Reducing to 10 hour day eliminates current need to have 2 inspectors on these days.
   2. Hours could be 8am – 6pm or 10am – 8pm

ii. Shadow Mountain & Grand Lake Reduction Option B: Reduce to 10 hours per day Tuesday – Thursday at both waters.
   1. Reducing to 10 hour day eliminates current need to have 2 inspectors on these days.
   2. Hours could be 8am – 6pm or 10am – 8pm

iii. Shadow Mountain & Grand Lake Reduction Option C: Reduce to 10 hours per day Monday - Friday at one water.
1. Reducing to 10 hour day eliminates current need to have 2 inspectors on these days.
2. Hours could be 8am – 6pm or 10am – 8pm

iv. Shadow Mountain & Grand Lake Reduction Option D: Reduce to 10 hours per day Monday - Friday at both waters.
1. Reducing to 10 hour day eliminates current need to have 2 inspectors on these days.
2. Hours could be 8am – 6pm or 10am – 8pm

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Figure 5: Average Hourly Inspections at Grand Lake – By Day

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Figure 6: Average Hourly Inspections at Shadow Mountain – By Day
2017 CBT Proposal - 8 hr
Detailed budget that outlines the number of staff members and their anticipated schedules, pay rates, operational expenses, and equipment expenses.
Grand Lake Public Ramp, Green Ridge, Sunset and Stillwater Launches May 12 - Sept 10

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| | 12 | 12 | 12 | 12 | 12 | 18 | 18 | 94 | hours/week |
| | 1,080 hours | 4 launches | 6,553 total hours |

Holiday Extra Hours
6 days @ 20 hours
120 hours
4 locations
480 total hours

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| Proposal | $205,493.74 |
| Total | $205,493.74 |
### 2017 CBT Proposal - 12 hr

**Detailed budget that outlines the number of staff members and their anticipated schedules, pay rates, operational expenses, and equipment expenses.**

#### Grand Lake Public Ramp, Green Ridge, Sunset and Stillwater Launches May 12 - Sept 10

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#### Grand Lake Public Ramp, Green Ridge, Sunset and Stillwater Launches Sept 11 - Oct 15

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### Holiday Extra Hours
- 5 days @ 20 hours
- **Total: 120 hours**

### Additional Expenses
- 4 locations
- **Total: 480 total hours**

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**2017 CBT Proposal**

- **Wages** $175,008.24
- **Inspectors @ $12.50/hour plus $1.73 taxes ($14.23)**
- **Supervisors @ $18.65/hour plus $2.15 taxes ($20.80) + 507 hours = $10,333 each**
- **Fee** $52,292.86
- **Program Management Fee**
- **T-Shirts/Hats** $1,600.00
- **18 inspectors + 2 supervisors @ $50 each - Provide tan shirts or Polo shirts and navy blue baseball hats as required per contract for AISI staff**
- **Fuel/Coolant** $6,000.00
- **Fuels/Coolant**
- **Move Bldgs** $1,600.00
- **Moving buildings to/from boat ramps**
- **Wire Comp** $6,000.00
- **Workers' Compensation Insurance**
- **Insurance** $8,000.00
- **Commercial General Liability Insurance and Auto Insurance**
- **Acct Fees** $3,000.00
- **Accounting and other reporting costs**
- **Wd Deats/Wire** $6,000.00
- **Green seals, wire, and other supplies required for proper WID**
- **Maintenance** $3,000.00
- **Maintain and repair equipment provided by the State including decontamination units and data collection devices as required per contract**

**Total** $285,167.10

**Proposal** $285,167.10

**Total — $285,167.10 / 11,992 hours = $24.68 hourly charge**
### 2017 CBT Proposal - 14 hr

Detailed budget that outlines the number of staff members and their anticipated schedules, pay rates, operational expenses, and equipment expenses.

#### Grand Lake Public Ramp, Green Ridge, Sunset and Stillwater Launches May 12 - Sept 10

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24  24  24  24  24  32  32  184  hours/week

#### Grand Lake Public Ramp, Green Ridge, Sunset and Stillwater Launches Sept 11 - Oct 15

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10  10  10  10  10  10  10  112  hours/week

#### Arapahoe Bay Launch June 6 - Sept 3

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15  15  15  45  hours/week  45 hours/week  13 weeks  585 total hours

### 2017 CBT Proposal

**Wages** $247,688.07

- Inspectors @ $12.00/hour plus $1.72 taxes ($14.38)
- Supervisors @ $10.65/hour plus $2.15 taxes ($12.80) * 684 hours = $18,698 each

**Fee** $156,292.66

- Program Management Fee

**T-Shirts/Hats** $2,160.00

- 25 Inspectors + 2 supervisors @ $80 each - Provide tan shirts or polo shirts and navy blue baseball hats as required per contract for ANS staff

**Fuel/Coient** $16,000.00

- Fuel/Coient

**Move Digs** $1,600.00

- Moving buildings to/from boat ramps

**Wire Comp** $6,000.00

- Workers' Compensation Insurance

**Insurance** $6,600.00

- Commercial General Liability Insurance and Auto Insurance

**Accd Fees** $3,000.00

- Accounting and other reporting costs

**WD Sels Wire** $6,600.00

- Green seals, wire, and other supplies required for proper WD

**Maintenance** $5,000.00

- Maintain and repair equipment provided by the State including decontamination units and data collection devices as required per contract

**Total** $379,030.93

- $378,030.93

**Total — $379,030.93 / 16,889 hours = $22.44 hourly charge**

**Proposal** $379,030.93

**Total**
Hi Jim,

Thank you for letting us speak at the BoT Workshop. I really believe that there should be a community meeting held to discuss OHV use on town streets and right-of-ways. Some of the safety concerns that I have with the current Ordinance #17-2016 could be fixed by:

1. Adding a requirement for having a valid driver's license (Colorado or another state)
2. Adding a requirement for having liability insurance
3. Adding a requirement for having proof of OHV registration (in Colorado or another state)
4. Adding hours of operation, such as daylight hours only
5. Adding the identification and designation of OHV routes in town and out of town. There are clearly high traffic streets where OHV use should be prohibited, such as Grand Avenue. Can you imagine adding ATVs to Grand Avenue on the 4th of July weekend?
6. Checking with the Sheriff's Department, since they will be responsible for enforcing the ordinance. What concerns do they have?

It appeared that some of the Trustees thought these restrictions were already in the Ordinance that they approved. I strongly recommend tweaking this OHV ordinance before summer gets here.

Cindy Southway
Hi Jim,

Thank you. I am interested in knowing what the town board thought were the advantages to the town for allowing OHV use on town roads. Since there are virtually no sidewalks in town, there are already competing uses between walkers, joggers, bike riders, horseback riders, cars, trucks, RV’s, and vehicles pulling boat trailers. How does it seem like a good idea to add OHV’s to the mix?

I have a few other questions:
Will OHV drivers be required to have a valid driver’s license?
Will kids under 16 be allowed to drive OHV’s?
Will town businesses be allowed to rent OHV’s?
Are there hours of OHV operation set and will they be enforced? (All town residents know that snowmobiles ride through town all night long, even though the ordinance only allows their use until 10 pm).

Also, do you have a copy of the ordinance that you could email me? Thank you, Cindy Southway

Jim White wrote:
> Cindy,
>
> Thanks...it had been discussed intermittently over a long period of time in both 2015 and 2016. I would have to do some research to be more specific. I will put it on the February 13, 2017 Town Board meeting for discussion at the 5pm Work Session.
>
> Jim White
> Town Manager
> P.O. Box 99
> Grand Lake, Co 80447
> glmanager@townofgrandlake.com
> 970-627-3435 (w)
> 970-531-8900 (cell)
>
> -----Original Message-----
> From: Cindy [mailto:ripple1100@gmail.com]
> Sent: Monday, January 23, 2017 10:15 AM
> To: Jim White
> Subject: ATV’s in town?
>
> Hi Jim,
> I heard that OHV’s are now allowed to ride on our town streets. I don’t remember ever seeing any public meetings or announcements soliciting input for this. Can you tell me when and how it happened?
>
> I am extremely concerned with the traffic on our road (Shadow Mountain Drive) - we already have a huge problem with cars speeding down our road in the summer (we have had 3 cats and 2 dogs killed in the last 3 years) and am concerned that our speeding problem will get much worse with OHV’s and cars on the same road, especially with the use of the community center increasing.
Can you please talk to Bernie about what can be done to slow cars, trucks, and now OHV's on Shadow Mountain Drive? I really don't want to see any more animals or people injured by vehicle accidents in front of my house. I believe this is a serious safety issue.

Cindy Southway
512 Shadow Mountain Drive
ORDINANCE NO. 2-2011
AN ORDINANCE FOR THE ADDITION OF A CHAPTER 3, TO TITLE 9
"MOTOR VEHICLES AND TRAFFIC" TO THE MUNICIPAL CODE OF ORDINANCES; FOR THE REGULATION OF THE USE
OF OFF HIGHWAY VEHICLES (OHVs), INCLUDING ALL-TERRAIN
VEHICLES (ATVs), AND GOLF CARS ON THE STREETS AND ROADWAYS
UNDER THE JURISDICTION OF THE TOWN OF WESTCLIFFE, COLORADO

WHEREAS, residents of the Town of Westcliffe desire the use of off highway vehicles ["OHVs"]
and/or golf cars are desirous of using said vehicles on the streets and roadways of the
Town; and,
WHEREAS, the Board of Trustees of the Town of Westcliffe finds and determines that
the regulated allowance of the operation of OHVs and golf cars on Town streets and roadways will promote the prosperity and improve the comfort and
convenience of the Town and its inhabitants and is in the best interests of the citizens of the Town of Westcliffe; and,
WHEREAS, Ordinance #2-1996 adopted the 1995 edition of the "Model Traffic Code
for Colorado" and said Code does not specifically address the operation of OHVs or golf
cars on town streets and roadways; and,
WHEREAS, the provisions of C.R.S. 33-14.5-101 et seq. and 42-4-101 et seq.
specifically address the operation of OHVs and golf cars; and, C.R.S. 33-14.5-108 and
42-4-111 permit municipalities to regulate the operation of such vehicles on streets and
roadways under its jurisdiction;
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF
THE TOWN OF WESTCLIFFE, COLORADO THAT THE OPERATION OF
OHVs AND GOLF CARS ON TOWN STREETS AND ROADWAYS SHALL
BE REGULATED AS FOLLOWS:

SECTION 1: DEFINITIONS
Off Highway Vehicle (OHV). Means any self-propelled vehicle that is designed to travel
on wheels or tracks in contact with the ground, that is designed primarily for use off of
the public highway, and that is generally and commonly used to transport persons for
recreational purposes. Off Highway Vehicle includes ATVs [all terrain vehicles] but does
not include the following:
1. Vehicles designed and used specifically to transport disabled persons.
2. Vehicles designed and used specifically for lawn care, agricultural, logging or mining
purposes.
B. Golf Cars: Means a self-propelled vehicle not designed primarily for operation on
roadways and that has (a) a design speed of less than twenty miles per hour; (b) at least
three wheels in contact with the ground; (c) an empty weight of not more than one
thousand three hundred pounds; and, (d) a carrying capacity of not more than four
persons. C.R.S. 42-1-102 (39.5), as amended.

SECTION 2: REQUIRED EQUIPMENT AND CONDITIONS
A. A "slow moving vehicle" emblem displayed prominently on the rear of the vehicle or safety flag so mounted as to be between five (5) to seven (7) feet above the ground must be displayed at all times while operating the vehicle on the streets of Westcliffe.
B. Headlights, tail lights and front and rear turn signal lights must be illuminated and in working condition if the vehicle is operated between one half hour after sunset and one half hour before sunrise. If the vehicle is not equipped with the above mentioned lights, then operation of the vehicle during the above mentioned time is strictly prohibited and the operator must use the appropriate hand signals for all traffic maneuvers at all times. However equipped, there shall be no operation of OHVs or golf cars between the hours of 10:00 p.m. and 5:00 a.m.
C. Seat belts shall be worn if the vehicle has them as standard equipment.
D. Every passenger must have a designated seat. No sitting on cargo racks or standing on running boards or foot pegs is permitted.
E. All Colorado laws imposing minimum safety and equipment standards for operating an OHV or a golf car on a public street or roadway shall be complied with and it is the responsibility of the operator of such vehicle to ascertain and comply with said laws.

SECTION 3: INSURANCE
A. Before operating any of the aforementioned OHVs or golf cars on the public streets or roadways of Westcliffe, the owner shall obtain and carry a liability insurance policy, issued by an insurance carrier authorized to do business in the State of Colorado, which covers the operation of said OHVs or golf cars on public streets. The minimum coverage shall be $100,000 for damages to the property of others; $100,000 for damages for or on account of bodily injury or death of one person as a result of any one accident; and, subject to such limit as to one person, a minimum sum of $300,000 for or on account of bodily injury to or death of all persons as a result of any one accident.

SECTION 4: TRAFFIC REGULATION
A. The operation of OHVs or golf cars on State Highway 91 (North and South) and State Highway 90 is strictly prohibited; however, these vehicles are allowed to cross the highways at recognized intersections with local streets.
B. Unlawful acts. It shall be unlawful for any person to operate an OHV or golf car on any street within the Town where:
1. The operator does not have in his possession a valid, current and un-revoked driver's license;
2. The operator does not have current insurance coverage as provided in Section 3-A;
3. The vehicle is not equipped for use as described in Section 2 hereof.
4. The operation of the vehicle is prohibited during the time periods specified in Section 2-B;
5. The operator fails to observe all vehicle and traffic laws and regulations, except when those provisions cannot reasonably be applied to OHV and golf car operation;
6. All alcohol and drug related vehicle violations shall be enforced in accordance with the Colorado laws.
7. Registration, licensing and insurance requirements of OHVs operated on public streets and roadways imposed by Colorado law shall be complied with prior to operating said vehicles. It is the responsibility of the owner and/or operator of the vehicle to ascertain and comply with said laws.

SECTION 5: ENFORCEMENT AND FINES
A. Any violation of this Ordinance or of the regulations of this Ordinance shall be a misdemeanor punishable as provided in the Town of Westcliffe Municipal Code § 6-10, except in the case of alcohol and drug violations which shall be enforced pursuant to Colorado laws.

SECTION 6: EFFECTIVE DATE
A. The Board of Trustees hereby determines and finds, pursuant to C.R.S. 31-16-105, that to promote the prosperity and improve the comfort and convenience of the Town and its inhabitants, and to best serve the immediate preservation of the public safety, welfare and interests of the Town and its inhabitants, this Ordinance shall become effective as a permanent ordinance following final passage.

SECTION 7: SEVERABILITY
A. If any portion of this ordinance is found to be unconstitutional, invalid, or void for any reason, it shall be deemed severed from this Ordinance. Such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance and the remaining portions shall remain valid and in full force and effect. The Board of Trustees for the Town of Westcliffe hereby declares that it would have passed this Ordinance and each part or parts thereof regardless of the fact that any one part or parts may be declared unconstitutional or invalid.

INTRODUCED, READ AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF WESTCLIFFE, COLORADO, UPON A MOTION Duly MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF WESTCLIFFE, ON THE _10TH_ DAY OF _MAY_ 2021, EFFECTIVE IMMEDIATELY
Chapter 10.09

Use of ATV/OHVs

Sections:

10.09.010 Registration
10.09.020 Definitions
10.09.030 Terms and conditions; fees
10.09.040 Limitation of liability
10.09.050 Violations and fines

10.09.010 Registration.

A. It shall be legal for licensed drivers at least eighteen (18) years of age to operate an all-terrain vehicle, hereafter known as ATV (all-terrain vehicle) or OHV (off-highway vehicle) on the public streets within the city, providing that said vehicle is registered with the city and meets all requirements of this chapter. Owners wishing to register their vehicle with the city may do so at the police department.

B. Registration with the city will be completed only when the vehicle being registered meets the criteria set forth by the city in accordance with local traffic ordinances already in place.

C. Owners must provide the following:

1. Bill of sale, title of vehicle or proof of ownership;

2. Proof of current insurance (which must meet requirements of motorcycles licensed by the state of Colorado); and

3. Valid drivers license (a valid drivers license will be required to operate an ATV/OHV on the streets and alleys of the city.) (Ord. 1001 §1, 2009)

10.09.020 Definitions.

As used in this chapter:

All-terrain vehicle type I (ATV) means any motor vehicle fifty (50) inches or less in width, having an unladen dry weight of eight hundred (800) pounds or less, traveling on four (4) or more low pressure tires, having a seat designed to be straddled by the operator, having a seat height of a minimum of twenty-four (24) inches when measured at the forward edge of the seat bottom, with handlebars for control and designed for or capable of traveling over unimproved terrain.

Insured means the same insurance requirements needed to operate a street legal motorcycle in the state of Colorado.

Operator means the person who is in actual physical control of a vehicle.

State and city traffic laws means any traffic codes adopted by the city.
Utility type vehicle (UTV) means any recreational vehicle designed for and capable of traveling over unimproved terrain: traveling on four (4) or more low pressure tires, having a width of thirty (30) to seventy (70) inches, having an unladen dry weight of two thousand two hundred (2,200) pounds or less, having a seat height of twenty-five (25) to forty (40) inches when measured at the forward edge of the seat bottom, and having side by side seating with a steering wheel for control.

Valid driver's license means any current, legal license not subject to revocation or suspension. (Ord. 1001 §1, 2009)

10.09.030 Terms and conditions; fees

A. Terms and conditions of ATV/OHV use: city streets (hereinafter called "legal route"), except for any state highway, are open for ATV/OHV use under the following conditions and restrictions:

1. ATV/OHV vehicle must be brought to the police department for VIN inspection, issuance of a permit and payment of registration fees;

2. Stickers must be placed on both front fenders of the ATV/ OHV;

3. ATV/OHV is insured. Proof of insurance required with vehicle at all times. Must maintain liability insurance coverage. Minimum required by state law;

4. ATV/OHV operator is licensed driver eighteen (18) years of age or older;

5. Limited to one (1) person on OHV unless the OHV is designed for two (2) riders and there is foot rest and hand holds for each rider. Side-by-sides (UTVs) must have and wear seatbelts for each occupant. All safety equipment on the OHV must be used. If UTV has a windshield, it must have operational wipers;

6. ATV/OHV operator must obey all state and city traffic laws;

7. No three-wheel ATV/OHV type vehicles are allowed on city streets;

8. The operator of an ATV/OHV may not exceed the posted speed limit or a maximum speed of thirty-five (35) mph;

9. The operator of an ATV/OHV on legal routes shall have all the rights and duties applicable to the driver of any other vehicle under the provisions of Colorado statutes and laws, except when those provisions cannot be reasonably applied to ATV/OHVs and except as otherwise specifically provided for in Colorado statutes; and

10. Motor vehicles that have been modified to be used as ATV/OHVs are not permitted.

B. Must meet the following safety equipment requirements:

1. Headlamp;

2. Tail lamp and reflector;
3. Stop lamps on the rear;

4. A horn or other audible warning device;

5. A muffler and emissions system;

6. Rear view mirror;

7. A windshield or eye protection for the operator;

8. For side-by-side vehicles, a seat belt is required for each occupant;

9. Anyone under the age of sixteen (16) who is riding as a passenger on a UTV (side-by-side) or two-person ATV must wear a helmet; and

10. A footrest and hand hold for each passenger. (Ord. 1001 §1, 2009)

10.09.040 Limitation of liability.

Nothing in this chapter shall be construed as an assumption of any duty of care by the city with respect to, or the assumption of any liability by the city for any injuries to persons or property which may result from the operation of an ATV/OHV on the streets within the city limits. (Ord. 1001 §1, 2009)

10.09.050 Violations and fines.

A. Any persons in violation of any city or state traffic laws will be ticketed and assessed fines that are applicable to said violations. The police department or any other legal policing authority is given all rights to write citations to those individuals breaking laws as outlined in this chapter.

B. With respect to any violation of traffic laws contained in this code (and Model Traffic Code incorporated therein), the minimum fine shall be one hundred dollars ($100.00).

C. The city shall revoke the registration of any owner who is convicted of three (3) or more violations of any city or state traffic laws within one (1) year. (Ord. 1001 §1, 2009)
Georgetown Police Department
Motorized Golf Cart Registration Form

Vehicle Owner: ____________________________________________

Address: ________________________________________________

Telephone: ( ) -

Make: __________________ Year: __________ Vin: __________________

Inspection

Front and Rear Turn Signals ______ Tail Lamps and Stop Lamps ______

Rear View Mirror ______ Front Windshield ______ Slow Moving Vehicle Emblem ______

Headlights ______ Liability Insurance ______

_____________________________________________ / __________ / ______
Officer Signature ____________________________ Date

Sticker Number Issued: ____________________________
ORDINANCE NO. ____
(Series 2012)

AN ORDINANCE OF THE TOWN OF GEORGETOWN PROVIDING FOR THE USE OF MOTORIZED GOLF CARTS ON TOWN STREETS.

WHEREAS, the Board of Selectmen believes that the use of golf carts is an efficient mode of transportation on Town roadways where operated safely,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SELECTMEN OF THE TOWN OF GEORGETOWN, COLORADO:

Section 1. Title ___, Chapter ___, Section ______ of the Georgetown Municipal Code entitled "Operation of Neighborhood Electric Vehicles, Golf Carts" in accordance with Colorado Revised Statutes, including Title 42 is hereby enacted to read as follows:

(A) Defined.
(1) "Neighborhood electric vehicle" ("NEV") means a self-propelled, electrically powered motor vehicle that:
   (a) Meets the equipment standards set forth at C.R.S. Title 42, Article 4, Part 2, as amended; and
   (b) Has a speed attainable in one mile that does not exceed twenty-five miles per hour.
(2) "Golf cart" includes any golf cart, whether electric or gas powered.

(B) Operation of Neighborhood Electric Vehicles, Golf Carts:
(1) No neighborhood electric vehicle ("NEV") or golf cart may be operated on any state highway within the Town limits, except as provided below.
(2) NEV's/golf carts may cross a state highway at a designated street intersection.
(3) NEV and golf cart operator's must comply with all provisions of the Model Traffic Code, the Town of Georgetown and C.R.S. Title 42 related to traffic rules and regulations, except when those provisions cannot reasonably be applied to NEV/golf carts. Nothing in this section shall relieve an owner or operator of an NEV or golf cart of any obligation imposed by local and state law applicable to NEV's/golf carts, including, but not limited to those relating to financial responsibility.
(4) All NEV's/golf carts shall be properly equipped with:
   a) Front and rear turn signal lamps
   b) Tail lamps and stop lamps
   c) A rear view mirror or mirrors
   d) A front windshield
   e) The slow moving vehicle emblem provided for by state statute, properly mounted on the rear of the golf cart pursuant to state regulations
   f) Headlights when operating in low light conditions
(5) The speed of any NEV or golf cart shall not exceed 25 mph.
(6) No owner or operator of an NEV or golf cart shall carry a greater number of persons or a greater load than that specified by the manufacturer. The driver and all
passengers must be seated in the seat(s) designed and intended for such purpose.

(7) No person shall operate an NEV or golf cart on a Town owned or maintained trail, except as permitted and posted by the Town.

(8) The operator of an NEV or golf cart must hold a valid driver’s license or minor’s driver’s/learner’s permit license.

(9) Authorization to operate a NEV/Golf cart on town streets is by permit only. Permits shall be issued for each NEV/Golf cart by the Town Marshal or designee. Any person holding a valid, current driver’s license may apply for a permit. All permits shall expire annually on __________, unless renewed. The fee for a permit may be amended by the Board of Selectmen from time to time by resolution or ordinance. Each application for a permit to operate a NEV/Golf Cart on the Town roadways or streets shall include:

a) The name and address of applicant
b) Such other information as the Town Marshal or Board of Selectmen may require from time to time
c) The Georgetown Police Department shall conduct an inspection of the NEV/Golf Cart prior to issuance of the permit to assure that the NEV/Golf Cart has all the required equipment
d) In addition, each permit application, whether for an initial permit or a renewal, shall be accompanied by evidence of a liability policy which covers golf carts and/or NEV operating on public streets.

(C) This section is designated as a non-criminal violation. Upon conviction, the penalties set forth at Georgetown Municipal Code Sec. ______ shall apply.

Section 2: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Board of Selectmen hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 3: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance as hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED AND POSTED IN FULL ON FIRST READING on the _______ day of ______________, 2012.

INTRODUCED ON SECOND READING, FINALLY ADOPTED AND ORDERED PUBLISHED AND POSTED AFTER PUBLIC HEARING on the ___ day of __________, 2012.

TOWN OF GEORGETOWN

22
By: ____________________________
    KerryAnn McHugh, Police Judge

ATTEST:

______________________________
Merinel Williams, Town Clerk

(SEAL)

Publication/Posting

☐ Published in full in a newspaper of general circulation within Georgetown and posted in full at Town Hall and other designated posting locations after approval on first reading;

and

☐ Published by title only, and/or in full with any amendments, in a newspaper of general circulation within Georgetown and posted in full at Town Hall and other designated posting locations after final adoption.

ATTEST:

By: ____________________________
    Town Clerk
10.04.030 Application.

This Chapter shall apply to every street, alley, sidewalk area, driveway, park and every other public way, public place or public parking area, either within or outside the corporate limits of this municipality, the use of which this municipality has jurisdiction and authority to regulate. The provisions of Sections 1401, 1402 and 1413 of the adopted Model Traffic Code, respectively concerning reckless driving, careless driving and eluding a police officer, shall apply not only to public places and ways, but also throughout this municipality. (Ord. 284 §4, 1979; Ord. 470 §4, 1999)

10.04.040 Interpretation.

This Chapter shall be so interpreted and construed as to effectuate its general purpose to conform with the State’s uniform system for the regulation of vehicles and traffic. Article and section headings of this Chapter and the adopted Model Traffic Code shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any article or section thereof. (Ord. 284 §7, 1979; Ord. 470 §7, 1996)

10.04.050 No operation or parking of unregistered or unlicensed vehicle.

(a) No person who owns a vehicle which must be registered pursuant to Title 42, Article 3, C.R.S., and which either is not so registered or does not have attached thereto and displayed thereon the number plates assigned thereto by the Colorado Department of Revenue for current registration year, shall permit the vehicle to be operated or parked on any right-of-way in the Town.

(b) No person shall operate or park an unregistered or unlicensed vehicle as described in Subsection (a) above on any right-of-way in the Town. (Ord. 497 §4, 1999)

10.04.055 Neighborhood electric vehicles and golf cars.

(a) Definitions.

*Neighborhood electric vehicle* ("NEV") means a self-propelled, electrically powered motor vehicle that:

a. Meets the equipment standards set forth at Title 42, Article 4, Part 2, C.R.S.; and

b. Has a speed attainable in one (1) mile that does not exceed twenty-five (25) miles per hour.

*Golf car* includes any golf car, whether electric or gas powered.

(b) Operation of NEVs and golf cars.

(1) No NEV or golf car may be operated on any roadway within the Town limits, except as provided in this Section.

(2) NEVs and golf cars may be operated on or across a state highway at a designated street intersection, subject to the requirements of Section 42-4-109.5(1)(b), C.R.S.

(3) NEV and golf car operators must comply with all applicable provisions of the Model Traffic Code as adopted by the Town, this Code, and Title 42, C.R.S., related to traffic rules and regulations, except when those provisions cannot reasonably be applied to NEVs or golf cars. Nothing in this Section shall relieve an owner or operator of an NEV or golf car of any obligation imposed by local and state law applicable to NEVs or golf cars, including but not limited to those relating to financial responsibility.
(4) All NEVs and golf cars operated on Town roadways shall be properly equipped with:
   a. Front and rear turn signal lamps;
   b. Tail lamps and stop lamps;
   c. A rear view mirror or mirrors;
   d. A front windshield;
   e. The slow moving vehicle emblem provided for by state statute, properly mounted on the rear of the golf car pursuant to state regulations;
   f. Headlights when operating in low light conditions; and
   g. Registration sticker in designated placement, as directed by the Town Marshal.

(5) The speed of any NEV or golf car shall not exceed twenty-five (25) mph.

(6) No owner or operator of an NEV or golf car shall carry a greater number of persons or a greater load than that specified by the manufacturer. The driver and all passengers must be seated in the seats designed and intended for such purpose.

(7) No person shall operate an NEV or golf car on a Town-owned or maintained trail except as permitted and posted by the Town.

(8) The operator of an NEV or golf car must hold a valid driver's license, minor's driver's license or learner's permit.

(c) Permits.

(1) Authorization to operate an NEV or golf car on Town streets is by permit only. Permits shall be issued for each NEV and golf car by the Town Marshal. Any person holding a valid, current driver's license may apply for a permit. All permits shall expire annually on June 1, unless renewed. The fee for a permit shall be established by the Board of Selectmen from time to time by resolution or ordinance.

(2) Each application for a permit to operate an NEV or golf car on the Town roadways shall include the name and address of the applicant and such additional information as the Town Marshal may reasonably require.

(3) The Police Department shall conduct an inspection of the NEV or golf car prior to issuance of the permit to assure that the NEV or golf car has all the required equipment and that such equipment is functioning properly.

(4) In addition, each permit application, whether for an initial permit or a renewal, shall be accompanied by evidence of a liability insurance policy that covers golf cars and/or NEVs operated on public roadways.

(d) Violation of this Section shall be deemed a traffic infraction, subject to the penalty assessment procedure set forth in Section 10.04.080 below. (Ord. 03 §1, 2012)

10.04.060 Prohibited vehicles designated.

Vehicles equipped with lugs, flanges or caterpillar treads are prohibited on the streets and alleys of the Town. (Ord. 497 §4, 1999)

10.04.065 Motor vehicle noise prohibited.

(a) Sound levels not to be exceeded. No person shall operate any motor vehicle, or combination of motor vehicles, at any time or place within the Town when such operation exceeds the noise sound pressure levels for the category of motor vehicle specified in the table set forth in this Section. The standards in the table shall apply to all noise emitted from a motor vehicle, including any and all equipment thereon, but excepting audible backup safety warning devices.
Hi Jim!

We cut the standing dead bk lodgepole pine here - I noticed the species quoted out was red HF.

Can you consider this?

If so, it is:

6x6: 2.90/LF
2x6: .95/LF

This price is rough and raw material.

Lindsey Hester
970-724-3868
HestersLogandLumber@gmail.com
www.Hesterslogandlumber.com
And be thankful.
    -Paul, Col 3:15

On Mon, Mar 27, 2017 at 1:24 PM, Jim White <glmanager@townofgrandlake.com> wrote:

To whom it may concern:

Please see the attachment and let me know if you could provide a quote on this material. I am taking the info to our Town Trustees discussion this evening.

I have redacted the numbers from another quote we have received.

Thank you!

Jim

Jim White

Town Manager
Good Morning Jim,

I thank you for the opportunity to quote your project, but we will have to pass. Grand Lake is too far away from us for one thing, but it would be very difficult for us to be able to obtain the redwood you are looking for. I would assume that Alpine has it in stock. We do not. Alpine is a much bigger company with yards all over the place. We only have the one yard.

Again, thank you and good luck with your project.

Front Range Lumber

On Mon, Mar 27, 2017 at 3:51 PM, Jim White <glmanager@townofgrandlake.com> wrote:

Jim

My apologies. Here is the version with the attachment. Early tomorrow will work...before noon would be best. Thanks for the quick response.

All the best,

Jim

Jim White
Town Manager
P.O. Box 99
Grand Lake, Co 80447

glmanager@townofgrandlake.com

970-627-3435 (w)
970-531-8900 (cell)
Welcome to James Cairns Open Space

A1-18" x 24", Carved Three Dimensional Sign

Client: TOWN OF GRAND LAKE  
Address: GRAND LAKE, CO  
Phone: (970) 627-3435

The design, colors, specifications, and conditions as described and shown above are satisfactory and are accepted. You are authorized to do the work. I understand Lunsford Signs retains signage ownership until the account is paid in full. The colors and sizes as shown above will be matched to our best ability, but due to varying material and paint compatibilities, may not match exactly.

Client Approval: ___________________________ Date: ___________________________

These plans are the exclusive property of Lunsford Signs, and are submitted to your company for sign and/or design purchase consideration only. They may not be reproduced in any manner without written permission. In the event plagiarism or theft occurs, Lunsford Signs expects reimbursement up to $5,000 per sheet as compensation for time and effort entailed in creating these plans.
Complaints

- There was a noise complaint made about the property at 913 Grand Ave. Loud music was playing in the business which could be heard through wall of the adjacent business and was considered disruptive by the business owner. The offending party was asked to turn the music down but he refused as he was “testing the speakers”.

Municipal Code Section 7-1-15 Disturbing the Peace
It shall be unlawful for any person within the Town of Grand Lake to disturb the peace of others. A person disturbs the peace of another when he or she:
(A) Causes to be produced or permits unreasonably loud or unusual noises which seriously inconvenience other persons in the area, including, but not limited to, the use of television, radios, phonographs, and barking animals.
(B) Permits another to commit an act of disturbing the peace as hereinabove described in or upon any premises owned, possessed or under his management or control when it is in his or her power to prevent such an act.

7-1-16 Unnecessary Noise
(A) Public and Private Places: It shall be unlawful for any person to make, continue or cause to be made or continued any unnecessary, unusually loud or unusual noise between the hours of 8:00 o’clock P.M. and 6:00 o’clock A.M., which either annoys, injures or endangers the comfort, repose, health or safety of other persons. For purposes of this Section, a member of the Police Department of the Town of Grand Lake is empowered to make a prima facie determination whether such noises constitute a public nuisance.

- A complaint was made regarding trash/debris at 1000 Grand Ave. The property owner has been contacted.

Municipal Code Section 7-6-13 Additional Provisions
(B) Accumulation of Refuse; Prohibited and Declared Nuisance. Any accumulation of refuse on any premises, improved or unimproved, in the Town is prohibited and is hereby declared to be a nuisance by the Board of Trustees.

Sign Applications

- Two Sign Applications were approved administratively as they complied with all requirements - Jackstraw Mountain Gallery (Update of existing signs) and Mountain Gal (new business).
• Sign Code Update – once edits and formatting are complete the new Sign Code Section will be sent to the Town Attorney for review then posted for public review before final approval by the BOT.

**Nightly Rental Licenses**

• Three new NRL applications have been received since the last BOT meeting. One has met all the application requirements and has been administratively approved. The other two are in the notification/review process.
• 71 Nightly Rental Licenses have been issued with 7 new and renewal applications pending bringing the total number closer to the yearly average of 90 NRLs.
• There is one property whose NRL was not renewed this year due to multiple written complaints from neighbors. Additionally, the HOA has not given its approval for the license to be renewed in 2017. The property owner has not been issued a 2017 Nightly Rental License, however, as of 4/5/2017 was still advertising their nightly rental online. Code Admin will follow up with the owner and update the Board of Trustees as appropriate.

**Special Event Permits**

• Special Event Permit Applications are starting to be submitted for summer events. These include the Memorial Day Parade, Rotary Bingo, June Arts and Crafts Fair, Buffalo BBQ and the Annual Corvette Car Show. These are all retuning event so will be reviewed administratively.

**Grand Lake Center**

• Crystal Myers continues to add content to the new Grand Lake Center website [www.grandlakecenter.com](http://www.grandlakecenter.com) The website is split into two categories – the community center piece is under the new title of the Commons and the events/room rentals piece is under the title of Basecamp.
• The Grand Lake Center has submitted its application to become the newest member of the Grand Lake Chamber of Commerce!
• The Disney Way customer service training seminar will again be hosted at the Grand Lake Center. There will be one training session offered this year – October 23 – 25.
• GLC by the numbers:
  o New monthly Fitness Memberships - March 10
  o New Annual Family Fitness Memberships – March 3
  o Total Members YTD - March 51
  o Fitness Classes offered at the Center (Total Body Fitness, Senior Fitness and Pilates) draw approximately 55 people on a weekly basis.
  o Sloan’s Construction Company (Boardwalk Lofts) has signed a lease for office space at the Center though November, with an option to extend the lease.
• A big thank you to Crystal and Bea for all of their hard work at the Center. From being the friendly, smiling faces greeting people when they arrive to updating the website and all the other behind the scenes tasks they handle on a daily basis. They bring so much passion to work each day – to the point they actually give the Center its personality and energy. Thank you ladies!
MEMORANDUM

PO Box 2308 • 249 Warren Ave • Silverthorne, CO 80498 • 970-468-0295 • Fax 970-468-1208 • www.nwccog.org

To: NWCCOG Membership

From: Nate Walowitz, Regional Coordinator, Jon Stavney Executive Director

Date: 3 April 2017

Re: Opting Out of SB 152 Summary Memo

In meeting with the NWCCOG Council and individually with counties in the region where various regional and local broadband efforts continue, Nate and I have heard repeated concerns that the patchwork of jurisdictions which have and have not opted out of SB 152 threatens the potential for more uniform progress to each of these efforts. It also threatens to be an impediment to developing a regional transport network, which is Nate’s current challenge. To address these concerns, we have developed this informational memo and gathered other useful documents from partner organizations to encourage each jurisdiction in the region to put an opt-out question to their voters at their next election opportunity.

Senate Bill 05-152 (SB 152) passed the Colorado Legislature in 2005, prohibiting local governments from involvement in any partnership, funding, provision, or other activities related to local broadband, telecom service, or infrastructure without a successful “opt out” vote from citizens.

Local governments have no franchise or regulatory powers over broadband (internet) service. A number of the most rural and isolated communities in the state have played an active role in broadband solutions for their communities since “opting out” of SB 152. This memo provides brief case studies of some of those efforts. Without a successful “opt out” vote, it could be argued that local jurisdictions are in violation of the law by such innocent acts as providing free public WiFi, or offering an incentive to a carrier/provider to provide expanded broadband service to a business district.

While private Internet Service Providers (ISFs or “providers”) own extensive infrastructure across Colorado, throughout much of the NWCCOG region many rural communities have no service at all while in other cases, providers have failed to provide ubiquitous, high-quality broadband service even in the most densely populated mountain communities. In fact, in more than a few cases, a national service provider’s own fiber passes by a municipality without serving that community! Across NWCCOG region, we have observed that the “missing link” to broadband service is far from an insurmountable challenge.
Opting Out of SB 152 Summary Memo

Improving Broadband is a vital Economic Development activity: Business and residential service must deliver the reliability, speed, and costs that communities need for communication, education and economic diversity. It is difficult to make money downtown when the credit card machine is off line. The State of Colorado Demographer, Elizabeth Garner, has seen a correlation between broadband service availability and economic development. Most local governments recognize that in today’s world, a lack of reliable, robust broadband has a limiting effect on economic development, tourism and creates a significant competitiveness disadvantage to rural and mountain communities. More and more business activities and services – like parking stations connected to remote pay apps in Breckenridge—depend on a robust broadband network.

NWCCOG continues an ongoing Regional Role in Broadband: In 2013, at the urging of its membership, NWCCOG contracted to develop a regional broadband plan and Broadband Steering Committee was created. One of the recommendations in the Plan was to hire a Regional Broadband Coordinator (RBC) to consult and manage the recommended strategies. In 2014, Nate Walowitz was on-boarded as the RBC, and was tasked by the Broadband Steering Committee with morphing the strategic plan into a tactical plan that incorporated both local and regional objectives. The RBC position is funded by NWCCOG member dues with matching ongoing grants from DOLA.

The RBC has provided direct technical assistance and trusted “in-house” consulting to communities wishing to improve broadband, cellular and public safety communication; services for their constituents without additional fees. The RBC has written or reviewed RFPs, consulted, problem solved, and participated in many local plans since 2014 and acts as a translator in this complex field and a liaison between the private sector providers, communities, and State of Colorado government agencies. Based on NWCCOG’s experience, DOLA and other Councils of Governments consider this Regional Broadband Coordinator/Broadband Director model to be essential to success in the complex, yet essential field of rural broadband.

Currently, NWCCOG’s Regional Broadband Coordinator is providing technical assistance directly to 11 municipalities and 6 of the 7 counties which are actively involved in broadband planning or in various stages of broadband solutions. Most of those efforts are not contained within a single jurisdiction, but cross or have the potential to cross a number of municipal and county boundaries.

Without Uniform Opt-Out, Regional Efforts are Impaired: Today, nearly every county and numerous municipal governments in the NWCCOG region and most across Western Colorado are actively involved at one level or another in enhancing broadband services and infrastructure. One challenge has been that in many counties, not all towns have opted out, or the county has not opted out while a number of municipalities have. Even if a County already has opted out, all municipalities that want to control their broadband destiny must also opt out of SB 152. NWCCOG has supported efforts by the state legislature to repeal Senate Bill 152, which have not succeeded. It does not appear that any such effort will likely be passed into law any time soon. Therefore if jurisdictions want the option to be active in controlling their broadband destiny, the only foreseeable option is to put this question to voters.
The NWCCOG Regional Steering Committee has also tasked the RBC with developing a regional transport network for redundancy. The eventual network provider for the regional transport network will offer very competitively priced bandwidth if a network user so desires. In order to participate in the project, jurisdictions will be required to have opted out.

**The Ballot Question is Painless:** Ballot measures repealing Senate Bill 152 has met with overwhelming public support (See CML’s comprehensive list on the NWCCOG website). Pitkin, Rio Blanco and Summit Counties and numerous municipalities have passed measures with voter support of at least 80% support. Jackson County passed their ballot measure by over a 60% margin.

There is a misperception that passage of SB 152 requires a local government to subsequently get involved in providing broadband services or becoming an internet service provider. It does not. Another misperception is that passage sets the expectation that improved services become the sole responsibility of local government (which could require overwhelming new public investment or additional taxation). Not so. Passage of a Senate Bill 152 opt out does not require an entity to do anything.

Indeed, some communities have made major investments in broadband while others have partnered with providers to meet the needs of their community with smaller investments that have significant impact on improved broadband services. Below are a few examples of how communities in the NWCCOG region have leveraged an opt-out to provide improvements to broadband service.

**The region already has Success Stories:**

**Rio Blanco County** (population 6,807) compared making broadband infrastructure to building county roads for the purpose of commerce and after opting out of 152, and was successful in passing a ballot measure by 80% to spend general fund dollars. To date, Rio Blanco County has invested close to $20 million of local and DOLA funds, and that system enjoys a local participation rate of over 70%. Their goal is to provide fiber to every home in each of their municipalities, and wireless broadband services to all remote residences and businesses. They have partnered with cellular phone companies and the State of Colorado to utilize their tower sites to improve cell service and public safety communications across the county. The network is managed by a private network manager (selected by RFP) on behalf of the county. That company is responsible for attracting and managing local internet service providers to provide last mile services.

**The Town of Red Cliff** (population 263) opted out of Senate Bill 152, which enabled the town to construct the tower infrastructure above town, and partner with a wireless broadband provider to create a radio site at the ski area and deliver service to the town’s tower using line of site microwave from nearby Ski Cooper. Red Cliff’s isolated geographic location and small population made the business case for mainstream national providers impossible.

**Pitkin County** (population 17,379) In spite of renowned private wealth and public resources, Pitkin’s geography limits access to reliable, affordable broadband services. The County began planning to improve broadband as early as 2010 with a ballot question asking voters if they could use their local
television and FM translator funds, which they already owned and managed, for broadband services. They are now in advanced planning stages to utilize those television and FM translator sites and a new “carrier class” middle mile microwave system to support public safety radio, county information technology, commercial broadband services. The concept is to allow private providers to utilize this network and infrastructure to expand service to a majority of the population throughout the Roaring Fork Valley, across remote portions of 4 neighboring counties. Technically, to become the beneficiaries of this work, those neighboring counties and municipalities need to also opt out of Senate Bill 152. All surrounding counties have voted to repeal SB 152 except Eagle County.

In Jackson County (population 1365, covering over 1,600 square miles) where Walden is the population center, the closest neighboring towns are more than 60 miles away. Since opting out of Senate Bill 152, and spending more than year convincing Walden to also opt out, the County Commissioners are on their second round of negotiations with a wireless internet provider. A Nebraska based wireless internet provider has stepped up to the plate and anticipates providing broadband services to much of the county by September of this year. The county happens to own a 190’ tower left over from managing a TV translator site. Their current land based internet provider is out of capacity and has repeatedly told the County that there is no business case to expand fiber and broadband services in Jackson County. The current provider cannot add a single customer to the network given current capacity. In the future, their Rural Electric Cooperative may provider fiber and other services, but today if Jackson County was not actively seeking broadband solutions and working with NWCCOG, most of their businesses and citizens would continue to be unserved.

The City of Glenwood Springs was actively involved in delivering internet services prior to the limitations of SB 152, though their citizens formally voted opt out in 2008. The city currently delivers internet services through an aging wireless infrastructure and has embarked on deploying fiber-to-the-home broadband services. The City is a direct market competitor to Comcast and CenturyLink in some parts of town, providing faster symmetric (up-load and download) broadband service for a lower price than Comcast or CenturyLink.

For more information on Opting Out, or other Broadband matters, please contact NWCCOG Regional Broadband Coordinator, Nate Walowitz at nwalowitz@nwccog.org.

The NWCCOG website has a variety of information about SB 152 repeal at http://nwccog.org/programs/broadband/ .
Good afternoon,

Please note the following opportunities, one specifically for your elected officials, another for all of our municipal members:

**CIRSA and CML will be offering free effective governance forums** in four regions across the state. **Please encourage your elected officials to attend** the one nearest them! CIRSA General Counsel/Deputy Executive Director Tami Tanoue and CML Executive Director Sam Mamet will travel the state to provide insight into key leadership challenges you face as a municipal elected official. Topics include high-level personnel issues, open meetings/open records, and ethics, as well as topics specific to your region.

April 13, 5:30-7 p.m., Fort Morgan [http://members.cml.org/store/events/registration.aspx?event=FORU_FM_17](http://members.cml.org/store/events/registration.aspx?event=FORU_FM_17)

April 20, 5:30-7 p.m., Limon [http://members.cml.org/store/events/registration.aspx?event=FOR_LIM_17](http://members.cml.org/store/events/registration.aspx?event=FOR_LIM_17)

April 26, 5:30-7 p.m., Glerwood Springs [http://members.cml.org/store/events/registration.aspx?event=FOR_GS_17](http://members.cml.org/store/events/registration.aspx?event=FOR_GS_17)

May 4, 5:30-7 p.m., La Junta [http://members.cml.org/store/events/registration.aspx?event=FOR_LJ_17](http://members.cml.org/store/events/registration.aspx?event=FOR_LJ_17)

Each spring, CML staff and Executive Board members hit the road to visit our municipal members. The upcoming **Spring Outreach Meetings** are an opportunity for you to **meet CML staff, find out what happened during the legislative session, network with colleagues from neighboring communities, and get a free lunch!** (RSVP required. Visit [http://www.cml.org/outreach](http://www.cml.org/outreach) for details.) These free lunch meetings take place from noon to 1:30 p.m. (with the exception of the District 1 meeting in Yuma, which is a dinner meeting and will include a cost).

May 15 - Fountain
May 16 - Del Norte
May 17 - Montrose
May 18 - Meeker
May 22 - Loveland
May 24 - Yuma (District 1 Spring Meeting, 4-8 p.m. - details TBD)

**P.S.**
We also have a webinar on live streaming and video archives scheduled for Thursday, April 12, noon-1 p.m. While free for municipal members, webinars do require registration at http://members.cml.org/store/events/registration.aspx?event=WEB_LIV_17.

And, of course, there is the 95th CML Annual Conference, June 20-23, in Breckenridge. Get the early rates and reserve your lodging today by visiting http://www.cml.org/annual-conference.

Traci C. Stoffel
Communications & Design Specialist
Colorado Municipal League
1144 Sherman Street, Denver, CO 80203
(p) 303-831-6411 / 866-578-0936 * (f) 303-860-8175
 tstoffel@cml.org * www.cml.org

The largest gathering of municipal officials in the state is at the 95th CML Annual Conference, June 20-23, in Breckenridge. Save your spot today!

This email may contain an advertisement or solicitation. To refuse future commercial email solicitations from this sender, please respond accordingly to tstoffel@cml.org.

Visit www.cml.org Information > Cities & Towns Make It Possible for new ways to promote municipal services!
March 21, 2017

Town of Grand Lake
PO Box 99
Grand Lake, CO 80447-0099

Dear Friends,

Thank you for your generous $945 donation to the Rocky Mountain Conservancy. As you requested, your gift will be directed to support Trail River Ranch in Rocky Mountain National Park.

Our goal is to reuse the historic Trail River Ranch as an art and education center. This site, located on the west side of Rocky Mountain National Park, offers a unique opportunity to engage adults and youth in outdoor educational experiences. The Ranch is one of the few remaining historic properties within the Park. Betty Dick’s Barn, built in 1942, is on the National Register of Historic Places.

As you may be aware, the Friends of Trail River Ranch became a committee of Rocky Mountain Conservancy, the official nonprofit support organization for Rocky Mountain National Park. All funds are administered by the Conservancy, which is a tax-exempt, 501(c)(3) organization.

In accord with IRS regulations, allow me to note that you received no gifts or services in return for this contribution.

I invite you to learn more about this and our other projects and programs, and about the Rocky Mountain Conservancy, at www.RMConservancy.org. Thanks again for your thoughtful gift. Friends like you make our work possible.

Best regards,

Julie Klett
Director of Donor Relations
Celebrating Our Colorful Creatives

Weaving Together a Creative Community

Friday, June 9th | Grand Lake, Colorado

Walking Tour 1-4 PM
Special Celebration of the Rocky Mountain Repertory Theater 50th Anniversary Open Night Gala 8PM

www.grandlakecenter.com/colormecreative
PRICES PENDING WATER DEPTHS

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SUB TOTAL PARTS: 21546

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<td><em>SHIPPING AND DELIVERY</em></td>
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</table>
Floating Truss Dock™
Commercial-quality strength and durability throughout

Hewitt Floating Docks feature the same advantages found in all Hewitt dock systems—easy assembly, low maintenance and expandability. Whether you choose aluminum for low-weight or galvanized steel for maximum strength, Hewitt Floating Docks are engineered and constructed to provide unexcelled performance and durability.

Bridged Framework
The Floating Dock incorporates engineering principles proven in bridge and crane construction. The open framework design provides maximum strength with minimum weight and creates less wave resistance for superior stability. Heavy-duty structural support tubes are used at both the top and bottom of the side frames. The entire frame is reinforced with structural channel bracing and extra strong angle crossbars. Corners are strengthened with extra large gussets.

Floating Dock Hinges
Specially designed full-width hinges are recommended for connecting sections. Hinge connections prevent undue stress on the structure by allowing the dock to flex in rough water conditions or in locations where water levels change rapidly.
Cedar. A traditional favorite. Solid, durable wood that is highly weather resistant. Cedar boards come in 5/4" radius-smooth planks.

Skidguard. A waffle-weave textured panel with a heavy-duty phenolic overlay. Skidguard provides a continuous, no gap surface that is highly resistant to peeling or chipping. Available on 2', 4' and 8' wide docks only.

QT Powder Coated All-Aluminum. Extruded aluminum decking that offers superior strength, low weight and corrosion resistance. Incorporates smooth deadening material and a baked-on beige or white finish for a durable non-skid surface.

ThruFlow. Is a reinforced polypropylene finished decking system designed for easy assembly that requires no maintenance. Its strong, durable, lightweight design makes for a perfect finish on our docks. ThruFlow allows water and debris to fall through your dock surface.
**SALES QUOTE**

quote #    SJ-004256

**date**    4/5/2017

**billing address**    KUDRON, Steve
PO Box 90
Grand Lake, CO
USA
80447

**phone**    303-408-0448

**sales rep**    Clark

<table>
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<td>Steel Floating Dock</td>
<td>MATERIAL --- Two (2) 8' x 40' galvanized steel frame dock sections with encapsulated foam floatation, two (2) 4' x 10' flat bridges, all decked with Treehouse TREP decking and banboard. Anchored with cable to blocks, attached to existing concrete bulkhead</td>
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NOTES:
Reference Drawing # 17-145

SHIPPING:
Actual shipping costs to be determined

ACCESSORIES:
Accessories, such as ladders, rub rails, cleats, etc., are available upon request.

WARRANTY:
Tiger Docks warrants the dock frames, connections and all steel structures to be free from defects in material and workmanship for a period of five (5) years. This Warranty does not cover damage from abuse, misuse, alteration, fire, debris or ice flow, or acts of God. Encapsulated Float Drums are covered by manufacturer with a fifteen (15) year limited warranty. Concrete panels are covered by manufacturer with a ten (10) year warranty. TREX material is covered by manufacturer with a twenty-five (25) year limited warranty. Roof panels are covered by manufacturer with a forty (40) year limited warranty.

LOCAL PERMIT PROCESS:
The installation of a new dock and/or boatlift may require local approval. Complying with any local Architectural Guidelines is the responsibility of the owner.

LEAD TIME:
Current steel truss fabrication is running approximately ten (10) to twelve (12) weeks from order confirmation.

PAYMENT TERMS/PROPOSAL VALIDITY:
A 50% deposit is required with order confirmation. Payment in full is due at time of substantial completion.*

PROPOSAL VALID:
Quote valid for 30 days from date of proposal

**"Substantial completion", as used above, refers to the project being complete to the point that it is usable to the owner. Small items may still need to be completed.

CREDIT CARD PAYMENT
Pricing is based on cash or check payment. As a convenience, we do accept credit cards. For payment by credit card, please add 3% to total for processing.

Contract Approval Signature: ______________________

Date: ____________________
BLACK RUBRAIL & CORNER BUMPERS AS SHOWN

40'

CHAIN ATTACHMENT LOCATION (4) FOR UNDERWATER ANCHORING SYSTEM

8' IRON CLEATS (16)

40'

SOLAR DOCK LIGHT (16)

TREX "TREEHOUSE" COMPOSITE DECKING & BANBOARD

HINGE (4)

EXISTING CONCRETE BULKHEADS (2)

4x10 HANDRAIL BRIDGE (2)

*** PRELIMINARY DRAWING ***
PDF REVIEW ONLY
ALL DIMENSIONS ARE APPROXIMATE

Tiger Docks
Waterfront Specialists
1613 East Terra Lane, O'Fallon, MO 63366 Phone 1-636-272-4300 Fax 1-636-272-4304 www.tigerdocks.com

Town of Grand Lake - Steve Kudron
PROJECT
FLOATING STEEL DOCK
DATE DRAWN
4/5/17 RKS

17-145
Tuesday, March 28, 2017

Bureau of Land Management
Colorado State Office
Attn: June 8, 2017 (aka May 11, 2017) Competitive Oil and Gas Lease Sale
2850 Youngfield St.
Lakewood, CO 80215

and

Delivered via electronic mail to:

blm_co_may_2017_lease_sale@blm.gov
Ruth Welch, BLM CO State Director (rwelch@blm.gov)
Greg Shoop, BLM CO Associate State Director (gshoop@blm.gov)
Lonny Bagley, BLM CO Deputy State Director, Energy Lands and Minerals (lbagley@blm.gov)
Courtney Whiteman, BLM CO Public Affairs Specialist (cwhiteman@blm.gov)
Andrew Archulela, BLM CO Northwest District Manager (aarchulela@blm.gov)


Dear BLM Colorado State Field Office:

The Grand County Board of County Commissioners are respectfully filing a protest to the June 8, 2017 Competitive Oil and Gas Lease Sale and Environmental Assessment DOI-BLM-2016-CO-NO5-2016-0099-EA, specifically, the inclusion of all the Grand County parcels that are up for sale. The parcels being protested are referenced in TABLE 1 (top of page 2) by Serial Number and acreage as is required by BLM rules for submitting a protest.
<table>
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<tr>
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Furthermore, the County is protesting the fact that the Environmental Assessment that was completed for this proposed oil and gas lease sale failed to present a range of alternatives. It considered leasing as the only action, with no other scenarios. This narrow scope is an “all or nothing” approach, which is a clear violation of the National Environment Protection Act (NEPA).

Grand County has a vested interest in the health, safety and welfare of its citizens and in the protection and appropriate utilization of lands and natural resources within our jurisdiction. In support of our protest Grand County is providing the following comments:

Grand County and its Board of Commissioners are opposed to the proposed lease sale of 27,500 acres in Grand County for future oil and gas development. These parcels and the County itself are geologically characterized as currently having low or no potential for oil and gas development. There is no oil and gas activity in Grand County today, and over the past years there have been more than 50 oil or gas wells drilled and each has been abandoned because of no production. These previously drilled wells are located in predominantly the same or similar areas as the proposed oil and gas lease sale. We recognize the importance of this resource to our state and national economy, however, the presence and number of these dry and abandoned wells should be proof that Grand County does not have viable oil and gas resource.

The only rationale provided for inclusion of the Grand County parcels in the proposed lease sale is to clear a group of deferred parcels that were set aside almost 10 years ago when BLM commenced the revision to the Kremmling Field Office Resource Management Plan. These parcels are not being nominated as a result of new Expressions of Interest from the oil and gas industry or individuals. Nor are these parcels located over the McCallum Oil Field. Drilling for oil and gas in Grand County will come only with significant effort, investment and costs and harm to our environment and economy, while there is not economic or resource justification for such activity.

The appropriateness of the Grand County parcels in this lease sale as a viable and developable resource is questionable. Furthermore, the potential environmental and socioeconomic impacts of the effects of drilling will severely hinder achieving the vision for our community as outlined in the Grand County Master Plan. Grand County’s success and sustainability is linked directly to tourism/recreation related opportunities and business that are complimentary to outdoor recreation and tourism which requires protecting natural resources as they exist today, without oil and gas development.

The nominated parcels that are being considered with the lease sale are located in Central and Western Grand County, which is primarily rural, agricultural, undeveloped forest or public land with high wildlife habitat, scenic and recreation based values. Key natural areas include: Arapaho National Forest, the Colorado River, Willow Creek, Willow Creek Reservoir, Elk Mountain, Grouse Mountain, Byers Canyon and many stream tributaries to the Colorado River. The tributaries are Tail Creek, Willow Creek, Drowsy Water Creek, McQueary Creek, Sheriff Creek, Ute Bill Creek, First Creek, Second Creek and several other un-named water courses. US 40, SH 125 and US 34 also run through or are adjacent to this area and each are scenic corridors in their own right. US 40 is a designated Colorado Scenic Byway. Rocky Mountain National
Park exists in close proximity, and is the third most visited park in the United States. To reach the Park, tourists would be travelling through these potential lease areas. The sight of oil wells and the attendant facilities needed for their support would severely lessen the attraction of visiting this priceless resource. There is an abundance of recreation in this area that serves resort ranches, outfitters, hunting and fishing, hiking and trail running, mountain biking, cross-country skiing, snowshoeing and snowmobiling. The area is also an important habitat for elk, deer, eagles, falcons, Greater Sage Grouse and native species of cutthroat trout. Lastly, on the southern edges of the proposed oil and gas lease sale, are the towns and communities of Granby, Hot Sulphur Springs, and Parshall that rely on this area for its scenic, resource, recreation and economic attractions for their residents and visitors.

The County feels that the impending development of Oil and Gas would have drastic negative consequences on our local environment, infrastructure and economy, as are more particularly described below:

RECREATION/TOURISM ECONOMY

Grand County enjoys strong tourism because of its proximity to Rocky Mountain National Park, Arapaho National Recreation Area, Arapaho National Forest and Indian Peaks Wilderness Area. It is the County’s goal to continue to improve and develop our tourism based economy, and protecting our natural resources is vital to this goal. Critical to this will be the protection of view corridors, wildlife habitat, night sky, and natural spaces so they remain attractive for tourism and outdoor recreation purposes.

Recreation based tourism accounts for over 4,200 jobs in the county. As our county has only approximately 15,000 full-time residents, this is considerable and in fact tourism is the primary driver of our economy. For example, hunting, fishing and wildlife watching activities in Grand County alone accounts for approximately $50 million in direct and secondary spending. Our tourism-based economy with its links to natural resource protection is also helping the County conserve our ranching heritage through working resort dude ranches, like C Lazy U and Drowsy Water. The following will provide an idea of the values these businesses contribute to Grand County:

_C Lazy U Ranch._

1. The C Lazy U is an historic resource having started in 1919 making it nearly 100 years old. The C Lazy U barn was built in 1925 and the lodge was constructed in 1947 with logs felled from the Baldy hillside behind the lodge. The unique design of the lodge (suspension of second floor to avoid log posts on the ground floor to accommodate square dancing) was overseen by the Schoenbergers and set the tone for the rustic mountain elegance that would define the ranch for years to come.

2. The ranch is an important part of our County and State history and culture. Guest or “dude” ranches are disappearing across the American West.
3. C Lazy U is one of the best examples of a large landholding that is preserving Grand County's ranching heritage and equestrian traditions. The wranglers at the C Lazy U practice natural horsemanship and in the tradition of the "buckaroo". Wranglers work on horseback, not on four-wheelers, just as they did a century ago.

4. The ranch provides valuable tourism and recreational attributes. C Lazy U and its local fishery, Willow Creek, is an Orvis endorsed lodge.

5. The ranch preserves view sheds from Highway 125 across the Willow Creek Valley, which are very important scenic and visual assets to the County. The view across the ranch is enjoyed by thousands of public travelers.

6. The ranch employs approximately 50 year-round staff and 150 seasonal staff to accommodate the 4,000 guests each year.

7. The ranch hosts community events and charitable fundraisers to help the local community.

8. The four adjacent ranch communities (Homesteads, Dexter Meadows/Dexter Ridge, Aspen Springs and Chimney Rock Cabins) provide residential uses and continuity to the C Lazy U community. These residences are a valuable source of property tax dollars for the County and oil and gas development would almost certainly conflict with the surface uses of these residences. The ranch's riding program for children is world-renown and exposes youngsters to a wholesome outdoor experience. Real safety concerns arise from introducing oil and gas traffic and development as a conflicting surface use.

9. The payroll, revenues from ranch operations and related tourism and recreational dollars are essential to the local economy of Grand County.

**Drowsy Water**

1. A large portion of Drowsy Water operates utilizing a Special Recreation Permit on the adjoining public BLM lands.

2. Drowsy Water has been owned and operated by the Fosha Family for 40 years, and it has been a guest ranch in the County since the 1930's.

3. The ranch averages 2,300 user days each summer and activities are designed to provide folks with a heritage outdoor experience free of motorized vehicles in the Colorado High County.

4. Drowsy Water employs 30 people to accommodate approximately 700 summer guests.
5. The ranch provides an authentic western vacation focusing around horseback riding, moving cattle, kids’ programs, hiking and enjoying the ranch private lands and surrounding federal lands.

6. The ranch provides valuable conservation, tourism and recreational attributes.

Oil and gas development presents many challenges to Grand County: (1) financial impacts, such as roads, fire, Emergency Medical Services and police; (2) increased wildfire hazards because of development being located in pine beetle effected areas of the county; (3) reduced economic value to our public lands for their scenic and recreational values and reduced county and municipal revenues (sales, lodging and property tax); and (4) added negative threats to our water supply in the form of pollution from oil spills to byproducts of the drilling business such as increased erosion from the land and trees that must be cleared.

Grand County’s legacy and its success will be based in its natural, cultural and historic heritage by and through a tourist/recreation-based economy; not the oil and gas industry. Oil and gas development will not complement or enhance the County’s desired rural character and natural setting that sustains quality of life for our residents, visitors and businesses.

GEOLOGY

The landform in the proposed leased area consists of narrow, steep valleys that follow the tributary headwaters to the Colorado River. The region is characterized by significant faulting, which may prohibit effective containment of hydraulic fracturing fluids beneath aquitards or what would otherwise be confining geologic layers. The area proposed for leasing also contains an abundance of geological formations that contain expansive soils, are mapped by the U.S. Geological Survey as landslide, or that are prone to landslides, such as the Troublesome Formation (see FIGURE 1). In Grand County’s experience with a landfill located to the south of parcel 7821, several water quality monitoring wells have been sheared off due to a buried slide plane that is perpendicular to the land surface. Complex slip planes such as these do not tend to show up on USGS maps, but a simple drive along the Colorado River will demonstrate that they are extremely common in the region. Leasing lands for oil and gas development that contain geologic formations that are known to slide would be irresponsible. Well development in these regions poses a serious threat to water quality due to the threat of pollution from oil or gas drilling fluids moving into aquifers from these faults.

Hot Sulphur Springs is named for its geothermal resource and it serves as the main tourist attraction for the town. The town is also bisected by the Mount Bross Fault. Oil and gas development in the parcels around Hot Sulphur Springs could alter the hydrodynamic regime that support the hot springs. In addition, contamination from fracking fluids or other pollution could enter the hot springs. Either possibility could destroy the hot springs and ruin this resource for future generations.
The BLM must also consider the fact that Grand County, and particularly the proposed oil and gas lease parcels, are not located in one of Colorado’s major oil and gas basins. Grand County is not a resource area for oil and gas development. Furthermore, the area is constrained topographically. The areas is accessed by a primitive road system with seasonal access only. These road are narrow, with steep grades and switchbacks. It is made up of many steep valleys that have slopes ranging from 30% to 45% and an abundance of streams and creeks. The costs to overcome the terrain will make oil and gas development even less economically viable for a company or individual.

DEVELOPMENT ACCESS AND INFRASTRUCTURE

The area where the lease parcels are located is served by a road system that consists of narrow roads, steep grades, sharp curves and in many cases, only seasonal access. The area is primarily not accessible by vehicle from December to May each year. The road system as designed is not adequate for the construction vehicles associated with oil and gas development. Road improvements to access this area would definitely require intersection improvements where BLM, County or Forest Service roads connect with US 40. Furthermore, the roads would have to be improved in width, grade, curves and load capacity to adequately serve the type of traffic associated with oil and gas. Due to terrain, the improvements would require significant cuts and fills resulting in significant scarring of the landscape. These improvements would also come at a highly significant cost to the company or individual trying to develop these parcels. Road improvements of this magnitude would result in unacceptable impacts to the mountain landscape due to increased use, construction, traffic, dust, sediment and erosion. Our concern is that much of this sediment and erosion, potentially carrying un-natural substances, will end up in the local streams and rivers.

WILDLIFE AND FISH

The proposed lease sale parcels are located in important wildlife habitat:

- Severe winter range, winter concentration areas and migration corridors for mule deer, elk, moose and pronghorn (see FIGURE 2 and FIGURE 3).

- A significant portion of the leased parcels are located in sagebrush vegetation that is integral priority and general habitat for the Greater Sage Grouse. Grand County, Colorado Parks & Wildlife, BLM and the Middle Park Sage Grouse Working Group have made significant efforts to protect this habitat as set forth in the Middle Park Sage Grouse Conservation Plan and BLM Sage Grouse Final EIS. To lose this habitat may result in an endangered species listing for the Sage Grouse with negative spill over economic impacts to agriculture (i.e., loss of grazing lands) and recreation on this valuable public resource.

- Nesting habitat for raptors (eagles and falcons) along the Colorado River and tributaries along US 40 and SH at the edges of the proposed leased parcels.
Native cutthroat trout in Kinney Creek

Core habitat areas --- Parshall Divide, Sulphur Gulch

Oil and gas development will only contribute to further disruption and fragmentation of these important habitat areas and will restrict wildlife movement and migration due to new permanent structures, roads and other oil and gas facilities and activities. This habitat is important to the County’s economic, recreational and environmental values.

County plans require that development minimize its impacts to critical wildlife habitat and corridors by directing new growth and development into areas where it can be served by adequate, roads, water, sewer, utilities, schools, parks, trails, housing, emergency services and public safety. We do this primarily to preserve the rural and mountain landscapes of Grand County. The improvements that will be required in support of oil and gas development on the proposed lease sale parcels will only serve to degrade the character of Grand County’s landscapes and wildlife habitats.

WATER RESOURCES

The headwater of the Colorado River originate within Grand County and many tributaries to the Colorado River run through the proposed lease parcels. The creeks include; Trail Creek, Willow Creek, Drowsy Water Creek, McQueary Creek, Sheriff Creek, Ute Bill Creek, First Creek, Second Creek and several un-named water courses. Water quality in all of these Creeks and water courses is of concern, as they provide irrigation water to several area ranches that are critical to the ranching and outdoor recreation economy in Grand County. These tributaries are also linked through surface and ground water to the water supplies of the towns of Granby, Hot Sulphur Springs, Hot Sulphur Springs Resort, Grand County Government Offices and C Lazy U and Drowsy Water Guest Ranches. The region also contains a high number of individual domestic wells for nearby residences.

Several of the parcels are located in the Willow Creek drainage area flowing into Willow Creek Reservoir, which is a part of the Colorado-Big Thompson (C-BT) Project. Portions of some of the parcels may also drain to Coyote Creek, a tributary to Windy Gap Reservoir, which utilizes C-BT facilities for the conveyance of water. The C-BT Project supplies water to about 860,000 people and 650,000 acres of irrigated farmland in Northern Colorado. Any degradation of these waters has the potential to impact water quality in Willow Creek Reservoir, Granby Reservoir, Shadow Mountain Reservoir, Grand Lake, and several Front Range reservoirs, as well as hundreds of thousands of people.

Historic flows in the Colorado River between Granby Dam and the Williams Fork River have been reduced significantly due to trans-basin diversions which carry water to front-range cities and farms. That number is set to be further reduced with the expansion of Gross Reservoir and construction of Chimney Hollow Reservoir. Replacement water to compensate for these current diversions does not begin to enter the Colorado River until its confluence with the Williams Fork.
River. As a result, it creates a depleted stretch of the Colorado River that is adjacent to the area of the proposed lease sale. Currently this stretch of the Colorado is subject to low flows, warmer water temperatures, and depleted species of food necessary for a strong cold water fishery. Tremendous efforts have been made to protect this reach of the Colorado River through complicated Windy Gap Agreement and Colorado River Cooperative Agreement negotiations. The agreements have resulted in the commitment of time and energy on the parts of several diverse agencies to protect and, where possible, to enhance the condition of the Colorado River through an ongoing collaborative effort called Learning by Doing. In addition, a project called the Windy Gap Connectivity Channel that would cost nearly $10 million is being pursued to reconnect the Colorado River and help restore the proper functioning condition and aquatic habitat to reverse extirpation of mottled sculpin, giant stonefly, and other macroinvertebrate species in the Colorado River downstream of Windy Gap. It is questionable whether this reach of the Colorado River would have the ability to recover from additional impacts such as the potential pollution from fracking fluids, disposal of produced water, accidental spills, and the developmental impacts that could be caused by oil and gas operations in this area.

Grand County has a growing concern regarding availability of water to support the current and future population and tourism sector. Adding large industry, such as Oil and Gas, would put even further strain on this valuable resource. Water resources such as the Colorado River and many local lakes are also major tourist and recreation attractions. The heavy water needs adherent to Oil and Gas development would put a strain on these water bodies, thus endangering the features of these attractions and the investments in these assets that we have made as both a Count and community.

AIR QUALITY

The oil and natural gas industry includes a wide range of operations and equipment, from wells to natural gas gathering lines and processing facilities, to storage tanks, and transmission and distribution pipelines.

The oil and gas industry is a significant source of methane emissions, a potent greenhouse gas with a global warming potential more than 25 times that of carbon dioxide. Oil and gas is also the largest industrial source of emissions of volatile organic compounds (VOCs), a group of chemicals that contribute to the formation of ground-level ozone (smog). Exposure to ozone is linked to a wide range of health effects, including aggravated asthma, increased emergency room visits and hospital admissions, and premature death.

In addition to helping form ozone, VOC emissions from the oil and gas industry include air toxics such as benzene, ethylbenzene, and n-hexane. Air toxics are pollutants known, or suspected of causing cancer and having other serious health effects.

Fracking has been linked to increased air pollution that is hazardous to the health of residents near wells, and may contribute to the larger problem of climate change. Fracking creates many opportunities for the release of air pollutants. The construction of drilling pads results in air pollution, as does the increased truck traffic back and forth from the well sites. Drilling itself
results in more air pollution from diesel fuel engines, evaporation of wastewater, release of fracturing fluid, flaring of wells (burning or venting of gas at the wells), condensate material, and fugitive emissions from compressor stations. A report in the Scientific American found that fracked wells leak 40 to 60 percent more methane than conventional natural gas wells.

The towns of Grand Lake and Granby, Rocky Mountain National Park and Indian Peaks Wilderness are all located in the air shed of the emissions from oil and gas development on the nominated lease parcels. These emissions will impact the opacity of the air and create serious health effects. Clean and clear skies are an important part of visual quality for our beautiful landscape and the tourism/recreation economy in Grand County.

ROCKY MOUNTAIN NATIONAL PARK

Rocky Mountain National Park’s (RMNP) 415 square miles encompass and protect spectacular mountain environments. It includes Trail Ridge Road – which crests at over 12,000 feet including many overlooks to experience the subalpine and alpine worlds – along with over 300 miles of hiking trails, wildflowers, wildlife, starry nights, and fun times. In a world of superlatives, Rocky is on top! In 2015, RMNP had more than four million recreational visitors from across the United States and the world, making it the third most visited national park in the USA. It is only seven (7) miles from the eastern edge of the proposed oil and gas lease sale. New roads, well pad development, emissions, traffic, and night-lighting that would be associated with oil and gas activity would have severe negative impacts to this national park.

CULTURAL/HISTORIC RESOURCES

Grand County culture and history is based in agriculture and tourism. A great deal of the area that is in the proposed oil and gas lease sale was previously Ute Indian settlements and hunting grounds. The areas around Hot Sulphur Springs were considered sacred, especially the hot springs that are located at the base of Mount Bross. The area was also explored by mountain men like William Jefferson “Ute Bill” Thompson. His historic path is along Ute Bill Creek just north of Hot Sulphur Springs to the areas surrounding Elk and Grouse Mountains. The homes, tools, paths and other artifacts of the Ute Indians and explorers like Ute Bill still remain in this area and remain in a fragile state as they were made from local sources (land, vegetation, soil and fiber). High impact development like that of oil and gas development could very easily destroy this history. These stories of our history and culture are played out and told by the Grand County Historical Association for the benefit of the Heritage Coalition of Grand County. Our history and heritage is important to our quality of life and to the visitors of Grand County and they need to remain preserved and intact.

PUBLIC REVIEW AND COMMENT

As county commissioners in a public lands county, we know first-hand how important it is for federal land managers to work with local communities. Many of our citizens travel on roads
across federal lands to get to work every day and many families and businesses make their living working our county’s natural resources. Those that live, work and raise their families in our county know that our communities are linked to the land.

The BLM over the last few years has been recommending the recently adopted Planning 2.0 for its improved public involvement process. Planning 2.0 is the agency’s means to improve decision making, add transparency and provide early, meaningful public involvement. All government agencies, including local government, strive for planning programs that are efficient, transparent, responsive to change, have opportunity for meaningful public involvement and broad community buy-in from elected officials to private citizens.

The County recognizes that Planning 2.0 was done for Resource Management Plans and their adoption process. However, if public involvement is a main tenet for BLM resource planning then the same or similar principle should apply with oil and gas development review. The BLM has as one of its responsibilities under the Mineral Leasing Act the requirement to promote development of oil and gas. The development of oil and gas and the decisions leading to that development must be coordinated and shared because the management of this landscape is shared amongst federal agencies, including the BLM, towns, counties and other forms of local governments. Each entity involved will have varying goals, plans and policies regarding land use and management. The BLM leasing process recommends stakeholder coordination prior to public scoping. Grand County was not consulted or contacted on this matter and no public meetings were held in the County until we requested one. Local county governments can be invaluable allies to federal land managers when it comes to land use matters. The necessity for local government to be close to its land and its people makes us a significant resource.

Oil and gas development is a land use that because of its potential impact must be reviewed in depth in order to understand: (1) the economic potential for the resource; (2) the areas where it is most likely to take place; (3) the means for maintaining and improving the condition of natural resource values in the area; (4) the phasing and timing of development; (5) the improvements or infrastructure that will be needed to service the new development; and (6) the best protection measures and best management practices for oil and gas development. Due to the limited potential for oil and gas development in Grand County we are not recommending a Master Leasing Plan, only better analysis and greater coordination for the review and decision making related to oil and gas planning and development.

Grand County sincerely appreciated the White River Field Office and NW Regional Director appearing before the BOCC to provide an overview of the leasing process and to answer public questions. This is the type of action that should have been done in June or July, well in advance of public scoping and review of the EA.

CONCLUSION

- The “all or nothing” or “limited scope” approach of the Environmental Assessment that was completed for this proposed oil and gas lease sale failed to present any alternative actions to leasing, which is a clear violation of NEPA.
- These parcels and the County itself are geologically characterized as having low or no potential for oil and gas development.

- There is no oil and gas activity in Grand County today and over the past 50 years there have been 59 oil or gas wells drilled and each has been abandoned because of no production.

- There is no demand for the nomination of these parcels by companies or individuals.

- Leasing lands for oil and gas development that contain geologic formations that are known to contain faults and slides would be irresponsible and thus development in this area poses a serious threat to water quality.

- The Colorado River does not have the ability to absorb or recover from additional impacts such as the potential pollution from fracking fluids, disposal of produced water, accidental spills, and the development impacts that could be caused by oil and gas operations in this area.

- Adding large industry, such as Oil and Gas, would put even further strain on valuable water resources. Water resources such as the Colorado River and its tributaries, and many local lakes are major tourist and recreation attractions. The water needs adherent to Oil and Gas development would put a strain on these water bodies, thus endangering the features of these attractions and the investments in these assets that we have made as both a County and community.

- Degradation to the Colorado River and its tributaries has the potential to impact water quality in Willow Creek Reservoir, Granby Reservoir, Shadow Mountain Reservoir, Grand Lake and for Hot Sulphur Springs, Hot Sulphur Springs Resort, Grand County, C Lazy U and several Front Range reservoirs, as well as hundreds of thousands of people and acres of land.

- On and off-site improvements result in unacceptable impacts to the mountain landscape due to increased use, construction, traffic, dust, emissions, sediment and erosion.

- Critical wildlife habitat would be significantly segmented or lost as a result of oil and gas development.

- It would create unacceptable impacts to Rocky Mountain National Park, a key natural and economic asset for Grand County and the State of Colorado.

- Our history and heritage is impacted as a result of oil and gas development occurring here in Grand County, which are important the quality of life for our residents and visitors.

- The payrolls and revenues from tourism and recreation operations and other related tourism and recreational dollars that are essential to the local economy of Grand County
will be negatively impacted by oil and gas development in the lease sale area. This impact will be most apparent with C Lazy U and Drowsy Water Guest Ranches.

- County air quality will be negatively impacted by the emissions from oil and gas developing through reduced opacity of the air and polluted air that will cause serious health effects.

In conclusion, Grand County requests that the BLM withdraw the nominated parcels from the June 8, 2017, competitive lease sale. In the event that the BLM proceeds to offer these parcels, Grand County requests that you make all bidders aware and informed of our protest and our position on oil and gas development in Grand County. Finally, we request that the BLM Kremmling Field Office initiates a revision to the Resource Management Plan for the closure of all of Grand County’s portion of the Kremmling Resource Area to oil and gas development.

Sincerely,

Kristen Manguso  
Commissioner Chair

Merrit Linke  
Commissioner

Richard Cimino  
Commissioner

Cc: The Honorable John Hickenlooper, Governor, Colorado  
The Honorable Michael Bennet, United States Senate  
The Honorable Cory Gardener, United States Senate  
The Honorable Jared Polis, US House of Representatives  
Representative Randy Baumgardner, State House of Representatives, Colorado  
Representative KC Becker, State House of Representatives, Colorado  
Board of Trustees, Town of Kremmling  
Board of Trustees, Town of Granby  
Board of Trustees, Town of Grand Lake  
Board of Trustees, Town of Hot Sulphur Springs  
Board of Trustees, Town of Fraser  
Board of Trustees, Town of Winter Park