AGENDA

CALL TO ORDER

ROLL CALL

CONFLICTS OF INTEREST

DELEGATIONS
  1.) Cindy Southway – GC Open Lands, Rivers, and Trails Committee.

DISCUSSION
  1.) Items from Town Manager.
  * 2.) Comptime Accrual & Payout. (Page A2)
  * 3.) Noise Ordinance. (Page A3)
  * 4.) Boardwalk Outside of Town ROW. (Page A9)
  5.) Meeting Updates.

BOARD ACTION ITEMS FOR EVENING MEETING
  #1.) Consideration of support for Outstanding Grand Lake. (Page E62)
  #2.) Consideration of Ordinance XX-2017, an ordinance amending Chapter 6 of Article 2 of the Town of Grand Lake Municipal Code regarding signs. (Page E63)

FOR YOUR INFORMATION
  * 1.) Three Lakes Visitors Bureau Proposal from GL Chamber of Commerce. (Page A10)
  * 2.) John Williams Sponsorship Request Benefiting Mountain Family Center. (Page A14)
  * 3.) Town Planner Summer Hours. (Page A17)

*items attached to workshop agenda    #items attached to evening agenda
To: Mayor Peterson and Board of Trustees

From: Erin Ackerman, Town Treasurer

Date: June 26, 2017

Re: Accrual and Payout of Compensatory Time (comptime)

During the comptime buy-down in 2016, the Board requested information so they could discuss the practice in 2017. This memo is to inform the Board of the Town’s policy, provide information for comptime accrued to date and provide historical cost to buy-down accrued comptime.

The summarized policy states, non-exempt employees earn comptime at the rate of 1.5 times hours worked in excess of 40 hours in a single work week. The current personnel guidelines allow comptime hours to accrue up to a maximum of 480 hours for public works and water personnel and 240 hours for office staff.

The guidelines offer two options for reducing comptime liability: order an employee to take comptime off in order to keep the employee’s accrued comptime within the allowable limit; or the Board may elect to buy-down a portion of accrued comptime to a pre-determined level when the Board feels it would be fiscally responsible to do so.

At this time, no employees have accrued the maximum comptime for their department classification.

In the past, the Board has elected to buy-down comptime accrued to a pre-determined level in order to reduce leave time liability. This occurs during the last two months of each year and is brought to the Board for approval by motion in late October, early November. The buy-down level was set at 160 hours (20 days) in the years it was authorized. The Board can, of course, set the buy-down at any level it chooses.

In 2016, the cost to buy down to the 160 hour level was: $11,017.72 for two employees in the public works department and $6,302.40 for two employees in the water department.

Through June 15, 2017, the liability to buy down to 160 hours is currently $6,886.99 for three employees in the public works department and $2,297.68 for one employee in the water department.

If the Board wishes to change the Personnel Guidelines, it would require a resolution.
Memorandum

To: Grand Lake Board of Trustees
From: Erin ORourke – Code Admin
Re: Noise Ordinance
Date: June 26, 2017

On May 11, 2017 Staff received a written complaint about loud music being played late into the night causing what the Municipal Code defines as “Unnecessary Noise” Section 7-1-16. Code Admin and the Town Manager met with offending business in person on June 13th to discuss solutions. The business manager agreed to do their best to reduce “unnecessary noise” for forward while noting that the current noise ordinance sets the quiet time beginning at 8:00pm. Staff agreed to bring the noise ordinance before the Board of Trustees for discussion regarding potentially update the ordinance.

Since the face to face meeting with the business, it has been brought to Staff’s attention that loud music could still be heard from the business at 1:00am on June 18, 2017.

The Code currently states that it is unlawful to make, continue to make or cause...unnecessarily loud noise between 8:00pm and 6:00am.

At the Board of Trustees request, Staff has provided a copy of Code Chapter 7 Article 1 Sections 7-1-15 and 7-1-16 and Code Chapter 7 Article 4 Nuisance, Definition and Abatement from the Grand Lake Municipal Code for review. Staff has also included a copy of the Colorado Noise Statute 25-12-103 which relates to maximum permissible noise levels. Staff researched a small sample of other Colorado towns and learned that those locations use the State guidelines in their Town Codes.

Staff recommends that the Board discuss whether the current Town Code should be updated to amend the 8:00pm -6am noise ordinance and if maximum permissible noise levels should be established in the Town of Grand Lake.

Code Admin is also requesting direction from the Trustees on how to best resolve the original noise complaint received in May. A copy of the written complaint is included with this memo.
creates a substantial risk of causing physical injury to the Police Officer.

7-1-13 Escape
It shall be unlawful for any person in the custody of a Police Officer or a person duly empowered with Police authority to escape or attempt to escape from such custody.

7-1-14 Aiding and Abetting
It shall be unlawful to aid or abet another person in committing the violation of any prohibited or required act or provision of the Charter or the Code of the Town of Grand Lake.

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.

(B) Schools and Hospitals: It shall be unlawful for any person by himself or in the operation of any instrument, machine or vehicle to make any unnecessary noise within one hundred fifty feet (150') of any hospital or other institution reserved for the sick, or any school during school hours.

7-1-17 Drinking in Streets, on Public Owned Property, or in Vehicles
It shall be unlawful for any person or persons to drink any alcoholic beverages or fermented malt liquor beverages on or about the streets, alleys, parks or public ways of the Town of Grand Lake.

7-1-18 Repealed

7-1-19 Meetings - Public
It shall be unlawful to hold any outdoor meetings on public property, to which the general
CHAPTER 7: POLICE REGULATIONS

ARTICLE 4: NUISANCE, DEFINITION AND ABATEMENT

7-4-1 Nuisances Defined ................................................. 159
7-4-2 Town Board of Health ............................................. 159
7-4-3 Nuisance Abatement ............................................... 159
CHAPTER 7: POLICE REGULATIONS
ARTICLE 4: NUISANCE, DEFINITION AND ABATEMENT

7-4-1 Nuisances Defined
Anything which is injurious to the health or morals or indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property is declared a nuisance and as such shall be abated.

7-4-2 Town Board of Health
The Mayor and Board of Trustees of the Town of Grand Lake shall be the Town Board of Health and shall possess all the powers and perform the functions under the authority vested in such Board of Health pursuant to (C.R.S. 25-1-5, 1973).

7-4-3 Nuisance Abatement
All nuisances as defined in Section 7-4-1 of this Code, shall be abated pursuant to the authority and procedures contained in (C.R.S. 25-1-5, 1973).
Colorado Noise Statute

25-12-103 - Maximum permissible noise levels.

(1) Every activity to which this article is applicable shall be conducted in a manner so that any noise produced is not objectionable due to intermittence, beat frequency, or shrillness. Sound levels of noise radiating from a property line at a distance of twenty-five feet or more therefrom in excess of the db (A) established for the following time periods and zones shall constitute prima facie evidence that such noise is a public nuisance:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Next 7:00 p.m.</th>
<th>Next 7:00 a.m.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>55 db(A)</td>
<td>50 db(A)</td>
</tr>
<tr>
<td>Commercial</td>
<td>60 db(A)</td>
<td>55 db(A)</td>
</tr>
<tr>
<td>Light industrial</td>
<td>70 db(A)</td>
<td>65 db(A)</td>
</tr>
<tr>
<td>Industrial</td>
<td>80 db(A)</td>
<td>75 db(A)</td>
</tr>
</tbody>
</table>

(2) In the hours between 7:00 a.m. and the next 7:00 p.m., the noise levels permitted in subsection (1) of this section may be increased by ten db(A) for a period of not to exceed fifteen minutes in any one-hour period.

(3) Periodic, impulsive, or shrill noises shall be considered a public nuisance when such noises are at a sound level of five db(A) less than those listed in subsection (1) of this section.

(4) This article is not intended to apply to the operation of aircraft or to other activities which are subject to federal law with respect to noise control.

(5) Construction projects shall be subject to the maximum permissible noise levels specified for industrial zones for the period within which construction is to be completed pursuant to any applicable construction permit issued by proper authority or, if no time limitation is imposed, for a reasonable period of time for completion of project.

(6) All railroad rights-of-way shall be considered as industrial zones for the purposes of this article, and the operation of trains shall be subject to the maximum permissible noise levels specified for such zone.

(7) This article is not applicable to the use of property for purposes of conducting speed or endurance events involving motor or other vehicles, but such exception is effective only during the
Hi Erin,
It was nice to meet you last night. I would like to complain about the noise from the Grand Lake Lodge on every Friday and Saturday night (and some weekday nights) during the last four summers. Even though the town has a 10 pm noise ordinance, the Grand Lake Lodge lets their special events have bands, play music and use a PA system until 11 pm (or later). Because of their location, the noise booms down the hill. I have called the lodge to complain about the noise, but their staff tells me that they are allowed use their PA system and speakers on the deck until 11 pm and they refuse to turn it down. So, then my only choice is to call the sheriff's office, which does not seem like a good use of their time. Could you please bring the Grand Lake Lodge into compliance?
To: Mayor Peterson and Board of Trustees  
From: Nathaniel Shull; Town Planner  
Date: June 26, 2017  
RE: Payment for Portions of Boardwalk Outside of Town ROW

Dear Mayor and Trustees,

It has been discussed in our subsequent streetscape consultant/Town staff meetings that there is an urgent need to determine payment responsibilities for portions of non-Town Right-of-Way Boardwalk.

According to Municipal Code 11-4-3 and 11-4-6(4), "it shall be the duty of the property owner to repair and reconstruct the entire walk for the length of the property" for boardwalks found not to be in compliance and declared to be deficient by inspection, and that in repairing said boardwalks "if the Right-of-Way is one hundred feet (100’) wide, then the boardwalk will be eight feet (8’) in width, and the length of the planking will be eight feet (8’)".

Several sections of the Boardwalk on Grand Ave contain planks that exceed 8’ due to the structures being setback from their property lines. In the past, these property owners repaired/replaced these planks and incurred the full cost of replacement, including the Town’s required ROW permit fee. Now that the Town is repairing/replacing all of Grand Ave boardwalk in the Right-of-Way, a decision needs to be made on the following...

1) Who will be responsible for paying the cost of the portions of non-Town Right-of-Way boardwalk? The Town or the business owner?
   a. If the Town, it will be responsible for bearing these costs under the project’s expenses
   b. If the business owner, how and when should the Town notify the business owner of the cost of replacement?

Please provide direction on this matter.

Nathaniel J. Shull

P.O. BOX 99, GRAND LAKE, COLORADO 80447-0099  
PH. 970/627-3435  
FAX 970/627-9290  
E-MAIL town@townofgrandlake.com
DATE: April 17, 2017
TO: Grand Lake Chamber Board of Directors; Granby Chamber Board of Directors
CC: Town of Grand Lake; Town of Granby

SUBJECT: Three Lakes Visitors Bureau Proposal

Overview

The district stretching from Rocky Mountain National Park to YMCA Snow Mountain Ranch is a recreationist’s paradise. A destination for all seasons, this area includes hiking, biking, golf, boating, fishing, skiing (downhill & cross country), horseback riding, snow shoeing, snowmobiling and so much more all cast in the backdrop of the stunning Colorado Rockies. The communities of Granby and Grand Lake anchor these activities and their residents depend on income from a largely tourism driven economy.

As both communities grow and adapt to trends in marketing and tourism, it can be derived that their marketing arms: The Grand Lake Chamber of Commerce and the Granby Chamber of Commerce must adapt as well. Strengths of the Chamber of Commerce Model including business learning, advocacy and membership networking are not utilized by the membership base. The Grand Lake Chamber of Commerce has found the most useful tool at its disposal to benefit its members is the Chamber’s marketing budget and strong Visitors Center. In response to the needs of the community, the Grand Lake Chamber of Commerce began to examine the Visitors Bureau model and employ Visitors Bureau management strategies, while continuing to operate under the Chamber of Commerce umbrella.

Since its implementation in 2013, a marketing plan similar to the Visitors Bureau model has brought great success to the community of Grand Lake. The town has seen an increase in car counts and sales and lodging tax. With this growth, the Community has begun improvements to infrastructure. In harmony with this progress, the Chamber of Commerce has also seen an increase in web traffic (nearly 700,000 page-views annually from its start at 150,000), social media engagement (Facebook grew from an anemic 1,500 followers to more than 11,000 followers), and email subscriptions (23,000 subscribers and growing every day). This advancement has been without formal conversion to a Visitors Bureau and without a taxing/fee district! In the Grand Lake Chamber Strategic Plan, becoming a Visitors Bureau was identified as a key to success, with the goal of a 2018 ballot initiative with restructuring completed by 2019.

As the Grand Lake Chamber moved toward the formal process of restructuring, Chamber staff and Board of Directors recognize that the neighboring community of Granby might be an excellent candidate to include in the proposed Visitors Bureau, with the tentative title of Three Lakes Visitors Bureau. This Bureau would offer a comprehensive but complimentary marketing plan for both communities, while maintaining the integrity of the unique brand of each town. Below are details the Three Lakes Visitors Bureau proposal.
Structure

Three Lakes Visitors Bureau would operate under one Executive Director. The Executive Director will be overseen by a Board of Directors made up of representatives from both Grand Lake and Granby. To best support the Executive Directory, plus ensure a balance of promotion and continuity in vision, a Visitors Bureau Manager would be hired for the location the Executive Director is not based at. The Manager will report to the Executive Director. Support staff will report to the Executive Director and/or the manager of their location. Please see attached Organizational Structure Chart for more detail.

Funding

A special marketing district boundary would be established to collect additional funding dollars for the Three Lakes Visitors Bureau. This boundary would include the Grand County Colorado Tourism Board’s Three Lakes District boundary. The Grand Lake Chamber of Commerce has recommended implementing an activity fee to support Bureau operations. This fee could then be applicable to organizations that are otherwise tax exempt such as GLMRD and YMCA Snow Mountain Ranch. This possible fee amount is yet to be determined, but would be a percentage of charged rates. If possible, funds allotted to individual brands will be reflective of funds gathered geographically. A large amount of collaborative funding will be grant funded through requests to the Grand County Colorado Tourism Board and the Colorado Tourism Office.

Marketing

Marketing for both organizations will be conducted to enhance each community’s individual brand, while capitalizing on complimentary marketing opportunities including:

- Press trips
- Video events
- Visitor itineraries
- Transit connectivity
- Gaps in services
- Website management
- Web referrals
- Event management & promotion
- Large groups organization and coordination
- Conventions, conferences, and expositions

An overall marketing plan will be developed and approved by the Board of Directors. This plan will consider all opportunities for partnership and individual community promotion.
Events

Events will be managed by location staffing, and coordinated by the Executive Director. All events will be promoted through both locations, both physical and online. Location staff will work with volunteers and the Executive Director to ensure the success of each event. The Executive Director will manage grants, applications and reporting and delegate where appropriate, both for special events and the general marketing budget. The Executive Director will work with staff to attract large scale events to each location, based on community needs.

Membership

Under the Visitor Bureau Model, there will be no membership and both Chambers will dissolve as Chambers of Commerce. For businesses that desire the additional exposure the Chamber of Commerce provided, annual advertising options will be available. These options will include, but are not limited to:

- Web listings
- Involvement in local media productions
- Visitor center display
- Web banners
- Event sponsorship
- Sponsored promotional emails

The Visitors Bureau will still work with its constituency and be responsive to the requests of the constituency, but will no longer have members.

Points for Consideration

The Three Lakes Visitors Bureau will enhance the marketing of the Granby and Grand Lake communities, while capitalizing on opportunities for growth. The following details need to be examined prior to formal adoption:

- District boundary map
- Community buy-in/ Membership discussions
- Policy formation/ ballot initiative
- Merging of Board & staff
- Tax versus fee structure

With the formal approval of the Grand Lake Chamber Board of Directors and the Granby Chamber Board of Directors, coupled with formal town support, the Grand Lake Chamber will begin to develop a timeline for implementation. The Executive Director will also work with the Granby Chamber to begin interviewing Manager Candidates and streamlining the Granby Chamber administration in preparation for merging and becoming a Visitors Bureau.
Three Lakes Visitor Bureau Organizational Structure

BOARD OF DIRECTORS

EXECUTIVE DIRECTOR

VISITOR CENTER MANAGER (GRANBY)

GRAND LAKE STAFF

GRANBY STAFF

VOLUNTEERS
Request for Advertising Sponsorship

For Taking Steps for Cancer 2018 Calendar

To: Prospective Advertisers

From: John Williams Photography

Sam and Judy Eberly, Co-Chairs, Taking Steps for Cancer
Advertising for Taking Steps for Cancer Calendar

Please help us with your $150 advertisement to go toward the worthy cause of helping cancer patients of Grand County. Taking Steps for Cancer works yearly to raise funds so Mountain Family Center can offer services such as meals, transportation, lodging and pharmacy needs. MFC serves only Grand Co. cancer patients, men, women and children and all cancers.

To participate, please fill out this form and give a business card. If you want any additional description of your business for your individual page, please include that. Otherwise, all information will be taken from the business card you provide. Checks should be made payable to MFC in Granby, the administrators of the Taking Steps for Cancer funds. Your advertising money will go toward paying for the production of 250 calendars.

- There will be 12 advertisers with each individual advertiser featured on a particular month. Each of the 12 advertiser’s business card size ad will be displayed at the bottom of the calendar, always in full view.
- Taking Steps for Cancer volunteers and John Williams Photography will sell the 2018 calendars throughout this year. The proceeds from the sale of 250 calendars will be given to Mountain Family Center for our cause.
- Each advertiser will be given one calendar for display.
- Each month’s large photo will be by John Williams Photography. They are scenes and wildlife in Grand County.
I agree to provide advertising in the form of $150.00 made payable to Mountain Family Center for the 2018 Taking Steps for Cancer calendar.

By: __________________________

Date: __________________________

Special Business Information for your individual page if you desire more than your business card says.

Description:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Don’t forget your business card!! Please make your check payable to Mountain Family Center, we can give you a tax deductible receipt for your records. Mail check to Karen Raymond, Taking Steps for Cancer, PO Box 188, Grand Lake, Co. 80447 or call John Williams, 303 501 2745, for form and card pick up. We are limiting the calendar to 12 advertisers, then we will get the checks to MFC. John Williams is coordinating this fundraiser as well as donating his photos. Please direct further questions you might have to him at 303 501 2745.
Town Planner
Summer Walk-in Hours
Mon, Wed, & Fri
1:00 – 4:00 PM

For scheduled appointments, call or email to arrange
970-627-3435
glplanning@townofgrandlake.com
Board of Trustees Handout 6-26-17
Update on Open Lands, Rivers, and Trails Committee

• A .03% county wide sales tax was approved by voters in November 2016 and was projected to create a funding source of around $750,000 per year for open lands, rivers and trail maintenance projects.

• A nine person committee was appointed by the County Commissioners—6 town representatives (WP, Fraser, Granby, Grand Lake, HSS, Kremmling) and 3 county-wide representatives:

  Cindy Southward – VP
  Joanna Goodman, Town of Winter Park
  Maura McKnight, Town of Fraser
  Bob Saint, Town of Granby
  Mike Crosby, Town of Hot Sulphur Springs
  Jeff Miller, Town of Kremmling
  Steve Spears, County District 1
  Paul Bruchez, County District 2
  Diana Matheson, County District 3

  President

• As our committee studied the ballot language and county resolution, we realized that the types of grant applicants and grant applications that the funding can be used for are:
  o Grand County, incorporated municipalities located within Grand County, and accredited land trusts will be able to submit grant applications for less than fee interests in real property and fee simple or water rights acquisition.
  o Grand County, incorporated municipalities located within Grand County, and nonprofit organizations will be able to submit grant applications requesting funding for the maintenance of hiking and biking trails. Funding for trail maintenance purposes is capped at 15% of the funds available for grant awards.
  o The types of projects that can be funded are:
    ▪ To acquire lands or interests in lands that conserve and protect water in the Colorado River and its tributaries within Grand County for agriculture, ranching, and outdoor recreation, and that conserve agricultural lands, natural areas, scenic open lands, wildlife habitat, wetlands and river access
    ▪ To acquire less than fee interests in real property for the purposes provided herein, such as permanent conservation easements, future interests, covenants, development rights, subsurface rights and contractual rights, either on an exclusive or nonexclusive basis
    ▪ To acquire fee title interest in real property
    ▪ To acquire water rights and water storage rights
    ▪ To maintain hiking and biking trails
    ▪ To allow expenditure of funds for joint projects between the County and municipalities, or other governmental entities in the County
    ▪ To pay for all related costs of acquisition, such as but not limited to the costs of appraisal, surveying, legal and other services such as easement documentation and environmental reports, as well as the costs of stewardship of easements and construction
Outstanding Waters & Permitting and Regulations

Windy Gap Firming & Three Lakes Water & Sanitation

- State regulations and the 401 certification for the Windy Gap firming project have provisions that will be imposed on the project affecting future water quality requirements.
- These regulations will be applied irrespective of Outstanding Waters designation.
- Outstanding Waters designation states only that existing water quality will be maintained.
- The 3 Lakes discharge empties into Church Creek which then flows into Willow Creek and then the Colorado River. 5 CCR 1002-31 defines the footprint of a discharge (i.e. “that portion of the segment impacted by the discharge”) as the portion of the stream from the discharge point to the first major tributary inflow. Hence any permit would be written for conditions in Willow Creek and/or the Colorado River, not Grand Lake.
- Any future discharge permit will be subject to Colorado Regulations 31, 61, and 85. These have more rigorous water quality provisions than Outstanding Waters designation.

Unintended Consequences

- Outstanding Water designation is under the auspices of the Colorado Department of Public Health and Environment, the same agency that manages the Clarity MOU. The EPA does not have authority for additional regulation under OW designation.
- Industrial or municipal wastewater discharges into Grand Lake that would require permitting are unlikely.
- Land use regulations are not under the purview of state or Federal agencies.
- The town has extensive design review requirements for any proposed developments as well as a comprehensive plan which dictates land uses around the lake. None of the current land uses provide for developments around the lake that would require a state or Federal permit.
- Without Outstanding Water designation, there is no absolute guarantee under the law that water quality in Grand Lake will be protected.

404 Permits including Private Boat Ramps & Docks

- Outstanding Waters are waters that have exceptional recreational or ecological significance; docks, boat houses, and boat ramps are all a part of the story of the lake and its recreational value.
- 5 CCR 1002-31.8 (1)(a) states that temporary degradation (e.g. during boat dock construction) is allowed “for activities that result in ecological or water quality benefit or clear public interest. Recreation on Grand Lake is clearly in the public interest.
- There is no documented evidence of boat ramps or docks causing water quality impacts on Grand Lake.

NEPA Analysis & 401 Certification

In regards to concerns about conflicts with current NEPA processes:

- A 401 certification and analysis has already been produced by the WQCD for the Firming Project.
- The 401 certification establishes its own set of requirements and provisions that must be met in terms of no significant degradation on existing water quality regardless of the existence of Outstanding Waters designation.
- Colorado Regulation 82.17 states: “except as otherwise provided pursuant to subsection 82.7(c), no discharge shall be allowed which causes non-attainment of a narrative standard ...”. In other words, provisions of Regulation 82 will define requirements for operations and structures, not Outstanding Water designation.
MEMORANDUM

To: Grand Lake Board of Trustees
From: Scotty P. Krob, Town Attorney
Date: June 26, 2017
Re: Possible water quality/clarity designation of Grand Lake

Although I do not see it specifically listed on the agenda, it is my understanding that one item which may come up during this evening’s BOT meeting is whether the BOT should seek to have Grand Lake designated as being of a certain water quality or clarity standard, specifically Outstanding National Resource Water. I do not believe I have been present at recent meetings where this item may have been discussed. However, I have made some limited inquiry into the matter. I am sure there are benefits from such classification, but it is my understanding that there may also be some unintended consequences.

I have spoken briefly with Barbara Green, the water quality attorney for NWCOG. Barbara has a substantial amount of experience in water law, particularly in water quality issues and federal regulations. Barbara indicated that the proposed classification could impact certain permitting requirements associated with development on and near Grand Lake, such as 404 Permits, and could also have impacts on the local 208 Plan. She suggested I contact Lane Wyatt at NWCOG to get further information. I have a call into Lane, but as of the writing of this memo, I have not received a call back.

Barbara also indicated that this matter is set for a hearing before NWCOG on July 27, 2017. My recommendation to the BOT is that (1) I follow up with Lane Wyatt and provide a memo to the BOT indicating the benefits and possible burdens of classification from a legal standpoint, and (2) the BOT take the matter up at its July 24, 2017 meeting, which I will be glad to attend if the BOT wants. I would discourage the BOT from taking any action on this item tonight until I can provide information regarding the legal impact of this matter.

If you have any questions or want to touch base on this item during this evening’s meeting, please feel free to give me a call on my cell: 303-886-5840. I look forward to hearing from you.