



Critical to our success is an engaged community and knowledgeable and experienced staff.

Town Council Values

- *Preserve our high quality of Life*
- *Resource Efficiency/ Environmental Stewardship*
- *Support a sustainable and healthy business climate*
- *Maintain a "real" community*
- *Fiscally Responsible*
- *Historic Core*

AGENDA
Town of Crested Butte
Regular Town Council Meeting
Monday, December 7, 2015
Council Chambers, Crested Butte Town Hall

5:00 WORK SESSION

Presentation of New Affordable Housing Guidelines by Town Planner Michael Yerman.

7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

7:02 APPROVAL OF AGENDA

7:05 CONSENT AGENDA

- 1) Approval of November 16, 2015 Regular Town Council Meeting Minutes.
- 2) Approval of November 30, 2015 Special Town Council Meeting Minutes.
- 3) Approval of Council Committee Assignments.

7:08 PUBLIC COMMENT

Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.

7:12 STAFF UPDATES

7:25 PUBLIC HEARING

- 1) Transfer of the Dogwood Liquor License Located at 309 3rd Street From The Dogwood LLC to Elevated Spirits LLC.
- 2) Ordinance No. 12, Series 2015 – An Ordinance of the Crested Butte Town Council Amending Chapter 6-2 of the Crested Butte Municipal Code Providing for a Temporary Reduction to Certain Portions of the Business and Occupation Licensing Tax for the Fiscal and Calendar Year of 2016; and Providing the Automatic Repeal Thereof Effective on the First Day of January, 2017.
- 3) Ordinance No. 13, Series 2015 – An Ordinance of the Crested Butte Town Council Adopting Changes and Additions to the 2015 Budget and Appropriations Relative to the General Fund, Sales Tax Fund and Street & Alley Fund.

7:45 NEW BUSINESS

- 1) Presentation by Town Manager Todd Crossett and Town Attorney John Belkin Regarding Town Council Orientation.

8:30 2) Presentation by Chris Larsen on the Mountain Express Annual Report.

8:40 3) Ordinance No. 14, Series 2015 - An Ordinance of the Crested Butte Town Council Amending Chapter 2 of the Crested Butte Municipal Code to Include a New Article 8 Thereto Establishing a Creative District Commission and Including Regulations Relative Thereto.

8:45 LEGAL MATTERS

8:50 COUNCIL REPORTS AND COMMITTEE UPDATES

8:55 OTHER BUSINESS TO COME BEFORE THE COUNCIL

9:05 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, December 21, 2015 – 6:00PM Work Session – 7:00PM Regular Council

- Monday, January 4, 2016 – 6:00PM Work Session – 7:00PM Regular Council

- Monday, January 19, 2016 (*Tuesday*) – 6:00PM Work Session – 7:00PM Regular Council

9:10 ADJOURNMENT

MINUTES
Town of Crested Butte
Regular Town Council Meeting
Monday, November 16, 2015
Council Chambers, Crested Butte Town Hall

Outgoing Mayor Huckstep and outgoing Councilmen Matuszewicz and Berkshire were presented with pictures of Elk Avenue and thanked for their service to the Town by Town Manager Todd Crossett.

Mayor Huckstep called the meeting to order at 6:04PM.

Council Members Present: Jim Schmidt, Glenn Michel, Chris Ladoulis, Shaun Matuszewicz, and Skip Berkshire. Also present were newly elected Mayor Glenn Michel and newly elected Council members Paul Merck, Erika Vohman, and Laura Mitchell. Roland Mason arrived shortly after the meeting began.

Staff Present: Town Manager Todd Crossett, Town Attorney John Belkin, Finance Director Lois Rozman, Public Works Director Rodney Due, Parks and Recreation Director Janna Hansen, Town Planner Michael Yerman, and Town Clerk Lynelle Stanford

Newly elected Mayor Glenn Michel and newly elected Council members Paul Merck, Erika Vohman, and Laura Mitchell were sworn in by Town Clerk Lynelle Stanford. They then took their seats.

ELECTION OF MAYOR PRO TEM

Schmidt moved and Merck seconded a motion to appoint Roland Mason as the Mayor Pro Tem. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

APPROVAL OF THE AGENDA

Under New Business, number 1, was moved to the next meeting, and number 6 was removed from the agenda.

Belkin requested the addition of Executive Session after Legal Matters for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(e). The subjects were Mt. Emmons and what was previously known as the Slate River Annexation. He stated no action would be taken. Schmidt confirmed the Executive Session could come after Council Reports and Updates.

Schmidt moved and Merck seconded a motion to approve the agenda as amended. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

CONSENT AGENDA

1) **Approval of November 2, 2015 Regular Town Council Meeting Minutes.**

2) **Approval of 2016 Council Meeting Calendar.**

Merck moved and Schmidt seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

RECOGNITION OF DAVID JELINEK FOR COMPLETION OF THE COLORADO PUBLIC WORKS INSTITUTE

John Harris, Public Works Director for Montrose, Colorado presented Jelinek with a certificate for completing the Colorado Public Works Institute. Harris explained it was a ninety-hour training geared towards public works professionals.

PUBLIC COMMENT

Glo Cunningham - 324 Teocalli Avenue

- Thanked the three new incoming Council members, and she congratulated Michel.

Erich Ferchau – From Gunnison

- Congratulated the new Council.
- Was present to introduce himself to the Council. He expected to submit an application to the Town.

STAFF UPDATES

Lynelle Stanford

- Asked the Council to save the date for the holiday party on December 11.
- Mentioned upcoming special events, including a new event called the Fat Bike World Championships.
- Reminded those who ran in the election that campaign finance forms would be due on December 3.

Rodney Due

- Crews were busy getting equipment ready.

Michael Yerman

- They held the second affordable housing class, and there were about twenty people who attended.
- The next work session would start at 5PM, and it would be on affordable housing guidelines.

- Appointments to the new Creative District Commission were time sensitive.
- Schmidt asked to whom he should refer people with affordable housing questions. Yerman said it was best to contact him via email.

Lois Rozman

- There was a 3rd quarter financial update in the packet.
- September sales tax was up 3.5%.
- Rozman explained the effects of Whatever. She took out one time Whatever monies that came directly from vendors. She said bars and restaurants were down 9% for September, but they were still missing filers. She went through the bar/restaurant zone on Elk Avenue to compare 2014 to 2015, and numbers were all over the board.

Janna Hansen

- Just completed the Big Mine Master Plan. Utilities were budgeted for 2016.
- Tennis courts were completed, but they hoped to resolve a defect in the surface of the courts soon.
- The dirt jumps were relocated, and they were working on grant funding.
- Was hoping to have an updated weed management plan.
- She would also be coming to the Council with an updated budget after the passage of the sales tax.
- Schmidt asked when the ice rink would be opening. Hansen said they would be making ice on the 23rd.

Todd Crossett

- The One Valley Prosperity Project meeting was well attended. They were moving into action planning committees.
- Mentioned an issue that arose concerning the Pro Challenge. The organization changed hands, and they contacted the Chamber. They were requesting letters of interest from communities. Crossett suggested that he could send a letter from the Town administratively indicating Crested Butte would be interested in reviewing a proposal. It was decided to take up the topic under Other Business.

4) Approval of 2015/2016 Snow Plan.

Agenda item was moved to allow the Public Hearing to occur around 7PM as noticed to the public.

Due highlighted items in the snow plan, such as the plan typically covered from December 1 to April 1, but they would be starting with snow removal at three inches right away this year. They would strive to keep Elk Avenue and the bus and emergency routes down to the pavement. Due also said they had the snow cam available online for out of town employees to view the snowfall. He identified the objective of enlisting assistance from Gunnison Dispatch to periodically help monitor the snow cam, particularly when the Marshals were off duty.

It was asked if the purchase of the lot that was on the agenda affected the snow plan. Due said the snow plan would need to be revised if the Town didn't purchase the lot. Due explained the plan for the snow banks, and he said they watched the weather all the time to determine when they were pulled.

Hansen's department was in charge of the sidewalks. She said their priorities were 8th Street and then Elk Avenue. She said they started snow removal at one inch of accumulation. She encouraged the Council to look at snow storage lots and what could be going away when affordable housing was built out. She said snow storage was not good for grass (in parks).

Schmidt wanted to know what was different from last year. Due said plowing at the three-inch mark before December 1 and asking for assistance from Dispatch were the changes. Hansen briefly explained the cut outs on the Elk Avenue sidewalks. Merck then questioned the usage of snow melting machines. He thought it would be good to try them. Due stated towns that used them had developed storm sewer systems. Due said they would only store snow on Blocks 79 and 80 in an emergency because of the utilities that were installed. Mitchell questioned the plowing on the south side of Stepping Stones. She thought kids were encouraged to play on the giant snow banks, which was a safety hazard. Ladoulis agreed with Merck's idea of considering snow melting systems. He wondered what other plans there were to add snow storage. Due said there was a list of lots that Town would consider purchasing. The lot near Pitas had been a priority for a number of years. Due said a snow melt facility would create a huge carbon footprint. Schmidt recalled that Aspen tried to melt snow, and they abandoned it. In addition, Due recognized they would be responsible for what was in the snow, and it would have to be treated. Ladoulis confirmed the snow plan accounted for the purchase of the lot near Pitas.

Schmidt moved and Merck seconded a motion to approve the Town of Crested Butte 2015-2016 Snow and Ice Control Operations Plan. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

PUBLIC HEARING

1) Ordinance No. 11, Series 2015 – An Ordinance of the Crested Butte Town Council Authorizing the Town's Purchase and Acquisition of Lots 17 and 18, and the North 6.25 Feet of Lot 19, Block 27, Town of Crested Butte, County of Gunnison, State of Colorado for the Purchase Price of \$837,250.00.

Michel confirmed proper public notice was given. Crossett explained the lot was across the alley south from Pitas. It was a vacant lot that had been used for snow storage. The lot would allow crews to push snow, store the snow, and then come back and blow it. Crossett said Town would need to add a crew for snow removal if they didn't obtain the lot, which would cost about \$160K per year. Initially, the lot was for sale for \$1M, and the appraisal came in at \$850K. The lot could also be used for parking in the summer. Funds to purchase would come from the parking in lieu balance and the sales tax fund.

Due added that it was a critical snow lot to keep the core area clear. He said that with the cost of having to guarantee availability of a contractor to remove snow, it would be a six year payback.

The discussion was opened to public comments, and there were none. It was opened to Council discussion. Mason asked if it would make sense to purchase equipment instead of hiring a contractor. Due said Town had the equipment; the problem was getting the personnel to run it. They would need five more seasonal operators with CDLs, and he had trouble getting one. Mitchell questioned if the sellers would pay the Real Estate Transfer Tax (RETT). Rozman explained the RETT was not applicable when the government was the purchaser. Ladoulis felt they tended to react, instead of looking ahead. He explained he would vote against the purchase because he felt they were paying too much, and he didn't appreciate the process.

Schmidt moved and Mason seconded a motion to approve Ordinance No. 11, Series 2015. A roll call vote was taken with all voting, "Yes," except Ladoulis voted, "No." **Motion passed.**

NEW BUSINESS

1) Presentation by Town Manager Regarding Town Council Orientation.

Agenda item deferred.

2) Ordinance No. 12, Series 2015 – An Ordinance of the Crested Butte Town Council Amending Chapter 6-2 of the Crested Butte Municipal Code Providing for a Temporary Reduction to Certain Portions of the Business and Occupation Licensing Tax for the Fiscal and Calendar Year of 2016; and Providing the Automatic Repeal Thereof Effective on the First Day of January, 2017.

Rozman explained the ordinance reduced the annual business license fee to a flat \$100, rather than the fee being based on the number of employees. She further explained the ordinance had to be passed annually to comply with TABOR regulations. They were able to keep the higher BOLT license renewal fees available to Council without having to go to a vote. Rozman confirmed for Ladoulis that there was no sunset.

Ladoulis moved and Schmidt seconded a motion to set Ordinance No. 12, Series 2015 for public hearing at the December 7, 2015 Council meeting. **Motion passed.**

3) Ordinance No. 13, Series 2015 – An Ordinance of the Crested Butte Town Council Adopting Changes and Additions to the 2015 Budget and Appropriations Relative to the General Fund, Sales Tax Fund and Street & Alley Fund.

Rozman stated the request was from the Finance Department to move \$6K from money budgeted for Muni Revs in 2016 to be used in 2015, which would help facilitate upcoming sales tax changes, and it would be easier on the businesses to do one major

change. Schmidt questioned the \$5,800 to the County for the voter rolls project. Crossett said he could obtain a report with the results.

Ladoulis moved and Mason seconded a motion to set Ordinance No. 13, Series 2015 for public hearing at the December 7, 2015 Council meeting. **Motion passed.**

4) Approval of 2015/2016 Snow Plan.

Item was moved before the Public Hearing.

5) Presentation on the Status of the Crested Butte Creative District.

Marcie Erion, Business Development Specialist for the City of Loveland and Colorado Creative Industries (CCI) Consultant, presented at the meeting.

Yerman began by explaining they met with Creative District stakeholders, and the next task was to bring forth in ordinance form. Once the commission was formed, they would have six months to complete key tasks.

Erion helped to write legislation for the district. She gave an overview of the creative district program and a district summary. She stated that legislation was passed in 2011 to leverage assets for increased economic impact. Creative districts were meant to bring creativity, revitalize and rehabilitate communities, and to improve quality of life in general. In 2014, Crested Butte became a candidate, and then there were two years to work through requirements. Erion listed benefits to being a part of the creative district network such as: partnering with CDOT to get way finding signs, increased access to financial support, and connecting artists to financial opportunities. The most successful districts had initial government support.

Erion reviewed steps and requirements in the near term. They already created a strategic plan. Council would need to approve an ordinance for the commission, and board members needed to be selected. The development of a website and a budget were required. In June, a finalized marketing plan and sustainability model needed to be completed. They would also need to address staffing needs for ongoing requirements and data collection.

Erion described the role of Creative District Commission. The Town was the governing and fiscal agent. It would be comprised of seven volunteer members, including one staff liaison and one Council representative as a non-voting member. Terms would be one to three years. Yerman clarified the role of the commission was to make recommendations for the Council to approve.

Erion provided an overview on public art, and she gave examples of public art such as: permanent pieces on display, way finding, installations, murals, performances, artists in residence, fences, pathways, and flower boxes. Yerman said they were in the process of forming the commission, and they needed to get seven members on board. The four tasks

were key to complete, and once through them, Town could apply for candidacy. They were in the process of bringing the community along.

6) Authorize Mayor to Sign a Letter of Commitment to Participate in Region 10 Phase 2 DOLA Broadband Grant Application.

Item was removed from the agenda.

LEGAL MATTERS

Belkin provided a copy of the CML open meetings law summary concerning executive sessions. He said staff, Belkin, or a Council member could call an executive session, and executive sessions could only happen for certain reasons. Additionally, Council couldn't take action during executive sessions.

Belkin mentioned the possibility of an on-boarding session on December 7, and there could be several training sessions in retreat mode. Crossett added there were ongoing conversations they needed to pick up, as well as discussions having to do with roles and responsibilities and what could be done to work better as a team. Crossett also cited interest in moving into a strategic planning process. He thought they could minimize being in reactive mode. Michel suggested they get out information on ex-parte requirements. Crossett said on December 7 they would address the organization chart, sunshine laws, quasi judicial, and legislative matters.

Mason accepted his appointment as Mayor Pro Tem.

COUNCIL UPDATES AND COMMITTEE UPDATES

Glenn Michel

- Mentioned they would appoint committee responsibilities at the next meeting, and Council members should speak to him with specifications.
- There would be a Mountain Express meeting this upcoming Thursday.

Jim Schmidt

- Met with the Creative Arts Committee.

Roland Mason

- There was a RTA meeting last Friday. United was pulling spring service, beginning in April to June 4. United provided a number, \$370K, that would cover the cap, but it would set precedence for future Denver flights.
- 5A passed, and they were in the process of allocating potential new funds to work for the community. Mountain Express was going to ask for monies to pay for a cut away bus to drive seniors in Crested Butte.
- Schmidt questioned if United indicated anything about fall service. Mason said fall wasn't an issue.

OTHER BUSINESS TO COME BEFORE THE COUNCIL

The Council discussed the Pro Challenge. Crossett said the event organizers contacted Dave Ochs through the Chamber. They were considering routes, and they were asking communities that might be interested in being on the route to submit letters of interest by the 23rd. Crossett said there wasn't anything budgeted for the event. He said he could send a letter indicating Crested Butte was interested but couldn't make commitments without more information. He said they could let it be if they had no interest. Ladoulis wondered if they spoke to Mt. Crested Butte, and Michel said their mayor would be bringing it up to their council. Mason said every year the price went up, and they had talked to them before about the major sponsor piece. He also said at one point they were trying to get people to Crested Butte. He said at this point, he didn't know that business owners were on board with closing Elk. Michel asked the Council if they were open to having the Pro Challenge. Schmidt was open to it, but it was a question of money. Merck didn't think they needed to pay for advertising. Mason reminded the Council that Mt. Crested Butte had a dedicated fund for marketing. However, it would come from Crested Butte's general fund. Mason said Crested Butte put money into open space. Michel asked if anyone was opposed to allowing the Town Manager to respond to the Pro Challenge. The Council agreed, and no one was opposed.

DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE

- Monday, December 7, 2015 – 5:00PM Work Session – 7:00PM Regular Council
- Monday, December 21, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, January 4, 2016 – 6:00PM Work Session – 7:00PM Regular Council

EXECUTIVE SESSION

Ladoulis moved and Mason seconded a motion to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. 24-6-402(4)(e) relative to the Mt. Emmons mine and what was formerly known as the Slate River Annexation. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Council went into Executive Session at 8:07PM. Council returned to open meeting at 9:42PM. Mayor Michel made the required announcement before returning to the open meeting. No action was taken.

ADJOURNMENT

Mayor Michel adjourned the meeting at 9:43PM.

Glenn Michel, Mayor

Lynelle Stanford, Town Clerk (SEAL)

MINUTES
Town of Crested Butte
Special Town Council Meeting
Monday, November 30, 2015
Council Chambers, Crested Butte Town Hall

Mayor Michel called the meeting to order at 6:01PM.

Council Members Present: Jim Schmidt, Erika Vohman, Paul Merck, and Laura Mitchell
Roland Mason arrived shortly after the meeting was called to order.

Staff Present: Town Manager Todd Crossett, Public Works Director Rodney Due, and
Town Clerk Lynelle Stanford
Town Attorney John Belkin arrived shortly after the meeting was called to order.

Vohman moved and Schmidt seconded a motion to approve the agenda. A roll call vote was taken with all voting, "Yes." (Mason was not yet present to vote). **Motion passed unanimously.**

A) Town Council Discussion and Possible Action Regarding Memorandum of Understanding between Region 10 League for Economic Assistance and Planning, Inc. and the Town of Crested Butte, Colorado.

Crossett explained he had provided the Council an overview a few meetings ago, and it had been in process for a couple of years. DOLA approached Region 10 and said they had money to spend on broadband, and they wanted entities to work together as a region to bundle. It was broken into two phases. The first phase consisted of establishing a hub in Montrose, and Town didn't have to directly contribute matching funds. Phase 2 would create a backbone from the hub out to communities through lit or unlit services. Town would light up fiber to the Century Link office on Elk Avenue and then connect to the Marshal's Office, where the carrier neutral location (CNL) would be located. Internet Service Providers (ISPs) could come and provide service to the last mile. The implementation phase would occur in 2017. \$40,410 would be the Town's match for the project. Crossett identified anchor institutions, and he said the cost to Town would go down if they decided to participate. Additionally, the MOU with Region 10 determined that Town could withdraw anytime until the funds were committed.

Michel summarized there would be increased capacity and lower rates. Crossett added they would double the Town's money on the deal. Mason questioned how they would tie in areas such as Skyland and CB South. It was explained there would be infrastructure at the Marshal's Office, which would shoot signal to the Public Works facility. The signal could be directed from the Public Works facility and down valley from there. It would be up to ISPs to link the CNL to bring service into other parts of the County. Mason confirmed they would be using microwaves from point to point. There were no public comments or further Council discussion.

Schmidt moved and Vohman seconded a motion to enter into a Memorandum of Understanding between Region 10 and the Town for economic assistance and planning. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

B) Resolution No. 38, Series 2015 – Resolutions of the Crested Butte Town Council Authorizing the Town of Crested Butte to Apply for a State of Colorado, Department of Local Affairs Energy and Mineral Impact Program Grant for the Funding for Design of the Town’s Wastewater Treatment Plant Improvements.

Due was requesting \$100K from DOLA towards the cost of designing the water treatment plant improvements. He was required to have approval from the Council. There was a brief discussion concerning the amount being requested, and Due explained his reasoning.

Mason moved and Merck seconded a motion to approve Resolution No. 38, Series 2015. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

ADJOURNMENT

Mayor Michel adjourned the meeting at 6:16PM.

Glenn Michel, Mayor

Lynelle Stanford, Town Clerk (SEAL)

BOARDS, COMMITTEES AND TEMPORARY COMMITTEE APPOINTMENTS
Revised December 2015

Rural Transportation Authority Board (RTA)

1. Roland Mason
2. Glenn Michel

Mountain Express Board

1. Roland Mason
2. Laura Mitchell

Tourism Association (TA) Advisory Board

1. Chris Ladoulis

Crested Butte/Mt. Crested Butte Chamber of Commerce

1. Chris Ladoulis
2. (alternate)

Office of Resource Energy (Formerly Known As) - Pending

1. Paul Merck
2. Roland Mason (alternate)

Gunnison County Housing Authority Advisory Board

1. Margot Levy
2. Jim Schmidt

Gunnison Valley Housing Foundation

1. Erika Vohman

Center for the Arts

1. Glenn Michel

Gunnison Valley Land Preservation Board

1. Sue Navy
2. Jim Schmidt
3. Crystal Edmunds (alternate)

West Elk Loop Scenic Byway Committee

1. Laura Mitchell

Colorado Association of Ski Towns

1. Glenn Michel
2. Todd Crossett

DOLA Region 10

1. Erika Vohman

Downtown Crested Butte Lodging Association

1. Chris Ladoulis

Cemetery Committee

1. Jim Schmidt

One Valley Prosperity Project

1. Paul Merck

CDOT Region 3

- 1.

Boards and Committees List

Revised December 2015

Rural Transportation Authority Board (RTA)

The mission of the Gunnison Valley Rural Transportation Authority is to provide and improve air transportation to and from the Gunnison-Crested Butte Regional Airport on a year round basis, and to develop a long term and energy efficient public ground transportation system within Gunnison County.

- Bylaws mandate two elected officials from each municipality serve on the board. Council members are voting members of the Board.

Current Members:

1. Roland Mason
2. Glenn Michel

Meeting Schedule: Meets the 2nd Friday of every month at 8 a.m. alternating between Crested Butte and Gunnison.

Director: Scott Truex

Phone: 970-275-0111

E-mail: struex@wic.net

Website: Gunnisonvalleyrta.org

Mountain Express Board

Mission Statement- To provide safe, free and courteous public ground transportation services for residents of and visitors to Mt. Crested Butte, Crested Butte, and surrounding north valley communities and to provide a safe, fair, and honest working environment for Mountain Express employees.

- Bylaws state that two board members are nominated by the Town of Crested Butte, two board members nominated by the Town of Mt. Crested Butte, and one member nominated by a majority vote of the Board. Council members are voting members of the Board.

Current Members:

1. Roland Mason
2. Laura Mitchell

Meeting Schedule: Meets the 3rd Monday of every month, at 9 a.m., at Mt. Crested Butte Town Hall.

Director: Chris Larsen

Phone: 970-275-5175

E-Mail: Clarsen@crestedbutte-co.gov

Website: www.mtexp.org

Tourism Association (TA) Advisory Board

The Gunnison-Crested Butte Tourism Association was officially formed in September 2002 in anticipation and support of the November 2002 ballot initiatives to create a Local Marketing District for Gunnison County and to serve as the marketing arm of the Gunnison Valley Rural Transportation Authority, also on the ballot at that time.

Mission: Enhance economic vitality by marketing our county as a year round destination and foster relationships with community partners to ensure a quality guest experience.

- One Council member.

Current Member:

1. Chris Ladoulis

Meeting Schedule: Meets the 2nd Tuesday of every month at 7:30 a.m. in Almont

Director: John Norton

Phone: 970-641-7992

Website: www.gunnisoncrestedbutte.com

Crested Butte/Mt. Crested Butte Chamber of Commerce

The Chamber provides information for visitors to the community, as well as residents, and business owners (both current and prospective).

As the leading business organization in the community, the Chamber seeks to:

- Promote the Community
- Create a Strong Local Economy
- Provide Networking Opportunities
- Represent the Interests of Business with Government
- Provide Value and Benefit to our Members

- One council member and one alternate. Nonvoting member.

Current Members:

1. Chris Ladoulis
2. (alternate)

Meeting Schedule: Meets the 3rd Tuesday of every month at 8:00 a.m. at the Visitors Center in Crested Butte.

Director: David Ochs

Phone: 970-349-6438

Office for Resource Efficiency – Formerly Known As - Pending

The Office for Resource Efficiency’s mission is to facilitate resource savings through energy services and education programs that empower the Gunnison Valley to lower utility costs, develop renewable energy sources, decrease carbon emissions, and build a more sustainable self-sufficient economy.

- One council member and one alternate. Voting member of the Board.

Current Members:

1. Paul Merck
2. Roland Mason - Alternate

Meeting Schedule: Meets every other month from 9 a.m. to Noon, alternating locations between Crested Butte and the ORE Office in Gunnison. Future meeting dates are determined at previous meeting to accommodate board members’ schedules.

Director:

Phone: 970-641-7682

E-Mail: info@resourceefficiency.org

Website: www.resourceefficiency.org

Gunnison County Housing Authority Advisory Board

The mission of the Gunnison County Housing Authority (GCHA) is to assist in providing suitable housing and an acceptable environment for the elderly, the handicapped, and the disadvantaged; and to encourage private investment in housing to help meet the housing needs of all citizens.

Rental Assistance Programs: Section 8 Rental Assistance; Mountain View Senior Apartments.

Homebuyer Programs: Homebuyer Counselor; Mutual Self-Help Build (Owner/Builder Program).

- The Council appoints two members and one alternate. One of the regular appointees must be a Town councilmember, the other two appointees do not need to be on the Town Council. Board members are voting members of the Board. The Board serves in an advisory capacity to the Board of County Commissioners.

Current Members:

1. Margot Levy
2. Jim Schmidt

Meeting Schedule: Attempt to meet the 2nd Thursday of each month. In the summer the meetings take place in Crested Butte (at the Chamber of Commerce) and in the winter the meetings take place in Gunnison (at the Housing Authority Offices).

Director: Karl Fulmer
Phone: 970-641-7901
E-Mail: kfulmer@gvrha.org
Website: www.gunnisoncounty.org

Gunnison Valley Housing Foundation

Mission:

1. Facilitate an exchange of the Clark land parcel with the U.S. Forest Service for future affordable housing projects.
2. Act as a non-profit affordable housing developer.

Members of the Gunnison County Housing Authority Advisory Board have also been serving on the Gunnison Valley Housing Foundation Board.

Current Members:

1. Erika Vohman

Meeting Schedule: The 2nd or 3rd Thursday of every month usually at 4 p.m. prior to Gunnison County Housing Authority Advisory Board meetings.

Center for the Arts

Mission-The Center for the Arts, a home for arts and culture, offers engaging opportunities and educational experiences to enrich and expand the life of our community.

- One council member; Non-voting member.

Current Member:

1. Glenn Michel

Meeting Schedule: December 7, 2011, March 14, 2012, May 16, 2012 (All technology), Board Advance Thursday, July 12, 2012 8:30-4:30, August 29, 2012, Budget Meeting October 10, 2012

Director: Jenny Bernie
Phone: 970-349-7487 x2
E-Mail: jenny@crestedbuttearts.org
Website: www.crestedbuttearts.org

Gunnison Valley Land Preservation Board

Meets on an as-needed basis, usually a few times a year on Monday evenings at 6 p.m.

- Two members and one alternate are appointed by the Town of Crested Butte

Current Members:

1. Sue Navy
2. Jim Schmidt
3. Crystal Edmunds - Alternate

Meeting Schedule: Meets on an as-needed basis, usually a few times a year, typically Monday evening at 6 p.m.

Contact person: Mike Pelletier

Phone: 970-641-7645

E-Mail: mpelletier@gunnisoncounty.org

Website: www.gunnisoncounty.org

West Elk Loop Scenic Byway Committee

The Colorado Scenic and Historic Byways program is a statewide partnership intended to provide recreational, educational, and economic benefits to Coloradans and visitors. This system of outstanding touring routes in Colorado affords the traveler interpretation and identification of key points of interest and services while providing for the protection of significant resources.

Scenic and Historic Byways are nominated by local partnership groups and designated by the Colorado Scenic and Historic Byways Commission for their exceptional scenic, historic, cultural, recreational, and natural features.

- One council member, one alternate.

Current Member:

1. Laura Mitchell

Meeting Schedule: Quarterly 10 a.m. to approximately 2 p.m. Meeting locations vary and are rotated among different towns along the byway.

Contact Person: John Hoffman

Phone:

E-Mail: jhof@rof.net

Website:

Colorado Association of Ski Towns

The Colorado Association of Ski Towns is an organization of 25 municipalities whose economies are largely dependent upon tourism. Members include the mayors and managers of the resort towns. The Association was formed in part to recognize that resort communities face unique challenges in providing municipal services to residents and visitors. Member municipalities share the benefits of our diverse knowledge, experience and leadership through meetings, conferences, surveys and other informational venues, as decided by the members.

CAST members use the power of the coalition to seek support for legislation that will benefit and sustain the mountain communities. We support actions that keep our communities livable, protect our pristine environment, and promote community-based land use, mass transit, affordable housing, and sustainable tourism. Our goal is to foster growth that will ensure an exceptional quality of life for citizens and a positive experience for visitors.

- One council member (typically the mayor) and the Town Manager

Current Members:

1. Glenn Michel
2. Todd Crossett
3. If Mayor cannot attend an alternate will be sought on an as-needed basis.

Meeting Schedule:

Contact person: Joyce Burford, Executive Director

Phone: 970-485-2737

E-Mail: joyceb@coskitowns.com

Website: www.coloradoskitowns.org

DOLA Region 10

Region 10 League for Economic Assistance and Planning serves as the economic, community and senior programs leader for six, western Colorado counties. The Region 10 staff, together with its membership, assists local governments, businesses and residents in facilitating and implementing programs that will benefit our economy, community and quality of life.

One council member

Current Member:

1. Erika Vohman

Meeting Schedule: 4th Thursday of February, May August and the third Thursday of November. All meetings are at 12 noon in the Enterprise Center, 300 N Cascade Avenue in Montrose.

Contact person: Paul Gray, Executive Director

Phone: 970-249-2436 ext. 18

E-Mail: paul@region10.net

Website: www.region10.net

Downtown Crested Butte Lodging Association

Current Member:

1. Chris Ladoulis

Cemetery Committee

Current Member:

1. Jim Schmidt

One Valley Prosperity Project

Current Member:

1. Paul Merck

CDOT Region 3

Current Member:

- 1.



Staff Report

December 7, 2015

To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Lynelle Stanford, Town Clerk
Subject: Transfer of Liquor License from The Dogwood LLC to Elevated Spirits LLC
Date: November 30, 2015

SUMMARY:

Elevated Spirits LLC DBA The Dogwood has applied for a transfer of a Tavern Liquor License at 309 3rd Street. Staff submits the following findings regarding the application:

1. Notice of public hearing on the application was posted on the premise at least 10 days prior to the public hearing, and notice was published in the Crested Butte News on November 27, 2015.
2. A complete application has been submitted and all application fees have been paid.
3. It appears from evidence submitted that the applicant is entitled to possession of the premises for which the application for a transfer of a liquor license has been applied.
4. It is confirmed that the sale of liquor on the premises is not a violation of zoning, building, health and fire laws or regulations.
5. There is an existing Tavern Liquor License at the location, and in the two years prior to the application for transfer there has not been a denial of an application by the Local Liquor Licensing Authority (Crested Butte Town Council) at the location.
6. The Crested Butte Marshal's Department has conducted background investigations concerning the principals of Elevated Spirits LLC: Andrew Henry and Sarah Jane Lubeley. Fingerprints have been submitted to CBI/FBI.

RECOMMENDATION:

Staff recommends the application be approved with the following motion: I move to approve the transfer of a Tavern Liquor License for Elevated Spirits LLC DBA The Dogwood located at 309 3rd Street; Crested Butte, Colorado for the reasons stated in the staff report.

THIS LICENSE MUST BE POSTED IN PUBLIC VIEW

DR 8402 (07/01/2012)

**STATE OF COLORADO
DEPARTMENT OF REVENUE**

LIQUOR ENFORCEMENT DIVISION
1881 Pierce Street, Suite 108
Lakewood, Colorado 80214

**ELEVATED SPIRITS LLC
dba THE DOGWOOD
309 3RD STREET
CRESTED BUTTE CO 81224**

ALCOHOL BEVERAGE LICENSE

Liquor License Number 4705304	License Expires at Midnight October 20, 2016
License Type TAVERN (CITY)	
Authorized Beverages MALT, VINOUS, AND SPIRITUOUS	

This license is issued subject to the laws of the State of Colorado and especially under the provisions of Title 12, Articles 46 or 47, CRS 1973, as amended. This license is nontransferable and shall be conspicuously posted in the place above described. This license is only valid through the expiration date shown above. Any questions concerning this license should be addressed to: Colorado Liquor Enforcement Division, 1881 Pierce Street, Suite 108, Lakewood, CO 80214.

In testimony whereof, I have hereunto set my hand. 10/21/2015 CRC

Patrick Marouf

Division Director

Barbara Broke

Executive Director

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? Yes No

8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):

(a) Been denied an alcohol beverage license?

(b) Had an alcohol beverage license suspended or revoked?

(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?

If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.

10. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

Waiver by local ordinance?
Other: _____

11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee.

12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?

Ownership Lease Other (Explain in Detail) _____

a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:

Landlord	Tenant	Expires
Heneley LLC	Elevated Spirits LLC	06/30/2035

b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13.

c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".

13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Lubeley	Sarah Jane	06/02/84	[REDACTED]	41%
Henry	Andrew	11/08/81	[REDACTED]	41%

Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:
Has a local ordinance or resolution authorizing optional premises been adopted?

Number of additional Optional Premise areas requested: (See license fee chart) _____

15. Liquor Licensed Drug Store applicants, answer the following:
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy?
If "yes" a copy of license must be attached.

16. Club Liquor License applicants answer the following: Attach a copy of applicable documentation

(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?

(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?

(c) How long has the club been incorporated? _____

(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?

17. Brew-Pub License or Vintner Restaurant Applicants answer the following:
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)

18a. For all on-premises applicants.
(If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-I)

Last Name of Manager	First Name of Manager	Date of Birth
Lubeley	Sarah Jane	06-02-1984

18b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.

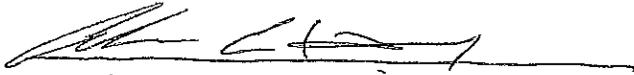
Name	Type of License	Account Number

19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue?

If yes, provide an explanation and include copies of any payment agreements.

Addendum to #13:

Last Name	First Name	Date of Birth	SSN	Interest/Percentage
Best	Mary	08/19/1952	[REDACTED]	9%
Best	David	07/12/1945	[REDACTED]	9%


Andrew C. Henry, Member
Elevated Spirits LLC

8/20/2015

20. If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the Applicant**. All persons listed below must also attach form DR 8404-I (Individual History Record), and submit fingerprint cards to the local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Sarah Jane Lubelay	309 3 rd St., Crested Butte, CO 81224	06/07/84	Managing Member	41
Andrew Henry	309 3 rd St., Crested Butte, CO 81224	11/08/81	Managing Member	41
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned

** If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20
 ** Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)
 ** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature SJ Lubelay	Printed Name and Title Sarah Jane Lubelay Owner	Date 8/20/2015
------------------------------------	--	-------------------

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority 8-20-2015	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.) 12-21-2015
--	---

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

- Been fingerprinted
- Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

(Check One)
 Date of inspection or anticipated date _____
 Will conduct inspection upon approval of state licensing authority

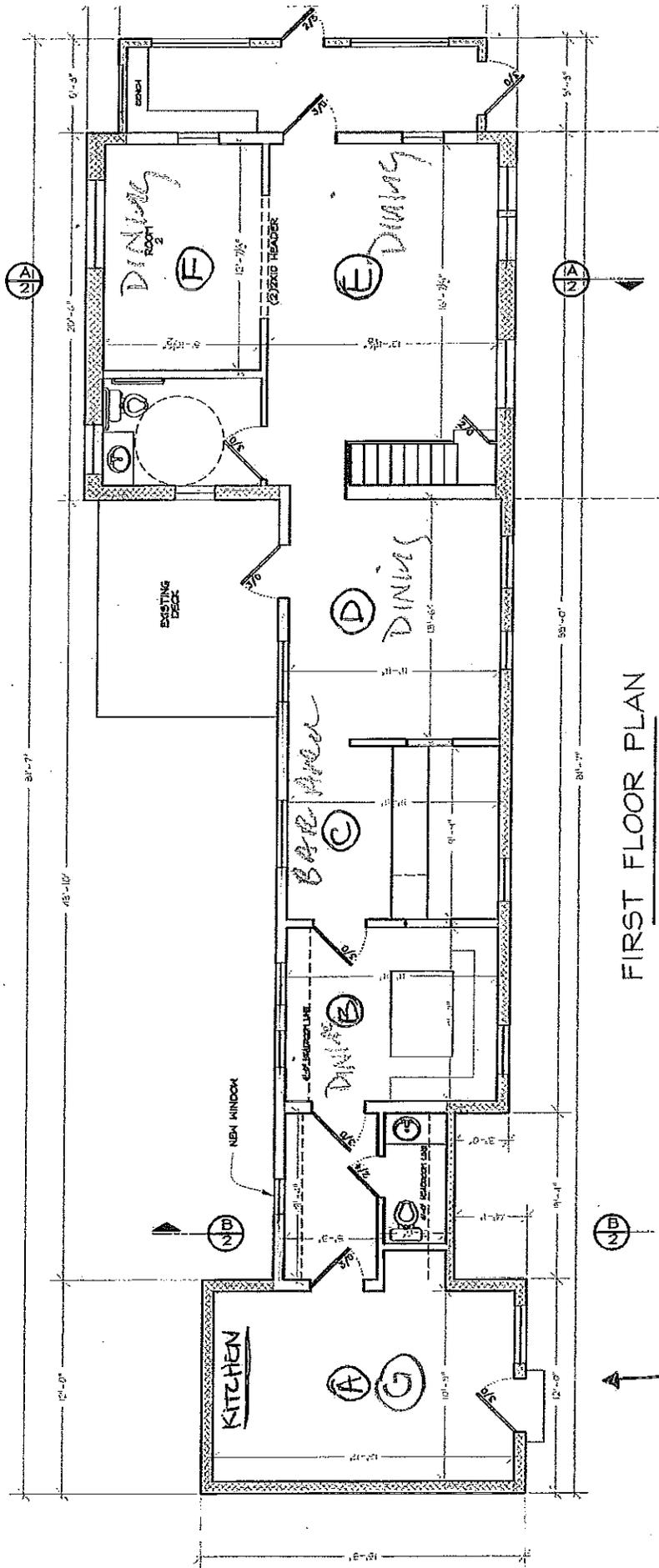
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S.

Therefore, this application is approved.

Local Licensing Authority for Town of Crested Butte	Telephone Number 970-349-5338	<input checked="" type="checkbox"/> Town, City <input type="checkbox"/> County
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Signature Lynelle Stanford	Print LYNELLE STANFORD	Title TOWN CLERK	Date 8/21/2015
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Signature (attest) Betsy Warren	Print BETTY WARREN	Title DEPUTY TOWN CLERK	Date 8/21/2015
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FIRST FLOOR PLAN

(A) LIQUOR STORAGE:
ATTIC SPACE
IN KITCHEN

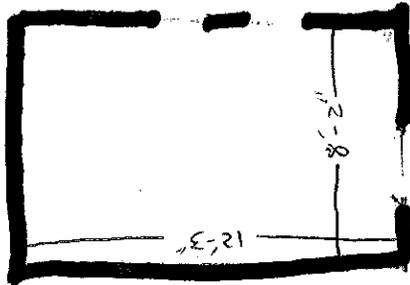
(G) Liquor Storage:
Crawl Space
Below Kitchen

BAR AREA: C

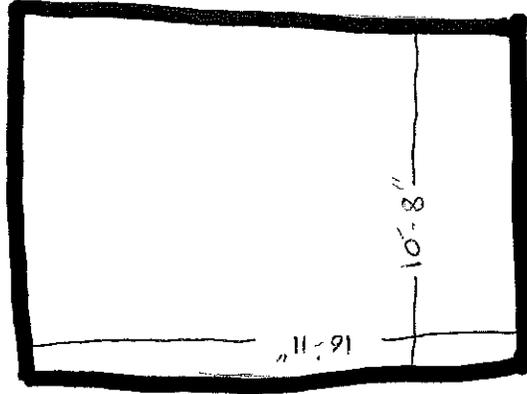
DINING AREA: D, D, E, F

THE Dog wood

2/1/08

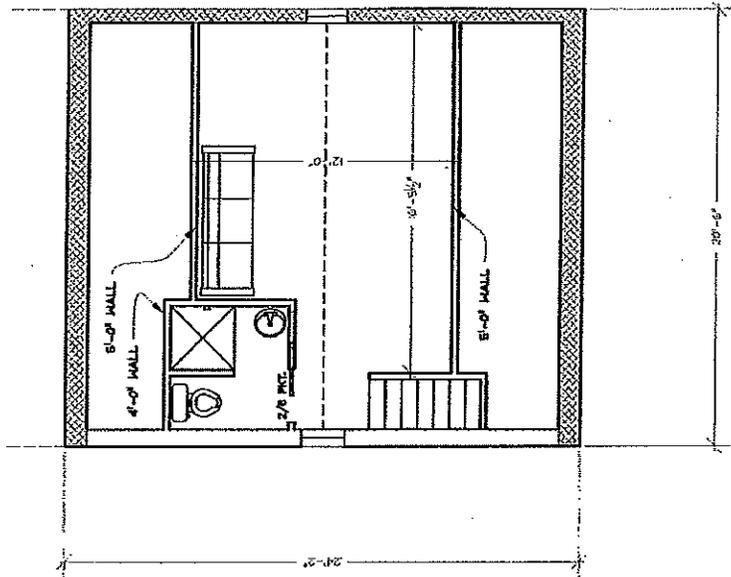


A LIQUOR STORAGE
IN ATTIC SPACE
ABOVE KITCHEN
ACCESSED W/ DRAP UNDER.



G LIQUOR STORAGE
IN CRAWL SPACE
BELOW KITCHEN

NON-COMMERCIAL



SECOND FLOOR PLAN

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Elevated Spirits, LLC

is a **Limited Liability Company** formed or registered on 04/28/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151292710.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/25/2015 that have been posted, and by documents delivered to this office electronically through 06/26/2015 @ 13:46:46.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, authenticated, issued, delivered and communicated this official certificate at Denver, Colorado on 06/26/2015 @ 13:46:46 pursuant to and in accordance with applicable law. This certificate is assigned Confirmation Number 9230805.



A handwritten signature in cursive script that reads "Wayne W. Williams".

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Certificate Confirmation Page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click Business Center and select "Frequently Asked Questions."



Colorado Secretary of State
 Date and Time: 04/28/2015 07:27 PM
 ID Number: 20151292710

Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

Document number: 20151292710
 Amount Paid: \$50.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Elevated Spirits, LLC

(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "LLC.", "llc", or "ltd.". See §7-90-601, C.R.S.)

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the limited liability company's initial principal office is

Street address

309 Third Street

(Street number and name)

Crested Butte

(City)

CO

(State)

81224

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

Mailing address

(leave blank if same as street address)

P.O. Box 4081

(Street number and name or Post Office Box information)

Crested Butte

(City)

CO

(State)

81224

(ZIP/Postal Code)

United States

(Country)

(Province – if applicable)

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

(if an individual)

Appleton

(Last)

Elizabeth

(First)

P.

(Middle)

(Suffix)

or

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Street address

115 Elk Avenue, Suite E

(Street number and name)

Crested Butte

(City)

CO

(State)

81224

(ZIP Code)

Mailing address

(leave blank if same as street address)

P.O. Box 234

(Street number and name or Post Office Box information)

Crested Butte

(City)

CO

(State)

81224

(ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name
(if an individual)

Lubeley

(Last)

Sarah

(First)

Jane

(Middle)

(Suffix)

or

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address

9994 Hwy 14

(Street number and name or Post Office Box information)

Bellvue

(City)

CO

(State)

80512

(ZIP/Postal Code)

United States

(Province - if applicable)

(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Lubeley</u>	<u>Sarah</u>	<u>Jane</u>	
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
<u>9994 Hwy 14</u>			
<i>(Street number and name or Post Office Box information)</i>			
<hr/>			
<u>Bellvue</u>	<u>CO</u>	<u>80512</u>	
<i>(City)</i>	<i>(State)</i>	<i>(ZIP/Postal Code)</i>	
	<u>United States</u>		
<i>(Province – if applicable)</i>	<i>(Country)</i>		

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).



Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
 Date and Time: 05/12/2015 01:55 PM
 ID Number: 20151319524
 Document number: 20151319524
 Amount Paid: \$20.00

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Trade Name of a Reporting Entity

filed pursuant to §7-71-103 and §7-71-107 of the Colorado Revised Statutes (C.R.S)

1. For the reporting entity delivering this statement, its ID number, true name, form of entity and the jurisdiction under the law of which it is formed are

ID Number	<u>20151292710</u> <i>(Colorado Secretary of State ID number)</i>
True name	<u>Elevated Spirits, LLC</u>
Form of entity	<u>Limited Liability Company</u>
Jurisdiction	<u>Colorado</u>

2. The trade name under which such entity transacts business or conducts activities or contemplates transacting business or conducting activities in this state is

The Dogwood

3. A brief description of the kind of business transacted or activities conducted or contemplated to be transacted or conducted in this state under such trade name is

A bar and restaurant

4. *(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

This document contains additional information as provided by law.

5. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document are _____
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.



Staff Report

November 18, 2015

To: Mayor and Town Council
Thru: Todd Crossett, Town Manager
From: Lois Rozman, Finance Director

Subject: Ordinance No. 12 Setting Business & Occupation License Tax (BOLT) for 2016 (Temporary Reduction to Certain Portions of the Business and Occupation Licensing Tax)

Summary: Ordinance No 12, Series 2015 sets the Business and Occupation License Tax (“BOLT”) for 2016 to \$100.00, \$25.00 if the business has paid BOLT in Mt. Crested Butte. Voters passed a significantly higher BOLT tax ranging from \$100.00 up to \$1,500 based on the number of employees a business had. In an effort to get more business to join the Chamber, both Crested Butte and Mt. Crested Butte annually lower the BOLT to \$100.00 per year. To comply with Amendment 1 (“TABOR”) regulations and preserve the higher voter approved BOLT rate, the Council must adopt the lower BOLT rate annually. Of the \$100.00 collected, \$25.00 stays with the Town for the business license and the remaining \$75.00 goes to the Chamber to operate the Visitor Center and market the area.

Recommendation: Staff recommends approving Ordinance No. 12.

Proposed Motion: I move to approve Ordinance No. 12, Series 2015.

**ORDINANCE NO. 12
SERIES 2015**

**AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL
AMENDING CHAPTER 6-2 OF THE CRESTED BUTTE MUNICIPAL
CODE PROVIDING FOR A TEMPORARY REDUCTION TO CERTAIN
PORTIONS OF THE BUSINESS AND OCCUPATION LICENSING TAX
FOR FISCAL AND CALENDAR YEAR OF 2016; AND PROVIDING THE
AUTOMATIC REPEAL THEREOF EFFECTIVE ON THE FIRST DAY
OF JANUARY, 2017.**

WHEREAS, the Town of Crested Butte, Colorado (the Town) is a Home Rule Municipality, duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and,

WHEREAS, the Town Council of the Town of Crested Butte wishes to encourage businesses subject to the various provisions of the Town Code pertaining to the licensing of businesses within the Town, and, specifically, Section 6-2-40 of the Town Code pertaining to the required payments of the Business and Occupation Licensing Tax, to participate in the Chamber of Commerce in order to more effectively market and promote the Town of Crested Butte as a year-around resort and tourist destination, and promote activities and events beneficial to the business community; and,

WHEREAS, the Town Council finds that temporarily amending the Business Occupation and Licensing Tax for the calendar and fiscal year 2016 is in the best interest of the businesses within the Town of Crested Butte;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT:

Section 1. Amending the Ordinance. Section 6-2-40 of the Crested Butte Municipal Code is temporarily amended to read as follows: “A Business Occupation Licensing Tax is hereby levied and there shall be collected and paid on any person doing business in the Town of Crested Butte, Colorado in the amount as set forth in Appendix A to this Code, in the calendar and fiscal year 2016.

Section 2. Amending Appendix A. Chapter 6 Business Licenses is hereby amended to change the effective date to Calendar Year 2016 and adding provision for additional fees due to late payment of business license renewals. Appendix A is hereby attached as “Exhibit A.”

Section 3. Effective Date. The provisions of this Ordinance amending Section 6-2-40 of the Town Code shall take effect at 12:01 A.M. on January 1, 2016, and shall expire at 12:00 Midnight on December, 31, 2016 without further action by the Town Council of the Town of Crested Butte, Colorado. Upon expiration of the terms of this Ordinance, the provisions of Section 6-2-40, of the Town Code of the Town of Crested Butte, Colorado as enacted prior to the

effective date hereof shall be in full force and effect.

Section 4. Savings Clause. Except as hereby amended, the Crested Butte Municipal Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this Ordinance is hereby repealed as of the enforcement date thereof.

Section 5. Severability. If any Section, sentence, clause, phrase, word or other provision of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining Sections, sentences, clauses, phrases, words or other provisions of this Ordinance, or the validity of this Ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any Section, sentence clause, phrase, word or other provision. If any Section, provision, clause, phrase, word or other provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application thereof to other persons or circumstances shall not be affected thereby.

INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS SIXTEENTH DAY OF NOVEMBER, 2015.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS _____ DAY OF DECEMBER, 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Glenn Michel, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)

“Exhibit A”

APPENDIX A

Fee Schedule

CHAPTER 6 <i>Business Licenses</i>			
<i>Code Section</i>	<i>Description</i>	<i>Effective Dates</i>	<i>Fee</i>
6-2-40	Business license occupation license	Calendar Year 2016	\$100.00
6-2-40	Late fee for renewals after January 31 st - additional fee	Calendar Year 2016	\$25.00
6-2-40	Late fee for renewals after March 31 st -additional fee	Calendar Year 2016	\$50.00
6-2-40	Late fee for renewals after June 30 th -additional fee	Calendar Year 2016	\$75.00
6-2-40	Late fee for renewals after September 30 th -additional fee	Calendar Year 2016	\$100.00



Staff Report

November 18, 2015

To: Mayor and Town Council

Thru: Todd Crossett, Town Manager

From: Lois Rozman, Finance Director

Subject: Ordinance No. 13 – Amending the 2015 Budget

Summary:

Ordinance No. 13 adopts changes to the 2015 budget for additional expenditures out of the General, Sales Tax and Street & Alley funds. The changes are as follows:

General Fund increased from \$3,614,958 to \$3,753,093:

General Government Dept:

- \$125,000 additional contribution to Affordable Housing for Block 79/80 infrastructure and payment of Anthracite Place tap fees. This is needed because of not selling the Lot 10, Block 77 as budgeted. Total contribution from General to Affordable Housing is \$325,000. Council/Staff discussed this during budget work sessions.

Elections Dept:

- Professional Services increased by \$5,800 for extra work on voter registrations/voter rolls by the County, approved by Council
- Advertising increased by \$1,335 for extra ads for voter registration, approved by Council

Finance Dept:

- Software increased by \$6,000 to get started on MuniRevs conversion. There is \$20,000 for this software approved in 2016, but to try and get the system up and running for the January tax returns due February 20, we need to start with the programmers by December 1st. We believe this will be easier on business than dealing with 2 different forms for the tax rate change effective 1/1/2016.

Total revenue is estimated to be \$3,765,075 with \$429,991 Contribution from Reserve

Sales Tax Fund increased from \$2,956,375 to \$3,564,100:

- Increase Transportation Distribution from \$632,699 to \$760,000 due to increased sales tax collection
- Increase General Capital Distribution from \$53,280 to \$160,000 due to increased sales tax collection
- Increase Affordable Housing Distribution from \$0 to \$220,000 due to increased sales tax collection (per Council discussion during budget to distribute excess sales tax funds to Affordable Housing)
- Increase Capital Investment from \$0 to \$280,000 for Block 27 vacant lots (412 3rd St)

- Reduce the General Fund Distribution from \$2,226,296 to \$2,100,000
- Total revenue is estimated to be \$3,564,100 including \$5,000 contribution from transportation reserve

Street & Alley Fund increased from \$649,232 to \$1,209,232:

- Parking Lots increased from \$2,000 to \$562,000 for the purchase of vacant lots in Block 27; Parking In Lieu Fund balance used for this portion of the purchase
- Total revenue is estimated to be \$1,260,000 including \$240,000 in Contribution from the Parking In Lieu Fund

Recommendation: Staff recommends approving Ordinance No. 13 at the December 7th Council meeting.

Motion: I move to approve Ordinance No. 13, Series 2015.

**ORDINANCE NO. 13
SERIES 2015**

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL ADOPTING CHANGES AND ADDITIONS TO THE 2015 BUDGET AND APPROPRIATIONS RELATIVE TO THE GENERAL FUND, SALES TAX FUND AND STREET & ALLEY FUND

WHEREAS, the Town Council, pursuant to Resolution No. 23, Series 2014, adopted the budget and projected expenditures for the Town for 2015, and

WHEREAS, the income and expenditures for the General Fund, Sales Tax Fund and Street & Alley Fund for the fiscal year 2015, January 1 through December 31, are more than budgeted and appropriated, and

WHEREAS, the increases and contingencies could not have been reasonably foreseen at the time of adoption of Resolution No. 23, Series 2014, and

WHEREAS, the revenues to pay the increased expenditures are available in the same funds from unappropriated funds and surpluses,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO:

That the appropriation for expenditures from the following funds are increased as set forth below:

1. General Fund from \$3,614,958 to \$3,753,093
2. Sales Tax Fund from \$2,956,375 to \$3,564,100
3. Street & Alley Fund from \$649,232 to \$1,209,232

INTRODUCED AND FIRST READ BEFORE THE TOWN COUNCIL THIS SIXTEENTH DAY OF NOVEMBER, 2015.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS _____ DAY OF DECEMBER, 2015.

TOWN OF CRESTED BUTTE

(SEAL)

By _____
Glenn Michel, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

Crested Butte Town Council Orientation

December 7, 2015

Todd Crossett, Town Manager

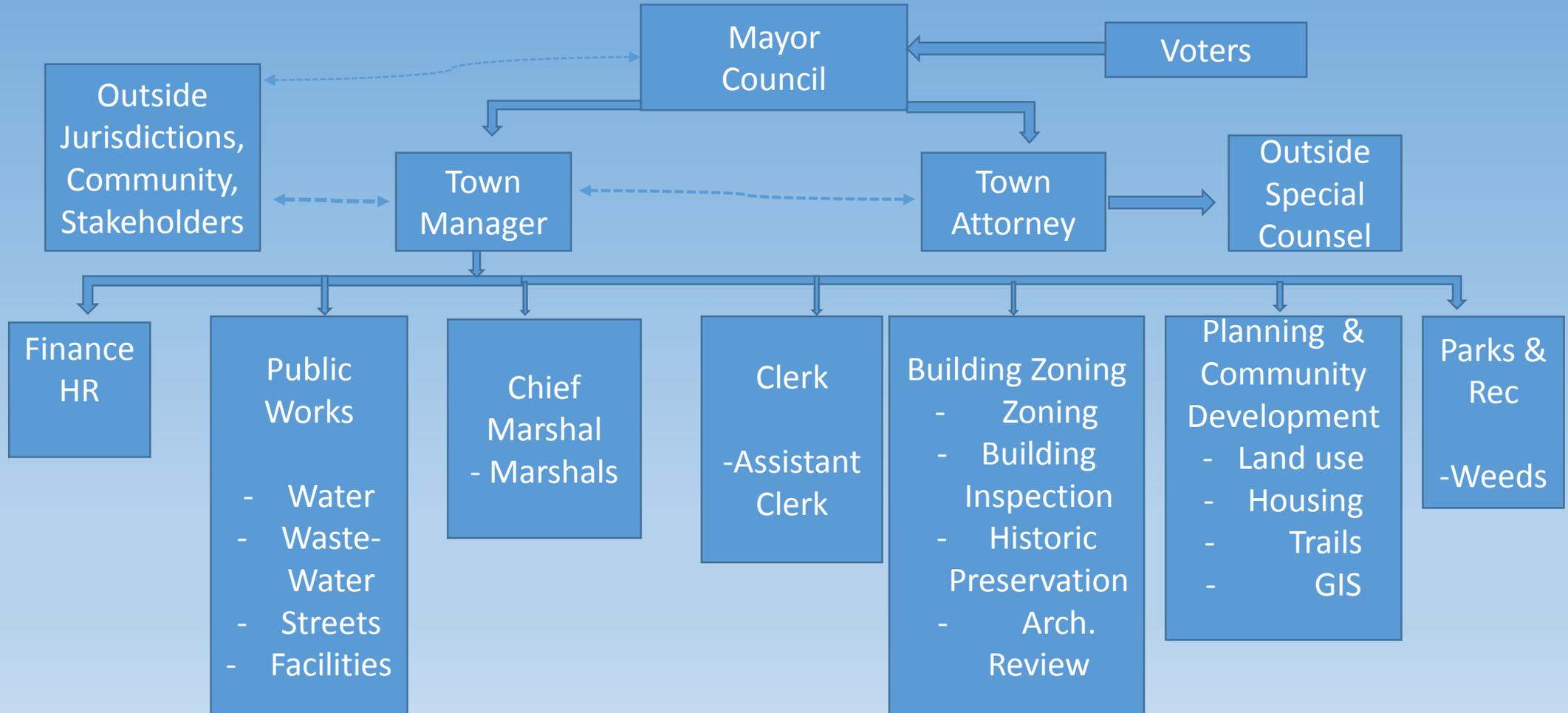
With input from John Belkin, Town Attorney

**Final presentation, when presented, may
contain revisions**

Home Rule Form of Government

- The Town adopted Home Rule status under a Charter in 1974
- Home Rule municipalities are subject to State and Federal Law and their own Charters and Codes
- Statutory municipalities are limited to powers specifically granted to municipalities by the State and subject to provisions and limitations as imposed by the State
- Council - Manager form of government

Organizational Structure



Proactive Vs. Reactive Vs. Supportive Town Functions

- **Proactive Examples:**

- Creating legislation
- Master planning (Transportation, Facilities, Land Use, Strategic, etc.)
- Budgeting
- Building relationships
- Economic development initiatives

- **Reactive Examples:**

- Building inspections
- Processing land use applications, including annexations
- Processing special event applications
- Responding to emergencies or circumstances
- First responders

Proactive Vs. Reactive Vs. Supportive Town Functions

Supportive Examples:

- Accounting and billing
- Facilities management
- Front desk
- Taking minutes
- Keeping records
- HR
- Keeping utilities running
- Special projects

Council's Role Relative to Staff



Council's Role Relative to Staff

Council:

- Sets goals and general strategic direction
- Sets the outside boundaries within which staff works
- Sets the big picture “what”, but not the “how” or detailed “what”
- Job is to provide policy decision making NOT subject-matter expertise

Staff:

- Provides expertise
- Runs process
- Advises and guides
- Provides information and context
- Implements

Interacting with Staff

Council to Staff – Encouraged

- Questions
- Gather information
- Garner opinions
- Build relationships
- Help set helpful organizational tone – more on that later

Manager Only

- Direction
- Manage organizational dynamics
- Negative feedback/discipline
- Employment and review
- Personnel policies

Roles and Responsibilities - Manager

- Executive, oversees all Departments and functions
- Responsible for organizational tone and dynamics
- Advises Council
- Sets agendas
- Interacts with outside stakeholders and jurisdictions
- Sets internal strategy to carry out Council objectives
- Implements Council objectives and Town operations
- Acts as voice of the Town in many instances
- Facilitates Council and public processes
- Represents the Town interests and negotiates on behalf of the Town

Roles and Responsibilities - Mayor

- Runs council meetings
- Has responsibility for setting tone for organization and for Council and community discourse
- Acts as voice/face of the Town in some instances
- Coordinates with Town Manager
- One of the Council
- Signs documents

Roles and Responsibilities – Town Attorney

- Legal advisor for the Town Council and Staff
 - Legal research
 - Advice on formation and implementation of legislative policies
- Represents Town interests, as determined by the Council, in litigation, administrative hearings, legal negotiations and similar proceedings.
- Creates and approves legal documents
 - i.e. Contracts, Resolutions, Ordinances, IGA's, etc.
- Manages outside special counsel.
- Keeps the Town Council and Town Staff apprised of court rulings and legislation affecting the legal interests of the Town.

Roles and Responsibilities - Council

- Connects with and listens to public
- Employs and directs Town Manager and Town Attorney *according to majority vote* of the Council
- Sets Town Goals Objectives, Priorities and high-level strategies
- Considers and passes legislation
- Carries out quasi-judicial functions
- Approves budgets
- Approves contracts, IGA's, MOU's, etc.
- Has responsibility for setting tone for organization and public discourse

Forms of Government at the Town Level

- Executive – Manager
 - All administrative functions
- Council
 - Leadership role in the organization
 - Reviews Manager and Attorney

Forms of Government at the Town Level

Legislative – Council

- Creates rule sets for the Town: Ordinances, Policies, Resolutions
- Communication implications:
 - Sunshine Laws Apply
 - Can speak to people and gather information at will
 - Ex Parte does NOT apply

Forms of Government at the Town Level

Quasi-judicial – Council

- Acts as a “jury”
- Interprets existing legislation relative to an application
- Usually applies to Land Use and Permitting
- Also applies to Watershed

Communication Implications:

- Must maintain impartiality like a judge
- Sunshine Laws Apply
- No Ex Parte Communications
 - All communications on the topic must be on the public record

Ex Parte

- “By or for one party”
- Applies to Quasi-judicial proceedings
- Ex parte communications forbidden in order for all parties to have the same information in a quasi-judicial proceeding and to prevent back-room dealing (think judge, not legislator)
- What to say in the grocery store...
- What to do with correspondence
- Then how do people get heard..?

More on Legislative VS. Quasi-Judicial

Legislative/Policy Decisions:

- Reflects public policy of a general nature
- Not normally restricted to an individual or entity
- Affects legal rights of individuals in the abstract
- Not subject to C.R.C.P. Rule 106 (a)(4)
- Limited legal exposure other than being un-elected

More on Legislative VS. Quasi-Judicial

Quasi-Judicial Decisions:

- Determines rights, duties or obligations of a specific individual or entity
- Based on facts developed at a hearing
- Applies presently existing legal standards (like ordinances) to the facts
- Usually subject to “106” appeal – *which means it could end up in District Court*

Administrative Decisions

- Apply and carry out existing legislation or policies (already established by a Council)
- Operational or day-to-day in nature
- Focus on details rather than big picture
- Important to apply with consistency and fairness
- Carried out by Staff
- Generally appealable to the Town Manager

Sunshine Laws

- Open meetings
 - Meetings are noticed and conducted openly and minutes taken and made publicly available
- Open Records
 - Unless expressly protected (i.e. attorney-client privilege or personnel) all records are publicly available by written request through CORA
- Town makes effort to be transparent
 - Use of website, media, e-alerts and social media

Sunshine Laws

- Meetings between Councilmembers
 - Social gathering ok
 - Cannot meet with more than two Council to discuss or deliberate toward an issue upon which the Council will make a decision
 - Defacto meetings
 - Running meetings
 - Email strings
- Using Emails
 - Emails are subject to public records requests. Use your Town email
 - Emails between Council, from Manager or Staff, from Attorney
 - Copying on the Public Record

Executive Sessions

- Underlying principle of the Open Meeting Law: formation of public policy is public business
- Cannot be conducted in secret
- Exceptions are limited and strictly tailored to situations where the General Assembly has determined that private discussion could serve the public interest
- Executive session discussions shall be electronically recorded

Executive Sessions - Topics

- Purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest.
- Conferences with an attorney for the local public body for the purpose of receiving legal advice on specific legal questions.
- Matters required to be kept confidential by federal or state law or rules and regulations.

Executive Sessions - Topics

- Specialized details of security arrangements or investigations, including defenses against terrorism.
- Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.
- Personnel matters except if the employee who is the subject of the session has requested an open meeting.

Other Types of Meetings

- Regular Meetings – for conducting business
- Formal public input
 - Often at Regular Meetings
 - Required for passage of Ordinances and certain permits
- Work Sessions – for information and Council discussion
 - Often prior to Regular Meetings
 - Not typically set up for public participation, through public welcome

Other Types of Meetings

- Retreats – for things like priority or strategic planning or organizational dynamics issues
- Town Hall Meetings – format for open public discussion
- Special Meetings
- Emergency Meetings

Council Meeting Details

Timeline:

- Agenda finalized and posted Tuesday, noon, week before meetings
- Packets posted on Thursday, or if necessary, Friday prior to meetings
- Noticing:
 - Agenda must be posted in Thursday's paper
 - Hearings: 10 days (two weeks in paper)
 - Special meetings: 24 hours called by Mayor, Manager or 2 Councilmembers
 - Emergency: without notice to preserve property, health, peace of safety
- Adding items in other business
- Asking questions Or "Stump the Chump"

How Meetings Run

- Mayor is Chair
 - Dialogue should actually be directed at the Chair
- Approval of Agenda
- Consent Agenda
- Public Comment
 - Mayor may set a time limit for comment – must just be fairly applied
- Staff Updates
- Hearings
- Old Business
- New Business
- Other Business
- Council Updates

How Meetings Run

Agenda Items:

- Presentation – staff, applicant
- Public comment
 - Mayor can set time limits if needed
- Staff/applicant response if appropriate
- Council questions and deliberation
- Motion
 - Amending a motion
- Second
- Vote
- How does a motion fail?

Other Processes

BOZAR

- Zoning and Architectural Review Board
- Quasi-judicial
- Makes decisions based upon established design standards and guidelines

Planning Commission

- Hears preliminary and sketch plans pertaining to major subdivisions and makes recommendation to the Council
- Quasi-judicial
- In CB its membership is made up of the Council

Appeals

- BOZAR decisions appealable to the Council
- Quasi-judicial
- Appeal of a Council decision is to District Court

Working Together

- Council acts as a body. Working alone ended with your campaign.
- Take responsibility for time of meetings
 - Ask questions of staff ahead of time
 - Be concise, say it once
 - Listen more than talk
 - Advocate for your position and then move on
- Decorum matters
 - You are setting the tone for the community and the Town organization
 - People are listening and reading. Your words matter.

Models of Communication and Conflict

Harsh Light - No Bueno

- Communicators seek to dominate or shelter
- Characterized by bullying, intimidation and threatening behavior
- Lack of accountability for impacts on others
- Think Lord of the Flies

Models of Communication and Conflict

False Light – Also No Bueno

- Communicators wear a “mask”
- May seem polite upfront, but nothing is what it seems
- Issues are not spoken to openly but handled by back-biting behind the scenes
- Lack of accountability for the speaking the truth

Models of Communication and Conflict

Transitional Light – Uncomfortable, but getting better

- People begin to speak the truth, even when its hard
- Difficult conversations begin to happen
- People begin to self reflect and to listen
- People begin to hold themselves and other accountable for their impacts
- Trust begins to form

Models of Communication and Conflict

Clear Light – High functioning

- Conflict is welcome and takes place in safety
- No masks. People are willing and able to be authentic, honest and “vulnerable”
- People listen, reflect, own their behaviors and take accountability for their impacts
- Trust prevails

How We Show Up Matters



Liability - Protecting the Town

- Be clear about and follow legislative vs. quasi-judicial processes
- Follow Sunshine Laws
- Be impartial
- If you have a question about a conflict of interest, ask
- Disclose Conflicts of Interest, they undermine confidence in the body
- ***Follow Town Code and Process***

Liability – Protecting Yourself

Protections you have for personal liability:

- Governmental Immunity
- Insurance, typically including legal defense

You can lose both by acting outside of the scope of your authorized duties

Liability – Protecting Yourself

Safeguards:

- Stay within your role as a “Councilmember”
- Act as “we” not “I”
- If you are acting as “I”, be very sure you are within your job description
- Know and heed differences between quasi-judicial and legislative

Liability – Protecting Yourself

- Act on behalf of the Town as a whole, not a particular interest
- If you are unsure – ask
- Heed professional and legal advice
- Follow process
- Disclose Conflicts of Interest, personal gain can place you outside of your scope

Conflicts of Interest

- Are called out and defined in the Code
- Conflict of Interest is connected with personal gain or appearance of personal gain
- Can result in criminal or civil liability – especially in quasi-judicial proceedings
- Disclose potential conflicts or appearance of conflict upfront
- If in doubt ask. Better safe than sorry
- Recuse yourself (non participation and physical departure from room)
- Do not influence others
- Council can vote to order recusal

Next steps

CIRSA Presentation

Scheduling retreats: Recommendations of Manager and Mayor

- Roles and responsibilities
- Organizational Dynamics – making it work, getting better
- Strategic Planning

Annual Report
Mountain Express
2015

The Intergovernmental Agreement (IGA) between the towns of Crested Butte and Mt Crested Butte establishes Mountain Express (MX) as a separate transportation entity and generally describes its operation. The IGA calls for an annual written report to the two towns and specifies areas to be covered.

Ridership

Through October, 2015 MX buses carried 549,600 passengers, an increase of 3% from 2014.

Route Configuration

MX will once again provide service to Crested Butte South. Starting on November 25, 2015 and running until April, 2016, MX will provide six round trips per day from Crested Butte South to the Mt Crested Butte transit center. There will be three trips in the morning and three trips in the afternoon. MX and Crested Butte South will partner in funding this service. MX will work with the Gunnison Valley RTA buses and together provide 12 round trips of service to Crested Butte South. The Crested Butte South POA once again has helped fund this service.

MX will operate one winter schedule this year. The town buses run every 15 minutes until midnight, condo buses run every 30 minutes until 11:00 pm and the Condo Express service will run from 11:00 pm until midnight.

MX extended the summer service this year to run through September 20th with great success. Ridership increased 16% over last year. Typically the summer service would end on Labor Weekend. MX is planning on extending the summer season until the end of September in 2016. The “Express Bus” will operate once again from late June through early August from 12:00 pm until 8:00 pm. We are working on the most efficient way to use this service. It may run every 20 minutes between the transit center and the 4-Way stop, thereby providing 10 minute service. Or it may run similar to the winter back up buses and back up both of the town buses. MX staff is looking into both potential options for the 2016 summer.

MX continued to provide summer service to the Gothic town site from early June through mid-August. Ridership increased 8% over last year. MX is involved in the Gothic Valley project to help with the traffic congestion by possibly extending the route to the Judd Falls parking area, perhaps starting as soon the 2016 summer.

Operations

Employees are a major strength of MX. Employee turnover continues to be low and one new driver was hired for the coming ski season. MX also provides and maintains the senior van servicing the north end of Gunnison valley. A new cut-away van will be purchased in 2016 with the help of a FASTER grant award. Special service is provided in addition to scheduled runs as needed and requested by the two towns and activity planners. MX provided 210 hours of extra service carrying 7,400 passengers from 12/31/14 through 10/31/15.

Fleet status

As more fully described in the capital plan, the bus fleet is old but it is improving. With the addition of three new buses in 2015 (two big, one small) the average age of the fleet improved to 13 years for the big buses and nine years for the small buses. FTA funding was secured to purchase those three vehicles.

MX has also secured FTA funding to purchase a new cut-away van and one new small bus in 2016.

Two buses will be disposed of in late 2015.

Financial status

Salaries were increased 6% in 2015 and driver wages increased \$1.00/hour and driver wages will increase \$0.75 per hour for 2016. Health care costs continue to increase every year even after increases in deductibles and considering other providers. Vehicle repair and fuel costs are difficult to budget and control and continue to increase each year. Projections for 2015 show net income after capital expenditures of \$47,500. The board has set up \$680,000 in operating reserves to provide for emergencies and cash flow delays and capital reserves of \$250,000. Additionally, projections show about \$162,000 in fund balance at December 31, 2015, which may be used for bus purchases if additional capital grants are received.

Service agreements

The IGA between the two towns is current through May 31, 2017.

Recommendations

The focus of the board is to meet growing service needs and upgrade the bus fleet.

Board approved November 19, 2015

Capital Plan
Mountain Express
2015

Background

Bus fleet is presently 11 large (two more are expected in early winter) and seven small buses. Large buses (39 passengers) are generally used on the town routes and small buses (24 passengers) on the condo routes. The large buses average 13 years and 187,500 miles. The small buses average nine years and 92,700 miles. Of the 18 buses, 12 have engines with over 10,000 hours. Because of the age of the buses, repairs are a major cost (about \$90,000 per year). One large bus and 1 small bus will be retired this year.

During peak ski season days, six town buses and three condo buses are used. The other nine buses are used for overflow runs, back-up and rotation. Since 2013, one large bus and three small buses were purchased. Those buses were purchased with 80% funding grants received FTA and 20% local funding from MX.

The remaining vehicles are a senior van purchased in 2001 with 84,000 miles, and three pickup trucks used by managers and supervisors were purchased in 2005, 2006, and 2011 with 153,300, 56,600, and 21,600 miles.

The bus barn was completed in 2009 and a bus lift was added in 2012.

Considerations

- Determining a replacement policy for buses is difficult because of the way the buses are used, with much idling, and our excellent repair capabilities. With two full-time mechanics and a complete shop, we can keep buses running indefinitely, although they begin to look shabby and become costly to keep repairing.
- There is very little salvage value in used buses.
- We won't need nine back-up buses. However, since there is little salvage value, old buses are retained and used lightly until a major repair is needed or for parts.
- The newest small buses are used on the Town routes during off-season.
- With all of the back-up buses, ridership increases will have a minimal impact on capital needs.

- It takes up to six months to receive a new bus The ideal time to receive new buses is in the fall to allow time to get them broken in before the ski season.
- Total bus miles in the 12 months ended December 31, 2014 was 190,600 with 15,600 service hours.
- Big buses cost \$170,000 and small buses \$140,000.
- Buses have been purchased using FTA grants and a 20% local match. The deficits being debated in Washington could result in future reductions to FTA funding and therefore reductions in future grants available.
- Cameras and digital destination signs were installed in the bus purchased in 2014 and will be included in future bus purchases.

Plan

FTA funding has been secured to purchase two large and one small bus in 2015 for delivery by the fall of 2015 and be put into service for the 2015-2016 ski season. The small bus has been received and is being used to work out any possible issues before ski season. FTA funding has also been secured to purchase a new cut-away van and small bus in 2016. The van will be used to back up the senior van and for route expansions being considered.

On a continuing basis we should be purchasing at least one bus each year, which has been done in the last few years. However, bus purchases have been deferred because capital grants and the 20% match have not been available, and the bus fleet is still old. Exactly what to purchase and when will depend on grants received and cash available. An office modification is still planned for 2015 at a cost of about \$10,000. The plan is to create a separate room out of the office entry to provide a space for private meetings.

Board approved November 19, 2015

2016 Budget
Approved November 19, 2015
Mountain Express

	2016 Approved Budget	Explanation
INCOME		
Operating Grant	\$228,200	Actual grant award
Interest income	800	2015 projection
Advertising	12,000	Terms of contract
Service revenue	22,800	RMBL & CBS contribution
Other	1,000	Normal estimate
Admissions tax-Mt CB	182,100	Mt. CB 2016 budget numbers
Mt CB sales tax	430,500	Mt. CB 2016 budget numbers
CB sales tax	<u>749,500</u>	CB 2016 budget numbers
TOTAL REVENUE	1,626,900	
EXPENSES		
LABOR & BENEFITS		
Permanent salaries	233,000	See page 2
Seasonal hourly	435,600	See page 2
Overtime	2,400	2015 projection
Late night shift	600	2015 projection
Sick leave	3,500	2015 projection
FICA	56,200	salary projections x 0.0765%, see page 2
Health insurance	193,700	2015 projection + 10% increase
Retirement	38,200	See page 2
Medical exams	3,000	2015 projection + cost increase
Drug/alcohol screens	3,000	2015 projection + cost increase
Uniforms	5,000	2015 projection
Bonus	24,400	2015 projection
Other Benefits	<u>2,100</u>	2015 projection
Total	1,000,700	
RENT & UTILITIES		
Rent	4,200	Lease + 3% increase
Utilities	19,500	2015 projection + 5% rate increase
Telephone	5,400	2015 projection
Trash	1,200	2015 projection
Building repairs	3,000	2015 projection + increase
Snow removal	<u>2,000</u>	2015 projection
Total	35,300	
ADMINISTRATIVE		
Administrative service	39,200	See page 2
Audit	4,200	2015 actual
Legal services	700	2015 projection
Consultants	7,000	2015 projection + increase for future grants
Travel	2,500	2015 projection
Office expense	4,000	2015 projection + increase
Membership	6,000	2015 projection + increase
Education/Seminars	<u>1,200</u>	2015 projection
Total	64,800	

2016 Budget
Approved November 19, 2015
Mountain Express

2016
Draft
Budget Explanation

INSURANCE

Vehicle Insurance	25,000	2016 quote + increase for new buses
Workers comp	56,400	2015 acutal + 10% increase
Unemployment	<u>1,900</u>	2015 projection
Total	83,300	

VEHICLE EXPENSE

Repair & maintenance	92,000	2015 projection + 5% increase, see page 2
Shop supplies	15,000	2015 projection + increase
Fuel	125,000	includes extra summer service & CBS
Oil & fluids	17,000	2015 projection + increase
Tires	23,700	2015 projection + cost increase
Operations	7,000	2015 projection +increase
Tools	700	2015 projection
Signs	1,000	2015 projection
Other	<u>300</u>	2015 projection
Total	281,700	

TOTAL OPERATING EXP 1,465,800

NET INCOME BEFORE CA 161,100

Small bus	65,000	
Federal grant	-52,000	Federal grant
Big bus	142,000	Small bus
Federal grant	-113,600	Federal grant
Bus painting	11,800	4 buses to paint, \$1,500 small bus (\$3,000), \$2,000 big b
Office upgrade	10,000	
Total	<u>63,200</u>	

NET INCOME AFTER CAP \$97,900

2016 Budget
Approved November 19, 2015
Mountain Express

2016 Budget
Approved November 19, 2015
Mountain Express

us (\$4,000), \$1,200 for paint (\$4,800)



Staff Report

December 7, 2015

To: Mayor and Town Council
From: Michael Yerman, Town Planner
Thru: Todd Crossett, Town Manager
Subject: **Ordinance 14, Series 2015 Creative District Commission**
Date: December 7, 2015

The Town of Crested Butte has been nominated as Colorado Creative District by the State of Colorado. To become a certified Creative District, the Town and the creative community have to complete several tasks over a 2 year period. The Town Council adopted the Creative District Strategic Plan by Resolution 28, Series 2015 which was one of the major tasks required in the first year. The Town and creatives have several important tasks that must be completed within the next 6 months to stay on track for the official designation. These tasks include the following:

- Creation of the Creative District Committee
- Marketing Plan
- Communications Plan
- Creation of a Public Arts Program
- Baseline Data Collection
- Education and Professional Development
- Creation of Community Spaces
- Involvement of the Youth
- Wayfinding

The Strategic Plan calls for the Creation of a Creative District Commission to oversee the completion of these tasks. The Creative District Commission shall be comprised of 9 members. (1) Member of Town Council shall serve as Council liaison. (3) Members that represent the Creative Sector of the Crested Butte and (4) members that represent the community at large shall be appointed to 3 year terms. Initial terms will be staggered in (1), (2), and (3) years terms. Every year a minimum of two Commission terms will expire on the 1st of the year. The final member will be a staff liaison appointed by the Town manager and will not have voting power. The Council liaison shall vote in the event of any ties.

Upon the adoption of this ordinance, interviews will be conducted for interested members of the public becoming Commissioners. Town Council will receive recommendations from the interview committee. Formal appointments to the Commission are expected to come before the Council in January.

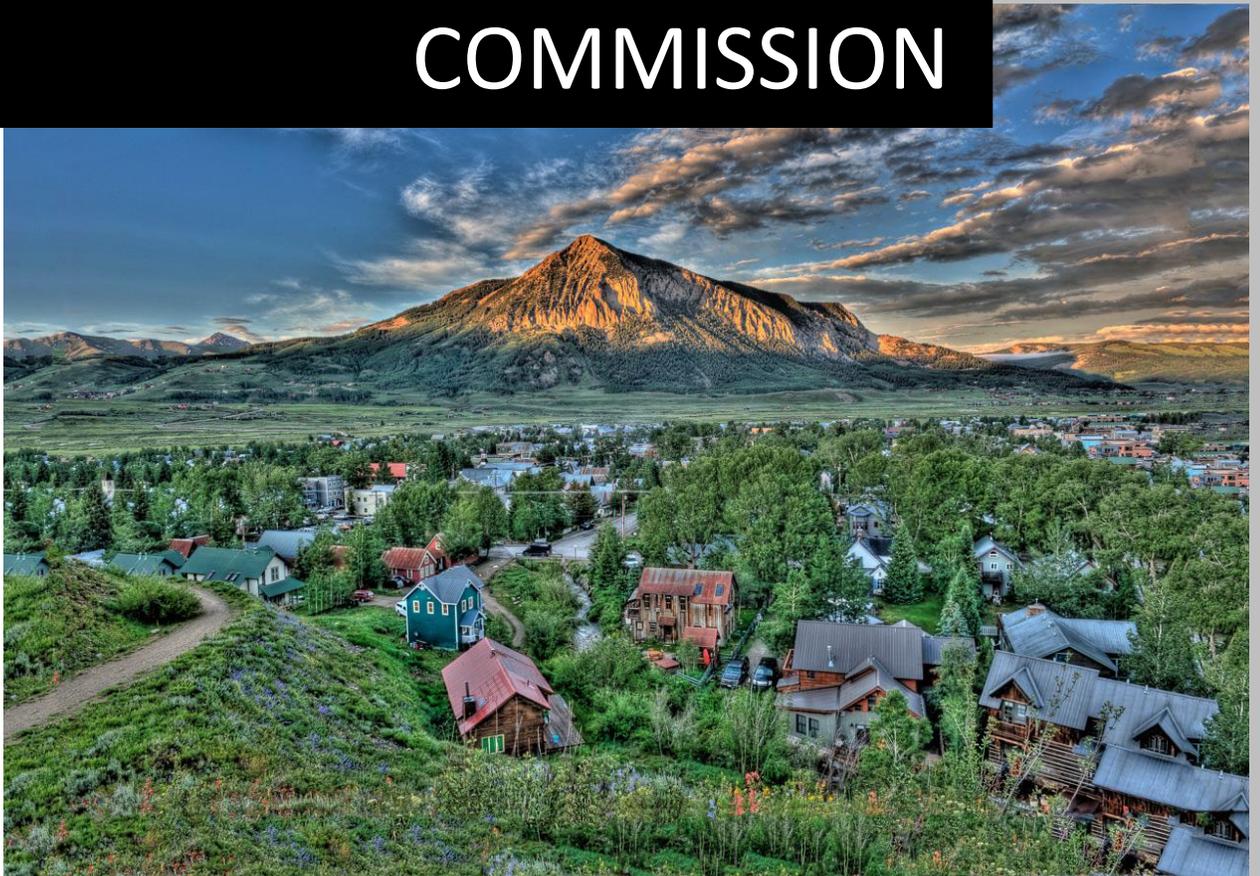
The Council will also be considering the Creative District Handbook and Guidelines to be adopted by resolution at the next Council meeting on December 21st when the public hearing is scheduled for this ordinance. These are attached to this memo for the Council's reference. The handbook and guidelines outline the rules and procedures for meetings conducted by the Commission and the interview process. These should be revisited and updated when appropriate to reflect the evolving Commission responsibilities.

Recommended Action:

A Council member make a motion followed by a second to set the public hearing for Ordinance 14, Series 2015 for December 21, 2015.

2016

HANDBOOK FOR THE CRESTED BUTTE CREATIVE DISTRICT COMMISSION



Town of Crested Butte, Colorado

1/1/2016

Photo Credit: R.J. Faulkner, Town Sunset

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PURPOSE

The purpose of this Handbook for the Crested Butte Creative District Commission is to explain the role of the commission in working with and advising the Town Council and to set forth guidelines to assist in carrying out their work.

BOARD MEMBER EXPECTATIONS

Attendance

The effective operation of a board depends upon regular attendance of the members at meetings. Members shall be required to attend a minimum of 70% of the meetings each calendar year. If a member is unable to attend a meeting, he or she should contact the chairperson or staff liaison at least 24 hours in advance of the meeting, when possible. If a member has three unexcused absences in a row, the member shall automatically lose his or her position on the board or commission. For the purposes of this rule, “unexcused absences” shall be all absences other than for illness, family emergency, or participation in other town business. The chairperson shall monitor attendance and forward attendance information to the Staff Liaison when a member fails to meet the attendance requirements stated herein.

The Staff Liaison shall inform the member that his or her membership has been terminated for failure to meet the attendance requirements, and shall begin the process for appointment of a replacement member as set forth herein.

Conflicts of Interest

The objective of Town Council is that the appointed member avoids any conflicts of interest. A member should also carefully consider for himself or herself avoiding even the appearance of impropriety. Since there may be areas where board members are unsure or unaware that a conflict exists, the following guidelines should be considered:

If a board member has acquired confidential information in the course of official duties that information cannot be used to substantially further the member's personal financial interests.

State law provides that a commissioner shall not hold an interest in a business or undertaking that may possibly be directly and substantially economically affected by any official action of the member's board.

A commissioner shall not perform an official act causing an economic detriment to the commissioner's business or personal competitors.

For six months following termination of office, a commissioner should not obtain employment in which a direct advantage, unavailable to others, will be gained in matters with which the board member was directly involved.

A commissioner shall not engage in a substantial financial transaction for private business purposes with a person under the direction of that commissioner's board.

If a member has a personal or private interest in any matter before the board, the member must disclose the interest to the board, must not vote on the matter, and must refrain from attempting to influence the other board members in voting on the matter. However, if that member's participation is necessary to obtain a quorum or to otherwise enable the board to act, the member may vote if, prior to acting, the interested member discloses the nature of his private interest.

If you are unsure of your legal responsibilities on any matter coming before your commission, the commissioner should seek the advice of the Town Attorney's Office as soon as possible before the meeting.

Training for New Board Members

Recognizing that a newly appointed commission member will need a basic foundation of knowledge concerning the subject matter having to do with the particular board or commission, the town will provide informal and/or formal training opportunities for each newly appointed member. The Council liaison, staff liaison, and chairperson of the board or commission shall work cooperatively to establish a training process which will provide to the new member a basic foundation of knowledge concerning the subject matter having to do with the particular board or commission. Where appropriate, in-service training should be provided which may include presentations on the responsibility of the commission and commission members, parliamentary procedure, conflicts of interest, specific board or commission mission, consensus and decision making model, town administration overview, open meetings, and language of local government and commonly used abbreviations and acronyms.

Board Responsibilities

The commission is responsible to investigate and make thoughtful recommendations to the Town Council and staff on issues coming before it. Such recommendations are often most useful if they include alternatives that were considered and an analysis of the pros and cons of the alternatives.

Matters upon which the commission makes recommendations can come from the Town Council, from Town staff, the citizens of Crested Butte, and from the board members themselves. The Town Council does not wish to impose a rigid structure upon the thoughts and ideas of any board or commission, but instead believes that creative and innovative ideas can come from many different sources. Often, however, ideas will originate with the consideration and adoption of goals by the Town Council. The commission will be asked to consider such goals.

The normal channels for communication between the Town Council and the commission are through the Town Council liaison to the board and staff liaison in the affected department. Such persons will report to the Council the deliberations and recommendations of the board. The commission, and their individual members, are always free to communicate directly with the Town Council on any matter concerning their areas of responsibility.

In considering recommendations from the commission, the Town Council will attempt to balance the many diverse interests in the community.

ORGANIZATION OF THE BOARD

Each board shall choose a chairperson and a vice chairperson. Additional offices may be created by the board from time to time as necessary. If a Town staff person is not made available to serve as recording secretary, a board shall also choose a recording secretary.

Chairperson

The chairperson serves as the presiding officer over all meetings. It is the responsibility of the chairperson to conduct meetings, keep the discussion on track, encourage the input of ideas and facilitate the overall decision process. The chairperson should clarify ideas as they are discussed and should repeat motions to ensure that all members fully understand the wording of the item upon which they are voting. It is also the chairperson's responsibility to sign all documents on behalf of the commission, see that all of the decisions of the board are carried out properly, and perform any other duties and functions requested by the board.

The chairperson, working with the staff liaison, is responsible for preparing an agenda for each meeting, and assuring its circulation in advance to all members of the commission and other persons who have requested notification and to ensure public notice of the commission's regular and, if any, special meetings.

Vice Chairperson

The vice chairperson shall perform the duties of the chairperson in the absence of the chairperson. The vice chairperson shall also perform any other duties assigned to his office by the board. The vice chairperson may request the assistance of other members of the board in carrying out the duties of the office.

Recording Secretary

The recording secretary keeps the record of the board, is responsible for the minutes of the meeting, and keeps a record of the proceedings of the board. The secretary also performs any additional duties or functions that the board may assign. A copy of the approved minutes from each meeting shall be deposited with the Town Clerk. Minutes from meetings shall be recorded as soon as possible.

Officers' Terms of Office

The term of office for the chairperson and the vice chairperson shall be 1 year. Each officer shall be eligible for reelection. However, chairpersons are encouraged not to serve for more than 2 consecutive years so that other commissioners may gain experience as a chairperson. Officers shall be elected at the next regular meeting following the month of the year in which the terms of office of the members of the board expire.

Council Liaison

The Town Council liaison assigned to a board or commission shall serve the following roles:

1. Communicate with the commission when Town Council communication is needed and to serve as the primary two-way communications channel between the Town Council and the commission.
2. Participate in filling vacancies, reviewing applications, and interviewing candidates for the commission.
3. Serve as the primary informal Town Council contact.
4. Help resolve questions the commission may have about the role of the Town Council, municipal government, and the commission.
5. Establish formal or informal contact with the chairperson of the commission and effectively communicate the role of the liaison.
6. Provide procedural direction and relay the Town Council's position to the commission, and to communicate to the commission that the liaison's role is not to direct the commission in its activities or work.
7. Serve as Town Council contact rather than an advocate for or ex-officio member of the commission.
8. Vote in the event of a tie on a Commission Decision.

CONDUCT OF MEETINGS

Open Public Meetings

All meetings at which any public business is discussed where a quorum of the board is present are public meetings open to the public at all times. No commission shall conduct any closed meeting without first consulting with the Town Attorney's Office concerning its propriety.

Quorum

The majority of all of the members of a board shall constitute a quorum. In order to conduct business at any meeting, a quorum shall be present. No action shall be taken in the absence of a quorum, except to adjourn and set a future meeting date the meeting to a future date.

Special Meetings

A special meeting may be called by the chairperson or vice chairperson, or upon the written request of three members of the board. Notice should be given to each of the board members by personally serving them, by an email, or by leaving notice at their usual place of residence. Notice of special meetings should be given as much in advance as possible. The notice of a special meeting shall set forth the time, place, date and purpose of the meeting. Attendance at a special meeting constitutes a waiver of the notice of the meeting.

Public Notice

Public notice of all meetings where the board may take any formal action or at which a majority or quorum of the board is expected to attend shall be given. The public notice shall be given no less than twenty-four hours in advance of the meeting and shall be posted at a location designated by the Town Council, including the bulletin board outside the Town Council Chambers, old Town Hall and the Library. The public notice should also be posted on the Town's website. The notice shall contain a specific agenda if possible, and should be in the format specified by the Town Clerk.

Rules of Order

Generally, meetings can be held in any manner that assures an orderly and focused discussion, and facilitates the input of all members of the board. When necessary, in order to effectively conduct business, as determined by a majority vote of those present, Robert's Rules of Order shall be in effect.

Public Hearings

Occasionally, a board will be called upon to conduct a public hearing on a matter coming before it. A public hearing is a process by which official input on a matter coming before a board is received from all those wishing to present testimony. It is a matter of fundamental due process that decisions made as a result of the public hearing are based solely upon the evidence presented at the public hearing, and no prior investigation or discussion should be conducted by any member. If commissioners have acquired information from outside the hearing, they should state during the hearing what the information is and allow public comment.

The chairperson should declare the public hearing open, and after hearing public testimony, declare the hearing closed. Following the public hearing, commissioners should discuss the matter among themselves (still in open meeting), and reach a decision by adopting a motion that sets forth the basis for the decision. Any such decision should be set out in the minutes of the meeting.

Further information regarding the conduct of public hearings is available from the Town Attorney's Office.

APPOINTMENT AND VACANCIES

Unless otherwise provided by state law or by the ordinance establishing the particular commission, the following guidelines will be used in dealing with appointments and vacancies to the commission.

When a vacancy occurs on the commission by removal of a member or resignation, with approval of the interview committee, the Council-appointed alternate shall be recommended to the Town Council for appointment to the position. If there is no alternate, or if the vacancy occurs due to expiration of term of office, the following steps will be taken unless otherwise directed by the Town Council:

1. The chairperson shall notify the Town Manager's Office of the vacancy.
2. Upon notice of the vacancy or not less than 75 days prior to the expiration of a term, whichever is applicable, the Town Manager's Office will notify the Town Council of the vacancy and advertise for the position. Said advertisement shall include, at minimum, publication of a notice in a newspaper of general circulation within the Town. The Town Manager's Office shall establish a closing date for the receipt of applications, which date shall be not less than 30 days from the date of first newspaper advertisement. Applications received after the closing date shall not be considered by the interview committee.
3. The chairperson should announce the vacancy at the first meeting after being notified of the vacancy and urge the members to solicit qualified candidates.
4. Applications shall be in a form determined by the Town Manager, but shall include, without limitation, a question related to the applicant's current service on other Town commissions.
5. Private interviews for the position shall be required for all applicants, including existing commission members seeking reappointment to a new term on the same commission. Interviews shall occur within a reasonable time following the closing date for receipt of applications and shall be scheduled by the staff liaison. Except as otherwise provided by a formal action of the Town Council, the interview committee shall consist of at least the following persons: the Town Council liaison; a Town staff member appointed by the Town Manager; and the chairperson.
6. Immediately following the interviews, the interview committee shall advise the Town Manager's Office of the recommendation. The Town Manager's Office will endeavor to place the matter on the next available Town Council agenda for consideration of appointment. Recommendations shall be presented in writing to the Town Council.

7. The recommendation of the interview committee and the appointment by the Town Council shall be based upon qualification, experience, knowledge, interest, willingness to serve, residency, the need for a diverse cross-section of the community, and other factors deemed relevant by the Town Council. The recommendation of the interview committee shall be considered but shall not be binding upon the Town Council.

8. The Town Manager's Office shall forward a letter of appointment and a Handbook for the Commission to the newly appointed member. Commissioners shall serve for their appointed term as specified in the Town Code. Alternates appointments shall be effective until the expiration of the term of any other member on the commission for which the alternate appointment was made. Alternates shall be available to assume unexpired terms in instances of resignation or removal, but shall not be appointed to serve where a vacancy is created by expiration of a term. However, in such circumstances, alternates are encouraged to apply for the position.

There shall be no term limits for board and commission members unless the term limits for the commission are specifically set forth in state law or in the Town Charter or Code. In addition, commission members may not serve on more than one board and commission at a time, unless:

- (i) the member is the only qualified applicant for the position;
- (ii) the member resigns his or her position on the first board or commission prior to or upon appointment to the second board or commission.

Unless otherwise provided by state law or by the Town Charter or Code, a person shall not be eligible for appointment to a board or commission unless either: (a) such person resides within or has substantial ties within the corporate limits of the Town; or (b) where the Town Council determines that the duties and functions of the commission impact, or are likely to impact, areas beyond the corporate limits, such person resides within or has substantial ties to the affected area. Factors which may be considered in determining whether a person has substantial ties to the Town or an affected area are property ownership, employment, conduct of a business or profession or other factors deemed relevant by the Town Council. Any person who ceases to reside in, or have substantial ties to, the area which was determined to be the basis for appointment may be removed from the board or commission by the Town Council.

Further, unless otherwise provided by state law or by the Town Charter or Code, no appointment of a person to the commission shall have the effect of increasing the number of nonresident members on that the commission to more than 50% of the total membership of the commission.

A person shall not be eligible for appointment to the commission if that person's spouse, parent, sibling, or child (whether related by blood, marriage, or adoption) is a town employee who in his or her capacity as a town employee regularly appears before or

advises the commission. This does not prohibit such person from being eligible for appointment to any other commissions not affected by this eligibility limitation.

EXPENSE REIMBURSEMENT

The town will reimburse any member of the commission who incurs expense for travel, lodging, registration fees and the like where such expenses have been provided for in the budget of the department with which the board is connected. To make sure that an anticipated expense is authorized, all subject expenditures must be cleared in advance through the Town Manager's Office.

LIABILITY

When performing the function for which a member is appointed, such member is an authorized volunteer of the Town of Crested Butte, and is entitled to the protection of the Governmental Immunity Act.

The Act, generally speaking, protects the board member from personal liability for any action within the scope of such appointment, except where the act is willful or wanton. Many homeowners' insurance policies provide some coverage for acts undertaken as a volunteer. Please consult your insurance agent regarding any such coverage. The Town Attorney's Office is available for further discussions regarding liability.

BOARDS AND COMMISSIONS

For specific information regarding the Town's boards and commissions and a description of their membership requirements and duties, please see Town Code Chapter 2. Article 8 Creative District Commission, or contact the Town Planner's Office at (970) 349-5338.

2016

Creative District Commission Guidelines



Town of Crested Butte

1/1/2016

Photo Credit: Third Eye Photography,

Rebecca Ofstedahl

Creative District Commission Guidelines

It shall consist of seven members appointed by the Town Council who shall serve without compensation. The members shall serve for periods of three years each, except that the initial terms of two of such members shall expire on January 1, 2017, the initial terms of two such members shall expire on January 1, 2018, and the initial terms of three such members shall expire on January 1, 2019. All members shall be eligible for reappointment. The members shall be citizens who are actively interested in the visual arts and civic improvement.

The Creative District Manager/Staff Liaison and a member of the town council shall serve as ex-officio and nonvoting members. The function of such commission shall be to perform the duties set forth in The Crested Butte Creative District Strategic Plan.

The composition of the commission will include three members of the creative sector, defined below, and four community members at large. The initial appointments of the Commission members will be chosen by the Creative District Manager, a town council representative, a member of the Arts Alliance, and a member of Town staff. Thereafter, the chair, vice chair, town council representative and Staff Liaison will manage the process of commission appointments including applications, interviews and recommendations to the Town Council. The Town Council will have final approval of the appointment of all commissioners.

Because the commission operates under the management of The Town of Crested Butte, there are no individual by-laws for the commission but meetings will be managed in a manner that assures an orderly and focused discussion and facilitates the input of all members of the commission. When necessary, Robert's Rules of Order can be put into effect. The majority of all the members of a board shall constitute a quorum. In order to conduct business at any meeting, a quorum should be present. No action shall be take in the absence of a quorum, except to adjourn the meeting to a future date. Discussion and updates may take place, but no formal action can be taken without a quorum.

The commission shall choose a chairperson and a vice chairperson. Additional offices may be created by the board from time to time as necessary. If a town staff person is not made available to serve as recording secretary, a board shall also choose a recording secretary. At the first meeting of the Commission, the chair and vice chair will be elected by majority vote of the commission members from those interested in the positions. The term is one year for these positions (see handbook for additional information)

The Creative District Commission will have the ability to spend up to but not to exceed \$2,500 on expenditures approved by majority vote of the members. For expenditures above and beyond the \$2,500, a recommendation will be delivered through the Staff Liaison for review and direction from Town staff /council. The Commission may not fund art or other project for the benefit of private properties. The Staff Liaison will keep the commission apprised of the budget balance and feedback from council in regards to fiscal and other issues as well as reporting back to the Town Council as to the activities, budget and work of the commission.

Five of the commission members will be responsible for a committee reflecting the focus areas from the Strategic Plan. This includes:

Community Engagement and Education
Branding and Marketing
Events and Programs
Spaces and Places
.....

One commissioner will act as the liaison to Colorado Creative Industries and one commissioner will act as the Arts in Public Places chair (TBD). Each commissioner can request a specific committee but if there is duplicate interest, a majority vote of the quorum will be used to decide the final committee designations.

It will be the responsibility of the Commissioner/committee chair to oversee the implementation of the Strategic Plan in his/her focus area and to report back to the commission as a whole as to the work of the committee. Duties may include: recruitment of volunteer committee members, programming and event management, communications, research, partnership development and so forth. The commission will work as a whole to determine priorities and action steps in each focus area. As these are completed, additional items can be added to the committee descriptions.

As the various commission terms end/start, the committee designations can be revisited or the new commission member may take over the departing member's designated committee.

The Creative District Staff liaison will oversee the work of the individual committees and is responsible for the overall implementation of the Strategic Plan and approval of the Creative District reports.

ORDINANCE NO. 14

SERIES 2015

AN ORDINANCE OF THE CRESTED BUTTE TOWN COUNCIL AMENDING CHAPTER 2 OF THE CRESTED BUTTE MUNICIPAL CODE TO INCLUDE A NEW ARTICLE 8 ESTABLISHING A CREATIVE DISTRICT AND CORRESPONDING CREATIVE DISTRICT COMMISSION AND INCLUDING REQUIREMENTS RELATIVE THERETO

WHEREAS, the Town of Crested Butte, Colorado (the "Town") is a home rule municipality duly and regularly organized and validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado;

WHEREAS, various arts organizations in Crested Butte and the surrounding communities have approached the Town Council with a request that it create a creative district and corresponding creative district commission to encourage the placement of artistic work and the development of public arts and culture within Crested Butte;

WHEREAS, the Town Council has determined, after receiving a presentation from Town Staff and Marcie Erion with Colorado Creative Industries on November 16, 2015, and having adopted Resolution No. 28, Series 2015 adopting the Crested Butte Creative District Strategic Plan of 2015 that the development of public arts and culture in Crested Butte would mutually benefit the business and cultural environment of Crested Butte and the surrounding communities and the creation of a creative district and corresponding creative district commission would provide a venue with appropriate guidelines for the placement of works of art within Crested Butte;

WHEREAS, the various arts organizations in Crested Butte and the surrounding communities, in addition to other non-residential artists, have indicated their desire to contribute their artist talents to such creative district and corresponding creative district commission;

WHEREAS, the resources of talented artists throughout Crested Butte and the surrounding communities, as well as non-residential artists, would be beneficial to the social fabric of the broader East River Valley community; and

WHEREAS, the Town Council has found that the creation of a creative district and corresponding creative district commission will, in addition to providing a venue with appropriate guidelines for the placement of works of art within Crested Butte, lead to the development of public arts and culture in Crested Butte that will mutually benefit the business and cultural environment of Crested Butte and the surrounding communities, and such district and commission are therefore in the best interest of the environment and the health, safety and general welfare of the residents and visitors of Crested Butte, thus necessitating the adoption of this ordinance establishing the Crested Butte Creative District and Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. **Adding a New Article 8 to Chapter 2 of the Code.** A new Article 8 is added to Chapter 2 of the Crested Butte Municipal Code, with such Article shall read as follows:

“ARTICLE 8

Creative District and Commission

Sec. 2-8-10. Creation.

There is hereby established pursuant to C.R.S. § 24-48.5-314 a Crested Butte Creative District (CBCD) and corresponding CBCD creative district commission, known as the “CBCD Commission” to create and nurture a climate and conditions in the Crested Butte community in which the arts and culture can develop and thrive.

Sec. 2-8-20. CBCD Commission.

The CBCD Commission members shall be appointed by the Town Council.

Sec. 2-8-30. Purpose.

The CBCD Commission shall undertake the following tasks and responsibilities:

- (1) Create and implement a public arts policy.
- (2) Prepare and maintain a strategic plan for the CBCD.
- (3) Make recommendations to the Town Council regarding the implementation of the CBCD strategic plan.
- (4) Establish guidelines for the placement of works of art within Crested Butte.
- (5) Maintain a sustainable funding source for future projects in the CBCD.
- (6) Make recommendations to the Town Council on the placement of public art and other cultural amenities on public property and public rights-of-way. The CBCD shall not review projects or applications respecting private property.
- (7) Expend funds no greater than \$2,500.00 to further the mission of the CBCD. The CBCD shall make recommendations to the Town Council on the expenditure of

funds greater than \$2,500.00, the decision over which shall lie exclusively with the Town Council.

(8) Coordinate and cooperate with the other governments, organizations, nonprofits, businesses and other entities to promote the arts and creative sector for the purposes of education, marketing and programing relative to the CBCD. The CBCD Commission shall only serve in an advisory capacity in promoting the arts and creative sector and shall respect the authority and roles of such governments, organizations, nonprofits, businesses and other entities in implementing the CBCD's strategic plan unless otherwise directed by the Town Council or as authorized herein.

(9) CBCD Commission members shall update the Town Council during public meetings on the efforts of the Commission and its committees.

(10) All activities of the CBCD Commission shall uphold the unique community character and respect the historic context of the CBCD.

Sec. 2-8-40. Members; Term.

(1) The Town Council shall appoint the members of the CBCD Commission. The CBCD Commission shall be comprised of nine members.

(2) A Town Council member shall serve as an ex officio member and shall be the Town's liaison to the CBCD Commission. The CBCD shall also be comprised of three members that represent the arts and creative sector and four members that represent the community at large. The final member shall be the Town Manager or his designee and shall not have voting power. The Town Council member shall only vote in the event of a tie.

(3) Members shall serve without compensation, except for those expenses incurred in connection with the work of the CBCD Commission as approved by the Town Manager or his designee.

(4) Terms of the members shall be three years and shall be staggered so that one third (1/3) of the members shall be appointed each year, provided that the initial appointments in 2016 (1st year of operation) shall be two members for a one-year term, two members for a two-year term and three members for a three-year term. In the event of death, resignation or removal of any member, his or her successor shall be appointed for the duration of the unexpired term.

Sec. 2-12-50. Officers.

(1) Chairperson – The CBCD Commission shall select one of its members to serve as chairperson each year. The chairperson shall preside at meetings of the Commission, arrange for production and presentation of an annual report to the Town Council and meet with

the Town Manager or his designee concerning the implementation of Commission recommendations.

(2) Vice Chairperson – The Commission shall select one of its members as vice-chairperson who shall assume the duties of the chairperson in his or her absence.

(3) Secretary – The Commission shall select one of its members as secretary who shall keep the minutes of commission meetings and make the same available for public inspection at Town Hall. The secretary shall assume such other duties as are assigned by the chairperson.

Sec. 2-8-60. Meetings; Voting.

(1) The CBCD Commission shall meet at least four times per year and may meet more often upon request of the chairperson or a majority of the members or as provided in the Commission’s rules of procedure.

(2) Notice of each meeting of the CBCD Commission shall be given no less than five days prior to the date of the meeting to each member, either personally, by mail or E-mail. The Town Clerk shall post notice of all meetings in a similar manner as posting Town Council meetings.

(3) Meetings shall be held at Town Hall, unless the subject of the meeting demands a different venue, in which case notice of the meeting shall contain such alternate location.

(4) A majority of the members of record shall constitute a quorum. In the absence of a quorum at any meeting, the members may adjourn the meeting to a date certain up to 30 days without further notice. The members present at a duly constituted meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough members yielding less than a quorum.

(5) Each member shall be entitled to vote. When a quorum is present at any meeting, the affirmative vote of a majority of those present shall decide any question brought before such the members.

(6) The CBCD Commission shall adopt its own rules of procedure not inconsistent with the provisions of this Article.

(7) Meetings and records of the CBCD Commission are governed by the Colorado Open Records Act and the Colorado Open Meetings Act.

Sec. 2-8-70 Committees.

The CBCD Commission is authorized to establish and appoint members to committees, including task forces and special projects, as deemed necessary or appropriate, and shall prescribe the duties, functions and duration of each.

Sec. 2-8-80. Record of Proceedings.

CBCD Commission meetings shall have action minutes taken on all voting decisions of the members that shall be available for public inspection at the Town Clerk's office. All recommendations to the Town Council shall be in writing and shall be placed on the next available Town Council meeting agenda for the Town Council's consideration. All necessary agreements, leases, reports or other documentation needed to carry out a recommendation by the CBCD Commission for action by the Town Council shall be prepared by the Town Manager or his designee and reviewed and approved by the Town Attorney prior to being placed on a Town Council meeting agenda."

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as amended hereby, the Crested Butte Municipal Code, as amended, shall remain valid and in full force and effect. Any provision thereof that is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, READ AND SET FOR PUBLIC HEARING THIS __ DAY OF _____, 2015.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING IN PUBLIC HEARING THIS _____ DAY OF _____, 2015.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Glenn Michel, Mayor

ATTEST:

Lynelle Stanford, Town Clerk

(SEAL)

**Sales Tax Totals
October**

	% of Total	2015	△ %	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Bars & Restaurants	25%	44,338	3.4%	42,862	31,810	30,335	31,998	26,749	24,324	28,897	26,522	26,126	25,442	20,430
Grocery Sales	12%	20,664	6.0%	19,493	17,343	15,011	15,320	14,739	14,633	19,107	18,276	17,074	17,391	16,340
Retail	27%	46,411	12.9%	41,095	28,589	25,505	25,604	25,096	22,182	28,255	23,933	26,349	25,184	24,278
Lodging	5%	8,899	17.8%	7,556	4,410	4,687	3,967	4,216	2,870	3,420	3,987	4,473	5,148	2,867
Construction, Auto & Hardware	19%	33,719	22.4%	27,551	19,317	19,974	19,789	23,864	18,211	28,699	24,396	26,075	25,758	21,710
Services (telephone, car leases, etc...)	7%	11,373	24.3%	9,146	6,835	8,273	5,404	5,221	7,306	9,203	7,165	6,720	7,343	6,451
Other (Gas, Electric, etc...)	5%	9,071	-3.1%	9,359	8,917	8,136	9,020	7,810	8,594	9,512	7,676	8,550	6,571	5,650
Total	100%	174,475	11.1%	157,061	117,220	111,921	111,103	107,695	98,120	127,093	111,956	115,367	112,837	97,726

Year To Date

	% of Total	2015	△ %	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Bars & Restaurants	31%	848,254	10.4%	768,500	653,879	603,288	560,326	501,131	486,153	516,798	515,456	487,813	431,180	391,656
Grocery Sales	11%	306,859	7.9%	284,436	252,298	232,055	229,173	215,027	225,275	261,847	250,133	225,221	204,338	188,298
Retail	30%	804,946	14.9%	700,418	584,834	547,360	512,208	479,449	453,567	497,128	517,068	529,558	491,137	452,558
Lodging	10%	258,709	17.1%	221,001	186,910	161,664	156,478	133,035	119,258	117,376	111,258	112,126	100,179	76,299
Construction, Auto & Hardware	9%	239,655	19.0%	201,381	174,262	170,573	172,289	166,599	175,828	218,312	247,094	219,084	198,133	177,919
Services (telephone, car leases, etc...)	5%	128,070	5.8%	121,015	100,363	96,402	79,853	73,489	80,594	91,959	95,703	90,888	76,292	86,075
Other (Gas, Electric, etc...)	4%	111,673	-3.3%	115,459	104,235	102,097	106,076	102,732	108,957	113,454	93,301	101,652	79,630	74,067
Total	100%	2,698,165	11.9%	2,412,209	2,056,781	1,913,440	1,816,402	1,671,462	1,649,632	1,816,873	1,830,013	1,766,343	1,580,889	1,446,872

**Sales Tax Totals
month/year**

	2015	Δ %	2014	Δ %	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
January	218,747	22.5%	178,624	8.8%	164,184	140,874	144,719	140,101	160,880	176,523	174,827	163,832	139,350	138,994
February	214,516	13.9%	188,357	14.6%	164,402	156,639	157,612	144,899	154,777	176,016	170,840	168,818	144,990	131,003
March	318,553	16.8%	272,671	15.9%	235,215	222,821	209,508	192,397	190,312	204,826	219,530	205,882	187,240	162,014
April	105,717	16.2%	90,956	9.8%	82,841	75,955	72,536	69,893	70,535	92,042	92,237	88,071	76,076	71,121
May	130,937	13.1%	115,762	9.5%	105,719	102,728	86,876	82,799	86,761	93,502	107,435	99,837	88,914	88,658
June	299,715	14.3%	262,233	13.3%	231,505	208,541	186,343	168,318	173,948	186,660	192,340	184,335	162,259	135,688
July	497,527	10.2%	451,499	17.0%	385,817	349,992	339,212	313,088	280,628	289,756	295,911	287,881	265,411	258,666
August	404,099	8.3%	373,145	17.3%	318,141	298,802	288,719	253,153	247,169	274,770	259,652	246,720	228,415	211,080
September	333,881	3.7%	321,901	27.9%	251,738	245,166	219,774	199,118	186,503	195,685	205,286	205,599	175,397	151,921
October	174,475	11.1%	157,061	34.0%	117,220	111,921	111,103	107,695	98,120	127,093	111,956	115,367	112,837	97,726
YTD	2,698,165	11.9%	2,412,209	17.3%	2,056,781	1,913,440	1,816,402	1,671,462	1,649,632	1,816,873	1,830,013	1,766,343	1,580,889	1,446,872
November	0	-100.0%	120,433	14.7%	104,983	92,783	96,695	93,314	89,737	94,189	114,666	112,958	100,716	89,852
December	0	-100.0%	296,977	20.2%	247,107	231,055	229,511	211,084	197,395	213,908	231,452	227,710	205,526	197,632
Total	2,698,165	-4.6%	2,829,619	17.5%	2,408,871	2,237,278	2,142,608	1,975,860	1,936,765	2,124,971	2,176,131	2,107,011	1,887,131	1,734,355

**** Bold numbers reflect highest sales tax for that period**

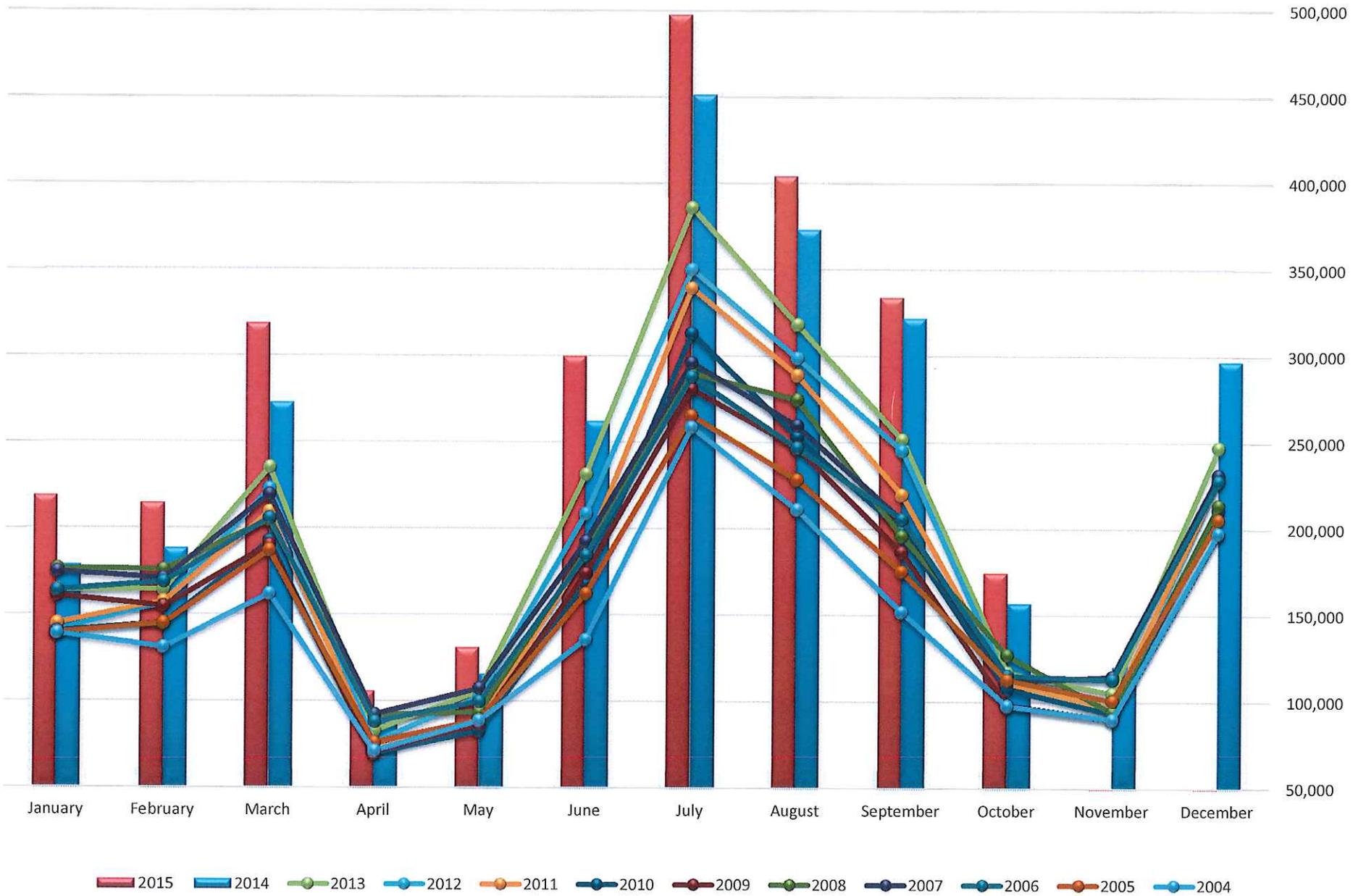
**Sales Tax Totals
month/year**

Sales Tax Totals WITHOUT Marijuana Sales

	2015	Δ %	2014	Δ %	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
January	206,615	17.5%	175,913	8.3%	162,357	139,498	142,990	140,101	160,880	176,523	174,827	163,832	139,350	138,994
February	204,469	11.1%	184,110	13.3%	162,458	155,417	156,006	144,899	154,777	176,016	170,840	168,818	144,990	131,003
March	305,421	14.6%	266,603	14.2%	233,473	221,568	207,871	192,397	190,312	204,826	219,530	205,882	187,240	162,014
April	98,720	13.4%	87,069	7.1%	81,301	74,667	71,236	69,893	70,535	92,042	92,237	88,071	76,076	71,121
May	123,254	11.0%	111,068	6.9%	103,889	101,732	85,892	82,799	86,761	93,502	107,435	99,837	88,914	88,658
June	288,029	13.2%	254,379	10.6%	229,911	207,355	185,049	168,204	173,948	186,660	192,340	184,335	162,259	135,688
July	478,542	9.4%	437,334	14.0%	383,666	348,484	337,921	311,562	280,628	289,756	295,911	287,881	265,411	258,666
August	384,627	7.1%	358,993	13.6%	316,097	297,079	286,891	250,586	247,169	274,770	259,652	246,720	228,415	211,080
September	318,524	2.7%	310,296	24.1%	250,010	243,716	218,197	196,555	186,503	195,685	205,286	205,599	175,397	151,921
October	164,872	10.8%	148,757	28.8%	115,530	110,496	109,600	105,449	98,120	127,093	111,956	115,367	112,837	97,726
YTD	2,408,200	10.2%	2,185,765	13.7%	1,923,161	1,789,517	1,692,054	1,556,997	1,551,512	1,689,780	1,718,057	1,650,976	1,468,052	1,349,146
November	0	-100.0%	114,139	10.2%	103,562	91,034	95,384	91,726	89,737	94,189	114,666	112,958	100,716	89,852
December	0	-100.0%	286,677	16.7%	245,611	229,191	228,235	209,358	197,395	213,908	231,452	227,710	205,526	197,632
Total	2,408,200	-6.9%	2,586,582	13.8%	2,272,334	2,109,742	2,015,673	1,858,081	1,838,645	1,997,877	2,064,176	1,991,644	1,774,294	1,636,629

**** Bold numbers reflect highest sales tax for that period**

2004-2015 Total Sales Tax



Lynelle Stanford

From: Cathy Steinberger <cathy@bighornrealty.com>
Sent: Friday, December 04, 2015 10:14 AM
To: Lynelle Stanford
Subject: Council Letter re: Vinotok

Dear Town Council,

I'd like to congratulate and thank the new Council members and Mayor for stepping up to serve our community, and a special thanks to you that have been on the council for all your hard work and long hours spent in meetings.

This letter is also to ask that when Vinotok comes up for next year's permits and grant money to please consider having the conversation about moving the event to the gravel pit or somewhere less busy and dense than the 4-way.

I envision the procession going down Elk veering off onto the 6th St. sidewalk to the school. That would be easy walking and attract a lot of attention to fire followers that may want to join. Or those that don't want to walk that far or aren't interested in joining the procession, there's plenty of parking at the school, and the bus stop at Clark's would be very convenient.

Speaking of the school parking lot - is that an option? It's a weekend and all would be cleaned-up and gone by Sunday night?

Thanks for your consideration.

Sincerely,

Cathy Steinberger
615 Elk Ave/
970-275-6257

Lynelle Stanford

From: Chris Ladoulis
Sent: Monday, November 16, 2015 10:51 AM
To: Janae Deverell
Cc: J Schmidt; Lynelle Stanford
Subject: Re: New Council Items

Janae, thank you for your message. I will forward this to our clerk, and they will become a part of our conversations and record/documents going forward. We welcome you to share your comments had any of the upcoming council or BOZAR meetings.

Chris

Sent from 8,885ft above sea level

On Nov 16, 2015, at 10:38 AM, Janae Deverell <janaedeverell@yahoo.com> wrote:

Hi Jim and Chris. I'm not sure who council items should be addressed to, but since I know you two and new contact info it not up on the website yet, I thought I would start with you.

As the new CFTA goes into public discussion this week and into the initial BOZAR process, I thought you should know that, according to word around town, the CFTA decided to not include the Trailhead in their plans and to remove "much" of the space that was planned for local dance programming. I know very little of the details and certainly do not want to spread any rumors, but I believe that council need to some research on the truth behind these statements sooner rather than later. As I understand it, the building envelope and the one million dollars were approved under the assumption that a big part of the expansion was going to support local, community programming. Most of the arts programming/classes in this community is provided by the School of Dance and the Trailhead.

On another note, if the cattle drive is allowed to travel over the sidewalks and through the grass, it would be so awesome if whoever is in charge of that could clean up all of the cow poop from the sidewalks, lawns, etc.

Thanks for doing such a great job!

-Janae Pritchett

December 21, 2015

Consent Agenda

Approval of Arbor Day 2016 Proclamation and 2015 Tree City USA Application for Certification
Fat Bike World Championships

Public Hearing

Kochevars' Liquor License Transfer

January 4, 2016

January 19, 2016

Work Session

Cemetery Committee

Sam Light – attorney focusing on local government referred by Tami Tanoue and covered by
CIRSA

Elyse Ackerman – DOLA

Both Sam and Elyse will be presenting on Council roles and responsibilities.

Future Work Session Items:

- Vending at the Four Way
- Cemetery Committee (Update and planning future work)
- Camping @ Town Ranch (allow? Not allow? Allow camping in other places?)
- BLM and OBJ Campground/Seasonal Housing Shortage (this could be combined with others – especially the Affordable Housing item at the bottom of this list)
- CBMBA and Trail priorities/signage (basically – what is the future plan for new trails/existing trail completion in the valley? What should be our priorities as a Council?)
- Perimeter Trail – Update, timelines, costs, what does this look like when finished
- Land Trust and Town Preservation Priorities – basically a joint planning/discussion with the CBLT (maybe in Exec Session if they would like) to confer on the priority parcels identified by the CBLT and the priorities of the Town (for planning future open space acquisitions). Maybe even a discussion about purchasing trail easements.
- Elk Avenue Rule Set re: Private Clubs – the whole “private clubs on Elk Avenue” concern that was raised when Irwin obtained a private liquor license for the Scarp Ridge Lodge.
- Affordable Housing/Density/Workforce – Blk 79/80
- Double Basements
- Sidewalk Seating Fee Discussion