



*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, February 2, 2015**  
**Council Chambers, Crested Butte Town Hall**

**6:00 WORK SESSION**

Update and Discussion on CAST (Colorado Association of Ski Towns) VRBO Initiative Overview and Discussion on Vail Special Event Process Model.

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

**7:02 APPROVAL OF AGENDA**

**7:04 CONSENT AGENDA**

- 1) Approval of January 20, 2015 Regular Town Council Meeting Minutes.
- 2) Approval of ARTumn Festival Located in the 0 Block of Elk Avenue on September 19 and 20, 2015.

**7:06 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.*

**7:15 STAFF UPDATES**

**7:25 PUBLIC HEARING**

- 1) Transfer of Teocalli Tamale Liquor License located at 311 ½ Elk Avenue From Teocalli Tamale Inc to Teocalli Tamale Company.

**7:35 LEGAL MATTERS**

**7:45 COUNCIL REPORTS AND COMMITTEE UPDATES**

**8:00 OTHER BUSINESS TO COME BEFORE THE COUNCIL**

**8:15 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- *Tuesday, February 17, 2015 – 6:00PM Work Session – 7:00PM Regular Council*
- *Monday, March 2, 2015 – 6:00PM Work Session – 7:00PM Regular Council*
- *Monday, March 16, 2015 – 6:00PM Work Session – 7:00PM Regular Council*

**8:25 ADJOURNMENT**



# RBO Activity and Affordable Housing: Developments and Initial Considerations

**Purpose: Provide information on a topic of interest to the community and Council**

RBO: “Rent by owner”

VRBO.com: Website owned by Home Away; “middleman” services between owner and ST tenant

AirBnB: Website providing “middleman” services for individual rooms, not complete home

Taxes Applicable:

- Sales Tax (CB): 4% (each stay)
- Lodging Tax (LMD): 4% (each stay)
- Sales Tax (RTA): 0.6% (in CB)
- Business License/Pillow Tax: \$10/pillow (annual)

70  
MILLION  
VISITS TO OUR  
FAMILY OF SITES  
PER MONTH



3 Br • 2.5Ba • Sleeps 6  
\$300 - \$475 per night (USD)



4 Br • 3Ba • Sleeps 13  
\$500 - \$900 per night (USD)



3 Br • 2.5Ba • Sleeps 6  
\$375 - \$625 per night (USD)

**Crested Butte - 264 vacation rentals**

Home ▶ USA ▶ Colorado ▶ Southwest ▶ Crested Butte Area ▶ Crested Butte



# RBO Activity and Affordable Housing: Developments and Initial Considerations

Concerns: An incomplete and inexhaustive list of potential municipal issues

## REVENUE:

- Tax Compliance

## REGULATORY:

- Noise
- Trash
- Parking
- Insurance
- Local Agents (Emergency)

Impacts on Citizens and on Community:

“All of your R-zones are turning into T-zones”

- Affordable Housing
- Conversion of LT to ST Rentals

**Community advocates concerned short-term rentals  
are edging low-income tenants out of SROs**

By Jessica Kwong  @JessicaGKwong

SRO = “single-room occupancy”



# RBO Activity and Affordable Housing: Developments and Initial Considerations

Neither Crested Butte nor Colorado resort communities are alone in their concerns:

October 21

## Cities Grappling With Challenges Of How to Tax, Regulate Short-Term Rentals

From Daily Tax Report

## The Battle Over Airbnb Moves To Los Angeles

## HomeAway Sues San Francisco Over New 'Airbnb Law' for Short-Term Rentals

## HomeAway threatens suit over Airbnb proposal for N.Y.



Kaja Whitehouse, USA Today 9:39 p.m. EST January 21, 2015

## Boulder rescinds cease-and-desist orders to homeowners offering Airbnb, VRBO rentals

Enforcement action took councilmembers by surprise

By Sarah Kuta  
Camera Staff Writer

POSTED: 01/12/2015 07:02:59 PM MST  
UPDATED: 01/13/2015 12:49:13 PM MST

## Short-term home rentals banned

Story Comments (3)

Print Font Size: - +

Recommend 72 Tweet 6 +1 1 Share 9

POSTED: TUESDAY, AUGUST 5, 2014 4:30 AM  
By Michael Polhamus Jackson Hole Daily | @ 3 comments

## Short-term rentals challenge longtime Austin lodging choice

by Joe Lanane February 26, 2014



# RBO Activity and Affordable Housing: Developments and Initial Considerations

## New/Upcoming Development: Collaboration and Learning through CAST

PURPOSE: (1) Investigate and compile information regarding “regulatory best practices” in CAST member communities and certain external communities; and (2) determine the materiality of the issue in CB

WHO: Melanie Rees, Wendy Sullivan, Chris Cares (RRC)

ANTICIPATED COST TO CB:  
Approx. \$2,000 (Phase 1)

TIMING: March 2015 (start)



# RBO Activity and Affordable Housing: Developments and Initial Considerations

## Questions/Concerns?

Does Council believe this is an issue in Crested Butte?

Does Staff feel we have a handle on this issue already?

Are we interested in pursuing/participating in the CAST proposal?

Others?



## Events: One Example of Peer Methods

**Purpose:** Provide information on a topic of interest to the Council  
[DISCLAIMER: this might be the Ferrari, but it's worth looking at]

### Vails "Commission on Special Events" (CSE)

- Formed in 2002
- 7-member Board (Council appointed)
- 2yr terms

Event Promoter

CSE  
(\$\$ and Yes/No)

Vail Town  
Council

Council's expressed concerns:

- Event Coordination
- Event Process
- Event Analysis
- Event Research (Econ. Impact)

Event





## Events: One Example of Peer Methods

### CSE's Mission:

The Vail Commission on Special Events (CSE) is accountable to deliver an annual Special Events Plan which ensures world class events that are fully aligned with Vail's brand. The CSE will effectively and efficiently allocate available budget behind this objective.

The Events Plan will deliver measureable results in terms of specific goals: economic impact, optimization of the event calendar, positive community experience and integration, as well as positive guest-centric results that lead to future loyalty.

Council's expressed concerns:

- Event Coordination
- Event Process
- Event Analysis
- Event Research (Econ. Impact)



## Events: One Example of Peer Methods

### Strategic Plan:

“The use of measurable criteria in event selection, funding and evaluation is critical to ensuring progress”

### Town Council’s Role:

- “Buy in” that events are an important economic driver
- Funding (not complete – partial) of “major brand events”
  - 2015 Alpine World Championships (\$58M budget)
  - Burton US Open Snowboarding Championships
  - US Pro Challenge

### An Important CB Council Role:

Understand the  
Community’s Limits,  
Tolerance and  
Desire for Events:

## Quiet Festival Attempts to Fight Festival Fatigue

👤 Steph Spencer 🕒 October 29, 2013 📁 Culture, Michigan, Sidelines 💬 1 Comment



## Events: One Example of Peer Methods

### Economic Impact:

RRC Associates 2013: 30 events/\$64M direct economic impact

Payback: \$1.21 per \$1.00 spent (incremental TOV sales tax and VLMD tax revenue per dollar of event funding)

### Timeline:

- Early September – Annual RFP for event proposals
- Mid-October – RFP Response deadline
- November – Producer interviews and CSE funding decisions
- December – Town Council approval
- Late January – Agreements to Producers

#### Council's expressed concerns:

- Event Coordination
- Event Process
- Event Analysis
- Event Research (Econ. Impact)



## Events: One Example of Peer Methods

### Questions/Concerns?

Do Council and Staff believe there is anything to learn/”borrow” from the CSE model?

How much coordination (with Mt. CB/CBMR/Chamber/LMD and even Gunnison) is possible, practical or desired?

Others?

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Tuesday, January 20, 2015**  
**Council Chambers, Crested Butte Town Hall**

Mayor Huckstep called the meeting to order at 7:08PM.

Council Members Present: Jim Schmidt, Glenn Michel, Roland Mason, Skip Berkshire, and Chris Ladoulis

Staff Present: Town Manager Todd Crossett, Town Clerk Lynelle Stanford, and Town Attorney John Belkin

Finance Director Lois Rozman, Town Planner Michael Yerman, Public Works Director Rodney Due, Parks and Recreation Director Janna Hansen, and Building and Zoning Director Bob Gillie (all for part of the meeting)

Huckstep confirmed with the Council that they agreed to hear a public comment from the person present before Executive Session.

**PUBLIC COMMENT**

Jesse Irons – 706 Maroon Ave #2

- Reported he was born in Crested Butte and was at the meeting to comment on the annexation.
- He was quite concerned and felt it was his responsibility to remind Council of their duty to help protect Town.
- Referred to Mammoth Lakes, CA. He finished high school there. He said they started to make bad decisions and allowed beer companies, car companies, and developers to do whatever they wanted.
- Intrawest built a giant ski village, and by 2010 they were the first North American ski town to ever go bankrupt.
- Said he was seeing déjà vu, and he suggested the Council think everything through because they could not undo it.

**EXECUTIVE SESSION**

Schmidt moved and Mason seconded a motion to go into Executive Session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property under C.R.S. Section 24-6-402(4)(a). A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

Council went into Executive Session at 7:13PM. Council returned to open meeting at 8:01PM. Mayor Huckstep made the required announcement upon returning to the open meeting.

## **APPROVAL OF AGENDA**

Schmidt moved and Mason seconded a motion to approve the agenda. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

## **CONSENT AGENDA**

- 1) Approval of January 5, 2015 Regular Town Council Meeting Minutes.**
- 2) Resolution No. 2, Series 2015 - Resolutions of the Crested Butte Town Council Approving the Final Plat of Redwell Townhouses, Town of Crested Butte, State of Colorado.**
- 3) Approval of Crested Butte Arts Festival Special Event Application and Special Event Liquor Permit on Elk Avenue for July 31 – August 2, 2015.**
- 4) Authorization of Town Manager to Sign a Letter to the Forest Service Requesting Participating Agency Designation for the Town Relevant to the U.S. Energy Corp.’s Plan of Operations for its Proposed Mt. Emmons Hydrological Monitoring and Drilling Program.**
- 5) Authorization of the Mayor to Execute an Engagement Letter with Bryan Cave LLP to Serve as Special Legal Counsel to the Town in Regards to the Possible Clean-up of the Old Town Landfill in Connection with the Proposed Slate River Addition Annexation Proposal.**

Berkshire moved and Schmidt seconded a motion to approve the Consent Agenda, with the removal of #3 and #5, and placing those items under New Business. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

## **PUBLIC COMMENT**

Maureen Hall – 9 Moon Ridge Lane

- Wanted to confirm the Council received her email pertaining to elk migration. Huckstep said her letter was in the packets for the last meeting. Michel commented she included an effective photograph in her email.
- Said it was her #1 priority. She lives north of the proposed annexation, and she sees elk struggle to clear the existing fences.

## **STAFF UPDATES**

Michael Yerman

- Mentioned DOLA was in Town to discuss funding for Blocks 79 and 80.
- He felt Town was in the middle in terms of the chances of obtaining funding.
- Said they would know in next couple of weeks if Town received funding.
- Said partial funding was a possibility, too.

Rodney Due

- The state had concern for the modifications for Segment 12.
- Last September, the state wanted to know where Town stood, so Town will again have party status and someone will be attending meetings.

Janna Hansen

- Said the second work session for the Big Mine Master Plan was very successful, and 42 skateboarders were in attendance.
- Reported successful information gathering with a variety of user groups.

Yerman reminded the Council of the Creative District meeting at 6PM on Thursday at the Center for the Arts.

Lynelle Stanford

- Stated that there were three applications for upcoming special events for July and September that should be on future agendas.

Todd Crossett

- Said the senior staff retreat was successful. They discussed ways they could be more effective as a team.
- The election issue would be discussed under Legal Matters.
- CAST is this week, on Thursday and Friday.
- Kudos to Shea Earley for taking the lead to achieve 100% composting at the wastewater plant.

## **NEW BUSINESS**

### **1) Appointment of a Town Representative to the Selection Committee for the TA (Tourism Association) Board.**

Crossett referred to an email from the City of Gunnison that was brought to their Council. He explained that municipalities did not hold seats on the TA Board, and Gunnison would like an actual seat on the board. Crossett said that municipalities weighed in on the strategic planning that happened every year. He stated they requested that he ask Town Council of Crested Butte if they would like to be included in a letter requesting a seat on the TA Board. Huckstep preferred to let the situation play out. He said Town could participate by appointing someone to assist in the selection process. Schmidt had various questions about the selection committee such as: How long are board members appointed for? Could they be removed? Who could remove a board member? Ladoulis explained they were spelled out in their bylaws. He believed there were three-year terms. Huckstep reminded the Council they were discussing the selection committee only. Crossett said they needed some way to weigh in, which went back to the strategic plan. Huckstep volunteered to serve on the selection committee. After a short discussion, the Council decided to appoint Ladoulis.

Michel moved and Schmidt seconded a motion to appoint Chris Ladoulis to the Selection Committee for the TA Board. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**2) Resolution No. 3, Series 2015 - Resolutions of the Crested Butte Town Council Approving the Concept Annexation Request of Cypress Foothills, LP with Conditions thereon Pursuant to Section 15-1-50 of the Crested Butte Municipal Code.**

Huckstep asked anyone present at the meeting if they would like to provide input on the proposed annexation.

Molly Murfee – 124 ½ Maroon

- Read through the annexation proposal and had comments in a couple major areas.
- Affordable housing – Applicant has put forth the proper amount of affordable housing allotments. She was an affordable housing candidate who watched it very closely. She wanted to encourage a lot of variety and options. She asked that they provided rentals as well as lots, including self help builds and duplexes.
- She would not want to see the developer construct all of the affordable units. She wanted to have some say in what her house might look like.
- In the building of the annexation, in particular to affordable housing, she encouraged green building and energy efficient techniques that would help the residents. She wanted Crested Butte to stay on a forward path about energy use.
- Environmental concerns – She appreciated the open space allotted. She encouraged open space requirements be adhered to.
- She asked that they be sensitive to the 100-foot mandatory wetland corridor. Regarding the 25-foot buffer required in lower quality wetlands, she felt that giving a smaller corridor would not help if they had been compromised.
- Stated the Slate River Wetlands were the most pristine wetlands in the state.
- Concerned about water capacity and the ability to provide for an extra development.
- Asked them to pay special attention to the wastewater treatment plant.
- Told them to recognize that as Town grows, they always need to pay attention to what's happening to the back county. Needed to actively address and have strategies behind it.
- Would like local carpenters and local workers used for any part possible in the annexation process.

Huckstep opened to Council discussion. Schmidt voiced concern of framing Poverty Gulch with two snow storage areas, and he asked if snow storage was another item on public property they needed to meet the snow storage requirements of the annexation. He wondered if the piece on 8<sup>th</sup> and Butte was needed for them to meet their snow storage requirements. Yerman said his gut told him the areas they proposed for snow storage were not sufficient. He also reminded the Council that Town was losing some areas, including the public works yard, that were part of snow removal operations. Yerman

continued that there were requirements for snow storage, and they probably needed more space than what was proposed. Huckstep summarized there were two concerns: 1) Bracketing Poverty Gulch in snow storage was not the thing to do. 2) They thought the Applicants needed snow storage on their own property. Cameron Aderhold, Vice President of Cypress Equities, said they were aware of the requirement.

Berkshire questioned in the resolution the section that read: “Commercial Uses: All commercial uses shall be located to the south of the alley between Road A and Road B.” Yerman said the discussion they were recapping was the spot that was now identified as the fire hall. If the Fire District wanted the parcel south, the parcels could be flip flopped. Berkshire had an issue with the commercial creeping up Gothic Road. The way it was depicted on the map was how he understood it and how he’s okay with it. Ladoulis said there could be unintended consequences with the location of the fire hall, and he wondered if they would have to revisit the resolution. Yerman reminded them there were no entitlements at this point. Marcus Lock, attorney for the applicant who appeared via Skype, said the point he wanted to make was that approvals they made were to be consistent with the resolution. He said, if they limited commercial south of Road A they were not precluding themselves from restricting commercial further south. Gillie mentioned he spoke to Mike Miller with the Fire District, and Miller indicated their board was interested in being located further north. Gillie said more discussion needed to happen.

Schmidt questioned what the next step was. Yerman answered the pre-annexation agreement was next. Belkin said the earliest it would be completed was in March. He felt the issue was how quickly the applicant wanted to work through the issue of the dump. Lock agreed it would take time.

Mason moved and Berkshire seconded a motion to approve Resolution No. 3, Series 2015. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

### **3) Approval of Crested Butte Arts Festival Special Event Application and Special Event Liquor Permit on Elk Avenue for July 31 – August 2, 2015.**

Schmidt clarified the reason he asked to pull this agenda item off Consent Agenda was because the Arts Festival required the biggest use of Elk Avenue and side streets all summer, and the most important topic in the work session was talking about special events in general. He asked the event organizers, Juliette Eymere and Annie Tunkey, if they had used 5<sup>th</sup> Street in past festivals. They answered, “Yes.” Schmidt said he had no particular problem, but Council had been criticized before about shutting down streets. Crossett added that one of the challenges that was overcome was the World Cup of the Big Mountain Enduro mountain biking race series coming to Town the same weekend, and they came up with a way to share Town. Schmidt asked where Big Mountain Enduro would be located. Crossett answered they would be at Town Park. There was no public comment.

Schmidt moved and Michel seconded a motion to approve the Crested Butte Arts Festival Special Event Application and Special Event Liquor Permit. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

**4) Authorization of the Mayor to Execute an Engagement Letter with Bryan Cave LLP to Serve as Special Legal Counsel to the Town in Regards to the Possible Clean-up of the Old Town Landfill in Connection with the Proposed Slate River Addition Annexation Proposal.**

It struck Berkshire, that if it were not for Belkin’s recommendation, he wouldn’t have picked this attorney (Colin Harris – Partner at Bryan Cave LLP). Berkshire said the attorney’s experience was with fracking and high-ticket oil and gas. Belkin said he represented the Town in 2009, and he gave pretty important advice on the dump. He came highly recommended. He said they needed a lawyer who has litigated under federal law and understood Town’s exposure. Berkshire countered that he did not have dump experience on his resume, but he would defer to Belkin’s recommendation. Belkin said he gave good advice in the past. Belkin said, with the significant issue of the dump, he also recommended that they hired a consultant to help with the VCUP process. Huckstep shared Berkshire’s concern. He said it was troubling looking at the VCUP and said Town may need some help in that realm. He felt there were alternative ways to move forward. Belkin reiterated he was comfortable. Mark Reaman, Editor of the Crested Butte News, confirmed the applicant would be paying for the lawyer and consultant. Belkin told the Council if they were not satisfied, they could get someone else. Huckstep’s concern was they were highly focused in the industry. Belkin said there was not an industry; it was a landfill.

Mason moved and Schmidt seconded a motion to authorize the mayor to execute an engagement letter with Bryan Cave LLP to serve as special legal counsel to the Town in regards to the possible clean up of the old Town landfill in connection with the proposed Slate River Addition Annexation Proposal. A roll call vote was taken with all voting, “Yes.” **Motion passed unanimously.**

**LEGAL MATTERS**

Crossett reported on the election situation that was raised by Michel and that staff has subsequently collected information to offer a sound recommendation. They have talked to CML and to the attorneys referred by CML who have experience in elections. He emphasized that they did not want to make accusations. There were nuances in election law in Colorado, and he did want to start pointing fingers. The County was the vendor to run the election, but ultimately it was Town’s election. Crossett said they wanted to instill confidence that voter rolls were as accurate as they could be. Town needed to develop processes collaboratively with the County. Schmidt was troubled with the time that had been spent. He did not want to spend additional money on attorneys. He said things happened when people moved back and forth. He didn’t think people’s #1 priority was notifying the County when they moved. He felt that mail-in ballots have made it easy to rip off a person, just like on the Internet or Face Book, which was one of the

problems he saw with mail in ballots. He emphasized that he did not want to spend a whole bunch of money. Belkin said given what went on, it was prudent to consult a lawyer. At this point, staff has done the right things. He suggested the clerks communicate, purge the rolls, and come up with a plan. Crossett said it was important to develop a plan with the County. The County indicated that changes in election law made it all that much more difficult given unique circumstances. Crossett said there was no blame to cast, and they didn't need to look for a difficult solution. He wanted to do what made sense. But, staff couldn't make a recommendation without knowing the landscape. He reminded the Council they had the option to not go with the recommendation and to drop it. Belkin strongly advised they followed the recommendation. Huckstep said they didn't even know if there was a problem, or if it was a one page process or a five page process. He was concerned about the time and money spent so far. Huckstep said they wanted to make sure the voter rolls were as accurate as possible. Crossett was not comfortable enunciating a plan without talking to the County. Ladoulis felt the standard for the roll that was mentioned could be cost prohibitive. Belkin summarized: 1) Council should communicate with the clerk's office. 2) Clerks would check elector rolls and determine the process to check them. 3) Come up with a written process. Huckstep said Town should not be spending a lot of time and money. He felt they were not talking about black and white issues. Belkin said it was about how best to identify people voting in Town. He said that the clerks should communicate on the topic and come up with a process. It was an administrative function to come up with curative actions. If state law created the problem, then Town could report to the Secretary of State, but he thought it was an administrative process. He said this process affected what could happen with the Council. Michel disagreed with Schmidt and Huckstep and said they were sitting there because of the people who voted for the elected body. He also cited a question of missing out on revenue for the Town. Huckstep countered that they would spend money quickly chasing down sales tax on cars. He was weighing potential outcomes. Michel said they knew there were more registered voters than eligible voters. Ladoulis did not want to see the Council jump to conclusions. Michel said it was important to fight for the people of Crested Butte. Berkshire thought what Belkin said was the right thing: let staff do it and come back with the answer. Crossett assured the Council that staff would come back to the Council, if the price became unreasonable. He said there were three categories of potential people with whom there was concern: 1) Those who don't look like they qualify but they do. 2) Those who did not think to change their registrations. 3) Those who intended to commit fraud. Mason added there was also a group that was deceased. Belkin felt staff had done a good job up to this point. He felt they didn't need a bunch of lawyers, and he didn't see any of this as a big spend. Mason was okay with the recommendations, but he wanted to see a plan of action before making the move down the road. He asked to see the plan at the next meeting. Schmidt would rather not vote on the recommendation, but he would rather vote on the plan of action at the next meeting. Communication between clerks should be able to work it out. Michel said to let staff do staff's job. He felt it should be done administratively and not done politically. Huckstep said that if it were a simple process it would be in front of them. Huckstep said they wanted to understand what it looked like. Belkin was hearing that they wanted to understand the process and to direct staff on process. Berkshire thought Town ought to do it and tell Council when it was fixed. Belkin explained they were discussing two

concepts: come back and approve process before moving forward, or come back and tell Council it was fixed. Schmidt said he didn't understand why they already spent money on outside attorneys in Denver. Belkin said they wanted to be comfortable giving Council good advice, and they tried to give them the process in good faith. Mason agreed they made the right choices. He said if someone contested an election the steps they have taken would be defensible. He was thinking down the road in future elections. Huckstep thought the way that everything unfolded created concern in playing catch up. Crossett asked the Council if staff was going with Berkshire or Schmidt's model. Michel, Mason, and Ladoulis agreed with Berkshire's model, but Ladoulis specified he wanted to know if staff was "going down the rabbit hole." Huckstep felt maybe they already went down the rabbit hole. Huckstep asked if Schmidt was comfortable. Mason said that sending out postcards to notify was a really good first step. Belkin said they could come up with something that made good sense, that did not cost \$50,000, or that sent staff down a rabbit hole. Schmidt was okay to spend \$1000 to put out postcards. Huckstep agreed with Schmidt, and his concern was he did not want to be caught off guard. Berkshire said it was out of left field, and he wanted to make sure Town was on solid ground. He trusted staff did not do anything out of a burning desire to waste money. He said there was a legitimate need and thought put into it.

## **COUNCIL REPORTS AND COMMITTEE UPDATES**

### Skip Berkshire

- Attended the West Elk Scenic Byways meeting in Montrose.
- They are involved in different aspects along the byway.
- They are particularly concerned about the oil and gas development in Carbondale and how they should weigh in regarding the BLM.
- They will meet in Crested Butte on July 17.

### Roland Mason

- Mountain Express applied for bus grants and was awarded three busses (two large busses and one small bus). Remarked that in the past few years, they have received about six busses. Said things were looking good on the bus scene.
- They discussed coming up with a proposal of how to get rid of old busses. The Fire District said they would like to use an old bus for training purposes. Also, they felt that there could be communities that could use a bus.
- Michel talked to the transit manager about removing busses. The transit manager wanted to retain busses because the new ones don't always work perfectly and have to be sent back on warranty.
- Mason stated they carried a lot of people, including about 9700 passengers, on December 31. 2004 was last time they saw that number.
- They carried 65,000 passengers last year during the holiday season and 73,000 passengers during the holiday season this year.
- The CB South bus transported 1000 passengers in December.
- Michel said that Mountain Express was drafting a letter to the National Forest Service asking if they would cooperate to provide bus service to Judd Falls.

Mountain Express would need a turn around for busses, parking, and parking enforcement.

#### Chris Ladoulis

- Attended the last TA meeting.
- John Norton will serve as Executive Director through March 31.
- Said the last two meetings were forward looking and results oriented.

#### Glenn Michel

- Spoke to the CBCS accountability committee about marijuana regulations.
- He was asked how the proposed annexation would affect the school district. He said that Yerman was going to speak to accountability committee.
- Mentioned concern that the current school is close to full.
- Said that Yerman had contacted Russ Forrest to get them on track to work with the annexation process.
- Schmidt wondered if their assumption with the annexation was: “if they build it, they will come.” He asked if they assumed there would be more people. Michel answered that they just wanted to know the process and be informed.
- Attended Big Mine Park Master Planning. Said he could see their passion with the number of skateboarders that were at the last meeting.

#### Jim Schmidt

- Referenced an email sent out by Chief Marshal Tom Martin informing the Council of the presentation of medals to officers involved in the non-shooting incident. Said he planned on being there. Crossett commented that the reason they were doing the presentation in the Marshal’s Office was because it was important to recognize and support them in the way they were most comfortable.
- The Cemetery Committee met.
- They discussed reducing the size of lots.
- Talked about a columbarium, but then thought they could take a piece of land and divide it, where people could put in an urn without taking a lot of space.
- Said they discussed using the pauper’s burial spot at the cemetery. There was only one person buried there in the past 30 years or so. The suggestion was to take some of that land, and set up in 4’x4’ or 5’x5’ spaces where people could locate an urn. No one on the Council thought this idea was unreasonable.

#### Aaron Huckstep

- Attended the RTA Board meeting on January 9.
- The TA is working with the RTA to market flights coming into the valley in March.
- Mayor/Manager meeting was last Thursday.
- The Upper Gunnison will come to Council to talk about the Colorado Water Plan in the near future.

- CAST is Thursday and Friday this week. Particular topics of interest to be discussed include: strategic event planning, the effects of VRBO and Airbnb, and a marijuana panel discussion.
- Last week he sat down with a group that is coming to talk about the Center for the Arts and the Mount Crested Butte Performing Arts Center. They recognize the need for collaboration. Ladoulis was identified as someone they wanted to come into the group because of his expertise as a business owner in addition to his experience on the Music Festival Board. No one on the Council was opposed to the appointment of Ladoulis.
- Schmidt asked if Huckstep had RTA numbers. Schmidt said the late night bus was busy.
- Huckstep said they had 70,000 riders in 2013 and 90,000 riders in 2014.
- Mason said the late night bus took 287 passengers from Gunnison to Crested Butte, which was an average of nine people per bus. The southbound, 11:15PM bus, carried 742 passengers. The bus was running into CB South on the late trip, and he reported 44 people got off.
- Said the ridership from Gunnison was surprising.
- Huckstep said Yerman asked Truex from RTA to support the Town's DOLA grant, and he was quite responsive.
- Mason stated summer air service increased from last year: 15 flights to 37 flights. He confirmed there would be a flight directly from Houston.

Schmidt commented on traffic on December 31 coming down the mountain at 6:15PM. He said vehicles were backed up past Slate River Road, and it had nothing to do with the fireworks.

### **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

None

### **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Monday, February 2, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- *Tuesday*, February 17, 2015 – 6:00PM Work Session – 7:00PM Regular Council
- Monday, March 2, 2015 – 6:00PM Work Session – 7:00PM Regular Council

**ADJOURNMENT**

Mayor Huckstep adjourned the meeting at 9:56PM.

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Aaron J. Huckstep, Mayor

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Lynelle Stanford, Town Clerk (SEAL)



## Staff Report

February 2, 2015

**To:** Mayor and Town Council  
**Thru:** Todd Crossett, Town Manager  
**From:** Lynelle Stanford, Town Clerk  
**Subject:** The ARTumn Festival  
**Date:** 1-25-2015

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**Summary:** Steven Wallis of Colorado Events has proposed The ARTumn Festival for the second consecutive year. The event would take place in the Zero Block of Elk Avenue September 19 & 20, 2015. The ARTumn Festival would be a two day outdoor celebration of visual arts and handcrafted goods. Vendor tents would line both sides of Elk Avenue in the Zero Block. Only merchandise would be sold. There would be no food served nor a special event liquor permit. Wallis intends to set up trash and recycling receptacles and would remove all of the trash and recyclables generated from the event.

**Recommendation:** To approve The ARTumn Festival special event application.

**Suggested Motion:** To approve The ARTumn Festival special event application.

**TOWN OF CRESTED BUTTE  
SPECIAL EVENT APPLICATION**



- A complete application must be submitted a minimum of forty-five (45) days prior to your event. A complete application includes all fees and deposits.
- Incomplete applications will not be accepted.
- A \$100 late fee will be charged for late applications and no applications will be accepted less than ten (10) business days prior to an event.
- In addition to the application fee and a special event permit fee, a clean-up deposit may be charged depending on the size and scale of the event (see special event fee schedule for details).
- All special events require a minimum of \$1,000,000 in general commercial liability insurance naming the Town of Crested Butte as an additional insured. If you have reserved the Big Mine Ice Arena for more than 299 people you will also need to add the Crested Butte Fire Protection District as an additional insured.
- Additional application fees are required for a Special Event Liquor License.
- Please print clearly and legibly
- Block parties must comply with the Block Party Policies and are not Special Events. Contact the Clerk's Office for more information.

Name of Event: The ARTumn Festival

Date(s) of Event: September 19 & 20, 2015

Name of Organization Holding the Event ("Permittee"): Colorado Events

Note: The permittee of an event must be the same as the named insured on the insurance binder.

Name of Event Organizer: Steven Wallis

Phone: 720-272-7467

Cell Phone: 720-272-7467

E-Mail: coloradoevents@gmail.com

Fax Number: 901-328-1477

Name of Assistant or Co-Organizer (if applicable): NIA

Phone: NIA Cell Phone: NIA E-Mail: NIA

Mailing Address of Organization Holding the Event: 2525 Arapahoe Ave, E4-720

Email Address of Organization: coloradoevents@gmail.com Phone Number: 720-272-7467

Detailed Event Description: Please attach an event schedule if applicable  Event Schedule Attached

The ARTumn Festival is a 2 day outdoor celebration of visual arts and handcrafted goods.

Come explore a vast array of local art and crafts in beautiful Crested Butte

Event Location: *(Attach map showing location of event; Also attach 8 1/2" X 11" diagram detailing the event showing tents, vendors, security, toilets, tables, signage, fencing, booths, ingress and egress, stage, etc):*

Map Attached Showing Location of Event

Diagram Attached Detailing Event

Event Time (start time of scheduled event to end time of scheduled event): Set up Sat 7:30 - 10am, Take Down on Sunday 5 - 7pm  
Total Time (including set-up, scheduled event, break-down & clean-up): Event Hours 10 - 6 on Saturday; 10 - 5 on Sunday  
Expected Numbers: Participants: 25 Spectators: 1000

Do You Intend to Sell or Serve Alcohol? Yes  No - No Alcohol, food, or drinks will be sold at the event  
If Yes, a Special Event Liquor License is Required, You must Submit a Separate Application for a Special Event Liquor License to the Town Clerk at least 30 days prior to the event to ensure adequate time to comply with state regulations.

Special Event Liquor License Application is Attached with Appropriate Fees and Diagram

Proof of General Commercial Liability Insurance Naming the Town of Crested Butte as Additional Insured, with Coverage of No Less than \$1,000,000 is Required for All Special Events. If your event is in the Big Mine Ice Arena and over 299 people you will also need to add the Crested Butte Fire Protection District as Additional Insured. Events Selling Alcohol also Require Liquor Liability Insurance (Note your application cannot be approved until we receive Proof of Insurance). *Contact the Clerk's Office if you would like to receive an insurance quote through the Town's Insurance Provider.*

Is Proof of Insurance Attached? Yes  No

If No, Why Not: I have attached our insurance certificate. I will send you an updated Insurance certificate after our policy renews on 5/1/2015.

Will There Be Amplified Sound at This Event? Yes  No - there will not be any amplified sound.

If Yes, Describe: No

Note: If there will be amplified sound during your event then the rules and requirements of Crested Butte Municipal Code Section 10-9-50 must be followed. Upon completion and submission of this application the Town will provide you with additional information, including details on how to comply with the neighborhood notification process that you will be required to follow.

Are you requesting Town Manager approval for a 1-day banner at the event location for the hours of the event? Yes /  No - Banner request for this event Town Manager Approval: \_\_\_\_\_

Do you plan to apply for a banner permit to erect a banner at the Pitsker Outfield Fence?  Yes / No  
If yes, you must apply for a banner permit separately through Diane at the Front Desk of Town Hall.

How much trash do you anticipate generating at the event? Zero Waste - No food will be sold at the event.

What recyclable products will be generated at the event? Zero Waste - No food will be sold at the event.

Describe Your DETAILED Plan for Trash, Recycling and Clean-Up (all events are required to have a plan for handling recycling and garbage during the event and the removal of recycling and garbage after the event). Please note that any plan should emphasize increased recycling and decreased waste production. If you feel that your event will require assistance from a waste company contact the Clerk's Office at 349-5338 or look on the special event section of the Town's website at [www.townofcrestedbutte.com](http://www.townofcrestedbutte.com) for details on the two different waste companies that serve Crested Butte and the scope of their services. Be creative and detailed in you plan. Please note that any event application without a detailed recycling and refuse plan will not be accepted as a complete application:

We plan to set up trash and recycling receptacles. We will remove all of our own trash and recyclables accumulated at the event.

We will also ensure that all recyclable items are brought to a proper recycling facility.

There will only be merchandise for sale and there will not be food sold at the event so the trash and recycling should be minimal.

Describe Plan for Security (All major impact events, as well as events that receive a special event liquor license, are required to have a security plan):

We will hire an overnight security guard for Saturday night, September 19th.

Describe Plan for Parking: We will have the vendors park in public parking near the Big Mine Ice Arena or

SEE EMAIL ATTACHMENT

Describe Plan for Portable Toilets and/or Restrooms:

If this is an event requirement then we plan to comply.

SEE EMAIL ATTACHMENT

Is Your Event Requesting Any Additional Services from the Town of Crested Butte (such as barricades, utility irrigation locates, traffic control, snow removal, electrical power, trash removal, additional police etc.)? Yes  No

If Yes, explain request for services in detail (attach additional page if necessary):

We do not need any special services from the Town.

Will Your Event Require Any Road Closures  Yes / No

If Yes, Explain in Detail Streets Closures and Times of Closures:

Yes, the closure of the zero block of Elk Avenue.

Will Your Event Impact Mt. Express Bus Service and/or Routes  Yes / No

If Yes, Explain Impact:

Will Your Event Affect Any Handicap Parking Spaces  Yes / No

If yes then you must work with the Marshal's Department to create a temporary handicap parking space/s for the duration of your event.

Describe Plan for Notifying Businesses and Neighbors Impacted by Your Event:

We will advertise in the Crested Butte News. We will also have event posters in neighboring businesses.

We will also attempt to notify all the surrounding businesses and residences prior to the event.

Does Your Event Include a Parade  Yes / No

If yes you must read and sign the following: I understand that if items are to be distributed during the parade (i.e. candy, beads, etceteras) individuals will do so exclusively by foot from along-side the vehicles/floats to minimize the likelihood of spectators running up to the vehicles/floats. I understand and agree that items will not be thrown from any vehicle/float.

*Stephanie L. ...*  
Signature of Event Coordinator

Will You Be Selling Products (food, drink or merchandise) At Your Event  Yes  No

If Yes, You must Collect Sales Tax and Attach a Completed Town of Crested Butte Sales Tax License Application.  Town of Crested Butte Sales Tax Application is Attached.

**If Approved Would You Like Town Staff To Post The Event On The Gunnison-Crested Butte Online Community Calendar (this service is free of charge) ✓ es / No**

**If yes, please write two sentences below describing the event in the exact wording it will appear on the calendar:** Celebrate the arrival of fall in the picturesque town of Crested Butte with an outdoor festival showcasing emerging artists and designers, producing original and unique handmade goods, in a wide array of media. Attendees will find a vast array of artisans and crafters displaying and selling their unique creations in pottery, sculpture, glass, jewelry, fashion, home décor, furniture, home accessories, photography, and more.

**Contact Name & Phone Number for the Calendar:** Steven Wallis  
**Event Fee for the Calendar:** Free **Website for More Info:** www.coloradoevents.net

**Additional Applicant Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please Review Carefully:

In consideration for being permitted by the Town to engage in the permitted event, the Permittee, its heirs, successors, executors, assigns, transferees, employees, officers, directors, members, managers, representatives, contractors, subcontractors, agents, assigns, guests and invitees (collectively, the "Releasor/Idemnitor") hereby acknowledge and agree to the following: (i) Releasor/Idemnitor assume all risk of injury, loss or damage to Releasor/Idemnitor, any of them, arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (ii) Releasor/Idemnitor waive and release the Town from any and all claims, demands and actions for injury, loss or damage arising out of or in any way related to the permitted event, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause; (iii) Releasor/Idemnitor agree to defend, indemnify and hold harmless the Town from and against any and all liability, claims, damages and demands, including any third party claim asserted against the Town, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, arising out of or in any way related to the permitted use, whether or not caused by the act or omission, negligence or other fault of the Town, or by any other cause. For purposes hereof, the term "Town" shall include, individually and collectively, its officers, employees, agents, insurers, insurance pools, contractors and subcontractors. By signing this Special Event Application, the Permittee acknowledges and agrees that this assumption of risk, waiver and indemnity extends to all acts, omissions, negligence or other fault of the Town and that said assumption of risk, waiver and indemnity is intended to be as broad and inclusive as is permitted by the laws of the State of Colorado. In any portion hereof is held invalid, it is further agreed that the balance shall, notwithstanding such invalidity, continue in full legal force and effect.

The undersigned Permittee certifies that all the statements and answers to the above questions are true without any reservations or evasions. The undersigned also understands that the Town of Crested Butte reserves the right to require payment for additional services for major impact events

Steven Wallis  1-5-2015  
**Print Name Clearly / Signature of Applicant (Permittee) Date**

Application is Approved: \_\_\_\_\_ Date: \_\_\_\_\_

# Event Map

A celebration of the visual arts

On the west end of **15th St** in Downtown

# ARTIUM Festival



**Legend:**



= 10' x 10' easy up canopy tent that is properly weighted down.



= Trash and Recycling Bins



# Town of Crested Butte Special Event Sales Tax License Application

FOR OFFICE USE

EVENT: \_\_\_\_\_  
DATE: \_\_\_\_\_  
EXS: \_\_\_\_\_ LVR: \_\_\_\_\_  
VL: \_\_\_\_\_ STR: \_\_\_\_\_

Event Name ARTumn Festival Date(s) September 19th & 20th, 2015  
Location Zero block of Elk Avenue

Contact Colorado Events / Steven Wallis  
Phone 720-272-7467  
email coloradoevents@gmail.com

**Mailing Address**

2525 Arapahoe Ave, E4-720  
Boulder, CO 80302  
\_\_\_\_\_  
\_\_\_\_\_

**Physical Address**

938 Wagonwheel Gap Rd  
Boulder, CO 80302  
\_\_\_\_\_  
\_\_\_\_\_

How many vendors? About 20

WHAT TYPE OF VENDORS WILL BE PRESENT (circle all that apply)

GOODS    FOOD/BEVERAGE    SERVICE

HOW MANY VENDORS?

About 20 vendors selling goods.

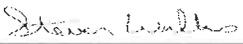
**NON-PROFIT**--If your nonprofit organization is designated as a 501c (3) "a charitable nonprofit", this allows you to be exempt from paying sales tax when purchasing items, however you are still required to charge and remit 4% Town of Crested Butte sales tax in conjunction with the sale of any merchandise, food, and/or beverage.

**AUCTIONS**--Items sold at an auction require 4% Town of Crested Butte sales tax to be charged on the value of the item or the sales price, whichever is less, regardless whether the item may have been acquired by donation or gift. Please note that the State of Colorado handles this differently and it is necessary to contact them for further information.

**ADMISSION/COVER CHARGES** that include tangible personal property, such as food, beverage, and/or gifts that are received in consideration for the amount paid, are taxable.

I certify that all information given is true and correct. I agree to collect and remit all Sales Taxes incurred at this event by the 20th of the month following the event.

Printed Name Steven Wallis Date 1-5-2015

Signature 

Town of Crested Butte  
PO Box 39  
Crested Butte, CO 81224

(970)349-5338  
Fax (970)349-6626  
tinac@crestedbutte-co.gov

# Town of Crested Butte

P.O. Box 39

Crested Butte, Colorado 81224

~~A National Historic District~~

Phone: 970-349-5338

Fax: 970-349-6626

## SINGLE BANNER PERMIT APPLICATION FOR SPECIAL CIVIC EVENT

The undersigned, on behalf of Colorado Events  
A **NOT-FOR-PROFIT** organization, requests permission to display a banner  
promoting the following special civic event:

DATE(S) OF EVENT: September 19<sup>th</sup> & 20<sup>th</sup>, 2015

NAME OF EVENT: ARTumn Festival

SPONSORING GROUP OR ENTITY: Colorado Events

CONTACT PERSON: Steven Wallis

PHONE NUMBER: 720-272-7467

### MAXIMUM BANNER DISPLAY IS 1 (one) WEEK

Display location is the Pitsker Town Park softball chain link fence (not on the net!) that runs parallel to 6<sup>th</sup> Street, across from True Value. The banner should not contain any religious references or political advocacy. Sponsoring entity will hang and remove banner.

Thanks and good luck with your event.

September 18, 19, 20 – 2015

DATES REQUESTED FOR BANNER: \_\_\_\_\_

  
Signature of requester

APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

## Betty Warren

---

**From:** Colorado Events <coloradoevents@gmail.com>  
**Sent:** Friday, January 09, 2015 3:00 AM  
**To:** Betty Warren  
**Subject:** Re: The ARTumn Festival

Hi Betty,

Thanks for the response. I am really looking forward to the event. Here is a response regarding the outstanding items:

1. I will send you an updated insurance certificate after our policy renews on 5/1/2015. My insurance agent won't do a certificate past the effective date, until the policy renews.
- OK 2. I will send you a check for the \$425. Just let me know what address I should mail it to and who I should make the check payable to.
- OK 3. I can go either way on the banner permit. It says I should apply for the banner permit separately with Diane in Town Hall. Can you email me a copy of the banner permit application, so I can fill that out and apply with Diane?
- OK 4. As for the parking we are not going to have too many vendors to have an impact on parking. Last year, we had the vendors park their cars for the day in the public parking near the Big Mine Ice Arena. I was hoping to have the vendor's park somewhere that is away from Elk Ave, so we can leave the parking spaces closest to Elk Avenue open to the general public. Last year, I specifically asked the vendors to not park in the parking lot at 1<sup>st</sup> and Elk, for that reason. However, I can direct the vendors to park anywhere that you would suggest.
5. I will contact Waste Management and set a portable toilet for this event. I will get you proof of that portable toilet agreement once I get it set up.

I will give you a call on Friday and we can discuss these things further. Thank you again.

Steve Wallis  
Director for Colorado Events  
720-272-7467  
www.coloradoevents.net

On Thu, Jan 8, 2015 at 5:03 PM, Betty Warren <[BWarren@crestedbutte-co.gov](mailto:BWarren@crestedbutte-co.gov)> wrote:

Hi Steven:

I am processing your application for The ARTumn Festival and have a few items that we will need. As you mentioned in your application, we will ask for a copy of your insurance renewal as of 5-1-2015.

Other items:

- Check for \$425 to include: (\$25 application fee, \$200 Permit fee, \$200 clean up deposit)
- Do you wish to apply for a banner permit?
- Parking details were cut off on the printed version of your application, so just need clarification.
- Portable toilets will be necessary (You can contact Waste Management to set that up for your event)

I will be in the office tomorrow and will give you a call to discuss.

Thanks so much.

Betty

Betty Warren

Deputy Town Clerk

P.O. Box 39

507 Maroon Avenue

Crested Butte, CO 81224

Phone: (970) 349-5338 x123

Fax: (970) 349-6626

[BWarren@crestedbutte-co.gov](mailto:BWarren@crestedbutte-co.gov)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/27/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Matthew Smith(0733364) 3775 Iris Ave Ste 3b  Boulder CO 80301-2002	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 303-442-0943 E-MAIL ADDRESS: msmith19@farmersagent.com FAX (A/C, No):													
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Truck Insurance Exchange</td> <td>21709</td> </tr> <tr> <td>INSURER B : Farmers Insurance Exchange</td> <td>21652</td> </tr> <tr> <td>INSURER C : Mid Century Insurance Company</td> <td>21687</td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Truck Insurance Exchange	21709	INSURER B : Farmers Insurance Exchange	21652	INSURER C : Mid Century Insurance Company	21687	INSURER D :		INSURER E :		INSURER F :
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<b>INSURED</b> COLORADO EVENTS 2525 ARAPAHOE E-4, 720 BOULDER CO 80302														

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		604882631	05/01/2014	05/01/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 75,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/> N / A				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Town of Crested Butte is listed as additional insured

**CERTIFICATE HOLDER****CANCELLATION**

Town of Crested Butte  
 507 Maroon Avenue

Crested Butte

CO 801224

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

*Sarah Fabrizio*



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/27/2015

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<b>PRODUCER</b> Matthew Smith(0733364) 3775 Iris Ave Ste 3b  Boulder CO 80301-2002		<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): 303-442-0943 E-MAIL ADDRESS: msmith19@farmersagent.com FAX (A/C, No):
<b>INSURED</b> COLORADO EVENTS 2525 ARAPAHOE E-4, 720 BOULDER CO 80302		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A : Truck Insurance Exchange NAIC # 21709 INSURER B : Farmers Insurance Exchange 21652 INSURER C : Mid Century Insurance Company 21687 INSURER D : INSURER E : INSURER F :

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	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A WC STATU-TORY LIMITS    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Town of Crested Butte is listed as additional insured

<b>CERTIFICATE HOLDER</b> Town of Crested Butte 507 Maroon Ave.  Crested Butte CO 81224	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  <i>Sarah Fabrizio</i>
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# THE AUTUMN FESTIVAL (SEPT 19 & 20, 2015)

## DEPARTMENT APPROVALS (For Official Use Only)

Note: Please clearly state in your comment area what requested services your department will/will not provide for the event.

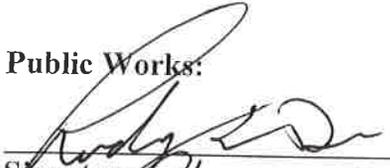
**From:** Tom Martin  
**Sent:** Monday, January 26, 2015 2:21 PM  
**To:** Betty Warren  
**Subject:** RE: Special Event - The ARTumn Festival

strictions/Comments:

Ok with the Marshal's department.

Tom Martin

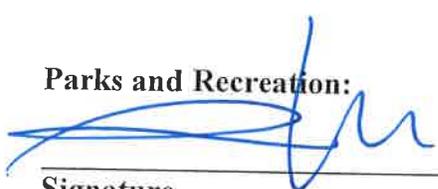
Public Works:

  
Signature \_\_\_\_\_ Date 1/26/2015  
Rodney E. Dunn  
Name (Printed) \_\_\_\_\_

Conditions/Restrictions/Comments:

OK will work with  
Marshal's & Event organizers  
as needed

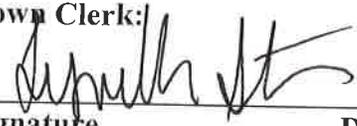
Parks and Recreation:

  
Signature \_\_\_\_\_ Date 1/27/15  
Janna Hansen  
Name (Printed) \_\_\_\_\_

Conditions/Restrictions/Comments:

Looks good! No other  
events are currently  
Scheduled at Big Mine.

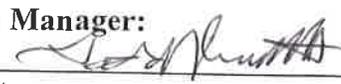
Town Clerk:

  
Signature \_\_\_\_\_ Date 1-25-2015  
Lynelle Stanford  
Printed Name (Printed) \_\_\_\_\_

Conditions/Restrictions/Comments:

Contingent upon insurance  
renewal + Town of Crested  
Butte as additionally insured  
entry. - provided + good!  
1-27-15

Town Manager:

  
Signature \_\_\_\_\_ Date 1/28/15  
Todd Crosssett  
Printed Name (Printed) \_\_\_\_\_

Conditions/Restrictions/Comments:

Contingent upon all  
requirements here noted

THE AUTUMN FESTIVAL SEPT 19<sup>th</sup> 20, 2015

Crested Butte Fire Protection District:

[Signature] 1/27/15  
Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

Ensure emergency vehicle  
access down the middle  
of the block

Mt. Express Bus Service:

[Signature] 1/26/15  
Signature Date

Printed Name (Printed)

Conditions/Restrictions/Comments:

No impact on MX

Official Use Only:

Application Received 1/6/2015 Date Distributed 1/26/2015

Council Date (if applicable) FEB 2, 2015

Approval Date \_\_\_\_\_ Method of Approval:  Administratively  By Town Council

Approval Contingencies \_\_\_\_\_

Application fee \$25 Check # 537 Date Paid 1-9-15

Permit Fee \$200 Check # 537 Date Paid 1-9-15

Local Liquor License Fee \_\_\_\_\_ Check # \_\_\_\_\_ Date Paid \_\_\_\_\_

State Liquor License Fee \_\_\_\_\_ Check # \_\_\_\_\_ Date Paid \_\_\_\_\_ Date Liq. Application Sent \_\_\_\_\_

Additional Fee \_\_\_\_\_ Check # \_\_\_\_\_ Date Paid \_\_\_\_\_

Clean Up Deposit \$200 Check # 537 Date Paid 1-9-15 Date Returned: \_\_\_\_\_



## Staff Report

February 2, 2015

**To:** Mayor and Town Council  
**Thru:** Todd Crossett, Town Manager  
**From:** Lynelle Stanford, Town Clerk  
**Subject:** Transfer of Liquor License from Teocalli Tamale Inc to Teocalli Tamale Company  
**Date:** January 15, 2015

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### SUMMARY:

Teocalli Tamale Company has applied for a transfer of a Hotel and Restaurant Liquor License at 311 ½ Elk Avenue. 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 January 23, 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 Hotel and Restaurant 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 a background investigation concerning the principals of Teocalli Tamale Company: Michael Burke and Andrew Menzies. 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 Hotel and Restaurant Liquor License for Teocalli Tamale Company DBA Teocalli Tamale located at 311 ½ Elk Avenue; Crested Butte, Colorado for the reasons stated in the staff report dated January 15, 2015.

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

**TEOCALLI TAMALE COMPANY  
dba TEOCALLI TAMALE  
311 - 1/2 ELK AVENUE  
CRESTED BUTTE CO 81224**

**ALCOHOL BEVERAGE LICENSE**

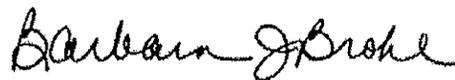
Liquor License Number <b>4703984</b>	License Expires at Midnight <b>January 13, 2016</b>
License Type <b>HOTEL &amp; RESTAURANT (CITY)</b>	
Authorized Beverages <b>MALT, VINOUS, AND SPIRITUOUS</b>	

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. 1/14/2015 sjc



Division Director



Executive Director

**COLORADO LIQUOR  
 RETAIL LICENSE APPLICATION**

NEW LICENSE     TRANSFER OF OWNERSHIP     LICENSE RENEWAL

• ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN  
 • APPLICANT MUST CHECK THE APPROPRIATE BOX(ES)  
 • LOCAL LICENSE FEE \$ \_\_\_\_\_  
 • APPLICANT SHOULD OBTAIN A COPY OF THE COLORADO LIQUOR AND BEER CODE (Call 303-370-2165)

1. Applicant is applying as a  
 Corporation  
 Partnership (includes Limited Liability and Husband and Wife Partnerships)  
 Individual  
 Limited Liability Company  
 Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation    Fein Number  
 TEOCALLI TAMALE COMPANY    [REDACTED]

2a. Trade Name of Establishment (DBA)    State Sales Tax No.    Business Telephone  
 TEOCALLI TAMALE    [REDACTED]    970/349-2005

3. Address of Premises (specify exact location of premises)  
 311 - 1/2 Elk Avenue

City Crested Butte	County Gunnison	State CO	ZIP Code 81224
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4. Mailing Address (Number and Street) Box 2004	City or Town Crested Butte	State CO	ZIP Code 81224
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5. If the premises currently have a liquor or beer license, you MUST answer the following questions:

Present Trade Name of Establishment (DBA) TEOCALLI TAMALE	Present State License No. 28-29368	Present Class of License Hotel Rest	Present Expiration Date Dec 2014
--	---------------------------------------	--	-------------------------------------

LIAB	SECTION A	NONREFUNDABLE APPLICATION FEES	LIAB	SECTION B (CONT.)	LIQUOR LICENSE FEES
2300	<input type="checkbox"/>	Application Fee for New License .....	1985	<input type="checkbox"/>	Resort Complex License (City) .....
2302	<input type="checkbox"/>	Application Fee for New License - w/Concurrent Review .....	1986	<input type="checkbox"/>	Resort Complex License (County) .....
2310	<input checked="" type="checkbox"/>	Application Fee for Transfer .....	1988	<input type="checkbox"/>	Add Related Facility to Resort Complex... \$ 75.00 X Total
			1990	<input type="checkbox"/>	Club License (City) .....
			1991	<input type="checkbox"/>	Club License (County) .....
			2010	<input type="checkbox"/>	Tavern License (City) .....
			2011	<input type="checkbox"/>	Tavern License (County) .....
			2012	<input type="checkbox"/>	Manager Registration - Tavern .....
			2020	<input type="checkbox"/>	Arts License (City) .....
			2021	<input type="checkbox"/>	Arts License (County) .....
			2030	<input type="checkbox"/>	Racetrack License (City) .....
			2031	<input type="checkbox"/>	Racetrack License (County) .....
			2040	<input type="checkbox"/>	Optional Premises License (City) .....
			2041	<input type="checkbox"/>	Optional Premises License (County) .....
			2045	<input type="checkbox"/>	Vintners Restaurant License (City) .....
			2046	<input type="checkbox"/>	Vintners Restaurant License (County) .....
			2220	<input type="checkbox"/>	Add Optional Premises to H & R .....
			2370	<input type="checkbox"/>	Master File Location Fee .....
			2375	<input type="checkbox"/>	Master File Background .....

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

LIABILITY INFORMATION					
County	City	Industry Type	License Account Number	Liability Date	License Issued Through
				FROM	(Expiration Date) TO
State -750 (999)	City 2180-100 (999)	County 2190-100 (999)	Managers Reg -750 (999)		
Cash Fund New License 2300-100 (999)			Cash Fund Transfer License 2310-100 (999)	TOTAL	
				\$	

## APPLICATION DOCUMENTS CHECKLIST AND WORKSHEET

**Instructions:** This check list should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

### ITEMS SUBMITTED, PLEASE CHECK ALL APPROPRIATE BOXES COMPLETED OR DOCUMENTS SUBMITTED

#### I. APPLICANT INFORMATION

- A. Applicant/Licensee identified.
- B. State sales tax license number listed or applied for at time of application.
- C. License type or other transaction identified.
- D. Return originals to local authority.
- E. Additional information may be required by the local licensing authority.

#### II. DIAGRAM OF THE PREMISES

- A. No larger than 8 1/2" X 11".
- B. Dimensions included (doesn't have to be to scale). Exterior areas should show control (fences, walls, etc.).
- C. Separate diagram for each floor (if multiple levels).
- D. Kitchen - identified if Hotel and Restaurant.

#### III. PROOF OF PROPERTY POSSESSION

- A. Deed in name of the Applicant ONLY (or)
- B. Lease in the name of the Applicant ONLY.
- C. Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant.
- D. Other Agreement if not deed or lease.

#### IV. BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS

- A. Individual History Record(s) (Form DR 8404-I).
- B. Fingerprints taken and submitted to local authority. (State authority for master file applicants.)
- C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license.
- D. List of all notes and loans.

#### V. CORPORATE APPLICANT INFORMATION (If Applicable)

- A. Certificate of Incorporation (and/or)
- B. Certificate of Good Standing if incorporated more than 2 years ago.
- C. Certificate of Authorization if foreign corporation.
- D. List of officers, directors and stockholders of parent corporation (designate 1 person as "principal officer").

#### VI. PARTNERSHIP APPLICANT INFORMATION (If Applicable)

- A. Partnership Agreement (general or limited). Not needed if husband and wife.

#### VII. LIMITED LIABILITY COMPANY APPLICANT INFORMATION (If Applicable)

- A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office).
- B. Copy of operating agreement.
- C. Certificate of Authority (if foreign company).

#### VIII. MANAGER REGISTRATION FOR HOTEL AND RESTAURANT, TAVERN LICENSES WHEN INCLUDED WITH THIS APPLICATION

- A. \$75.00 fee.
- B. Individual History Record (DR 8404-I).

6. 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

7. 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 7a, b or c, explain in detail on a separate sheet.

8. 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.

9. 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?

10. 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 or former financial interest in said business including any loans to or from a licensee.

11. 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
Purple Mountain Properties LLC	Teocalli Tamale Company	10/31/2020

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". (Doesn't have to be to scale)

12. 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.

NAME	DATE OF BIRTH	FEIN OR SSN	INTEREST
David W. Burke (parent)	05/20/49	[REDACTED]	Note - \$275,000
David W. Burke (parent)	5-20-49	[REDACTED]	Note - \$225,000

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.

13. **Optional Premises or Hotel and Restaurant Licenses with Optional Premises** Yes  No   
 Has a local ordinance or resolution authorizing optional premises been adopted?  
 Number of separate Optional Premises areas requested. \_\_\_\_\_ (See License Fee Chart)

14. **Liquor Licensed Drug Store** applicants, answer the following: Yes  No   
 (a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? COPY MUST BE ATTACHED.

15. **Club Liquor License** applicants answer the following and attach: Yes  No   
 (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 that was operated solely for the reasons stated above?    
 (Three years required)

16. **Brew-Pub License or Vintner Restaurant Applicants** answer the following: Yes  No   
 (a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)

17a. Name of Manager (for all on-premises applicants) Michael B Burke (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record (DR 8404-I). Date of Birth 03/23/1984

17b. 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. Yes  No

18. **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. Yes  No

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?  or  
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

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 <b>Burke</b>	First Name <b>Michael</b>	Date of Birth <b>3-23-84</b>	FEIN or SSN [REDACTED]	Interest/Percentage <b>55,000</b>
Last Name <b>Burke</b>	First Name <b>Michael</b>	Date of Birth <b>3-23-84</b>	FEIN or SSN [REDACTED]	Interest/Percentage <b>45,000</b>

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 8404-1)

Last Name of Manager	First Name of Manager	Date of Birth

18b. Does this manager acts 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.

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.

19. 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 finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
Michael B Burke	712 Gothic #5, Crested Butte CO 81224	03/23/84	Pres	80%
Andrew Menzies	712 Gothic #5, Crested Butte, CO 81224	11/14/74	Secy	20%

\*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

**Additional Documents to be submitted by type of entity**

- CORPORATION**     Cert. of Incorp.     Cert. of Good Standing (if more than 2 yrs. old)     Cert. of Auth. (if a foreign corp.)  
 **PARTNERSHIP**     Partnership Agreement (General or Limited)     Husband and Wife partnership (no written agreement)  
 **LIMITED LIABILITY COMPANY**     Articles of Organization     Cert. of Authority (if foreign company)     Operating Agrmt.  
 **ASSOCIATION OR OTHER**    Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable) **Michael B Burke**      Address for Service **311-1/2 Elk Avenue, Crested Butte, CO 81224**

**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       Title **President**      Date **10-28-14**

**REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)**

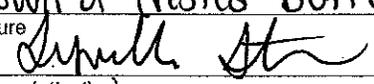
Date application filed with local authority **October 31, 2014**      Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.:

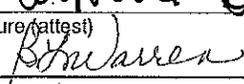
**THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:**

- That each person required to file DR 8404-I (Individual History Record) has:      Yes    No
- 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 \_\_\_\_\_
- 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**       TOWN, CITY     COUNTY

Signature       Title **Town Clerk**      Date **10-31-2014**

Signature (attest)       Title **DEPUTY TOWN CLERK**      Date **10/31/2014**

## AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the:  Licensee  Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 28th day of Oct, 2014.

**Seller:**

TEOCALLI TAMALE INC.  
02829368

Licensee & License Number

TEOCALLI TAMALE

Trade name

X

Signature

Corporate President

Position

DavinSjoberg

Print Name

**Buyer:**

TEOCALLI TAMALE COMPANY  
30876328

Applicant

TEOCALLI TAMALE

Trade name

Signature

Corporate President

Position

Michael B Burke

Print Name

NO local records with serious  
 concerns. Fingerprints  
 forwarded to C.B.I. Will  
 notify Council with any concerns  
 from

## INDIVIDUAL HISTORY RECORD

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation; all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant or Tavern class of retail license.

**NOTICE:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". Any deliberate misrepresentation or material omission may jeopardize the license application.

1. Name of Business

TEOCALLI TAMALE COMPANY

2. Your Full Name (last, first, middle)

BURKE, MICHAEL BRENDON

3. List any other names you have used.

-----

4. Mailing address (if different from residence)

P O Box 2246, Crested Butte, CO 81224

5. List current residence address. Include any previous addresses within the last five years (attach separate sheet if necessary).

STREET AND NUMBER		CITY, STATE, ZIP	FROM	TO
Current	712 Gothic Ave, #5	Crested Butte, CO 81224	Sep '14	Present
Previous	824 County Road 826A	Crested Butte, CO 81224	Sep '10	Sep '14

6. List all employment within the last five years. Include any self employment. (Attach separate sheet if necessary)

NAME OF EMPLOYER OR BUSINESS	ADDRESS (STREET, NUMBER, CITY, STATE, ZIP)	POSITION HELD	FROM	TO
Teocalli Tamale	311-1/2 Elk Avenue Crested Butte, CO 81224	Cook	2007	Present

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

NAME OF RELATIVE	RELATIONSHIP TO YOU	POSITION HELD	NAME OF LICENSEE
None			

8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? If yes, answer in detail.

Yes  No

9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? If yes, explain in detail.

Yes  No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  
 Yes  No **Drug Paraphernalia Misdemeanor - Dec 2005**  
**Careless Driving - Oct 2008 and Sep 2013**

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (if yes, explain in detail.)  
 Yes  No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)  
 Yes  No

**PERSONAL AND FINANCIAL INFORMATION**

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential.  
 The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth 03/23/1984		b. Social Security Number SSN [REDACTED]		c. Place of Birth St. Louis, MO		d. U.S. Citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
e. If Naturalized, State where				f. When		g. Name of District Court	
h. Naturalization Certificate Number		i. Date of Certification		j. If an Alien, Give Alien's Registration Card Number		k. Permanent Residence Card Number	
l. Height 5'11"	m. Weight 165	n. Hair Color Brn	o. Eye Color Brn	p. Sex M	q. Race W	r. Do you have a current Driver's License? If so, give number and state <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 03-072-0510 CO	

14. Financial Information.  
 a. Total purchase price \$ **450,000.00** (if buying an existing business) or investment being made by the applying entity, corporation, partnership, limited liability company, other \$

b. List the total amount of your investment in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid \$ **500,000**

c. Provide details of the Investment described in 14.b. You must account for all of the sources of this investment. Attach a separate sheet if needed.

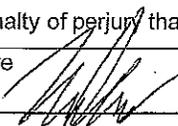
Type: Cash, Services or Equipment	Source	Amount
Cash - Commerce Bank	David W. Burke (parent), St. Louis, MO	\$500,000

d. Loan Information (attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
David W. Burke - Note #1	1326 Woodfield Manor St. Louis, MO 63122	8 yrs	None	275,000
David W. Burke - Note #2	same	on Demand	None	225,000

**Oath of Applicant**

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature 	Title President	Date 10-27-14
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*No local record  
 Fingerprints forwarded to  
 C.B.I. will notify council  
 with any serious concerns  
 TOM*

## INDIVIDUAL HISTORY RECORD

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant or Tavern class of retail license.

**NOTICE:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". Any deliberate misrepresentation or material omission may jeopardize the license application.

1. Name of Business

TEOCALLI TAMALE COMPANY

2. Your Full Name (last, first, middle)

MENZIES, ANDREW W.

3. List any other names you have used.

4. Mailing address (if different from residence)

Box 2281, Crested Butte, CO 81224

5. List current residence address. Include any previous addresses within the last five years (attach separate sheet if necessary).

STREET AND NUMBER		CITY, STATE, ZIP	FROM	TO
Current	712 Gothic Avenue, #5	Crested Butte, CO 81224	08/15/14	Present
Previous	327 Elk Avenue, #C	Crested Butte, CO 81224	09/2011	08/15/14

6. List all employment within the last five years. Include any self employment. (Attach separate sheet if necessary).

NAME OF EMPLOYER OR BUSINESS	ADDRESS (STREET, NUMBER, CITY, STATE, ZIP)	POSITION HELD	FROM	TO
Teocalli Tamale	311-1/2 Elk Avenue, Crested Butte, CO 81224	Cook	Feb 07	Present

7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.

NAME OF RELATIVE	RELATIONSHIP TO YOU	POSITION HELD	NAME OF LICENSEE
None			

8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? If yes, answer in detail.

Yes  No

9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? If yes, explain in detail.

Yes  No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  
 Yes  No DWAI Nov 1997 (misdemeanor)  
 DUI Aug 2014 (misdemeanor)  
 Possession of less than 1 oz marijuana Dec 1008 (Utah). Fine paid.

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (if yes, explain in detail.)  
 Yes  No

12. Have you ever had any professional license suspended, revoked, or denied? (if yes, explain in detail.)  
 Yes  No

**PERSONAL AND FINANCIAL INFORMATION**  
 Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential.  
 The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth 11/14/1974		b. Social Security Number SSN [REDACTED]		c. Place of Birth Denver, CO		d. U.S. Citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
e. If Naturalized, State where				f. When		g. Name of District Court	
h. Naturalization Certificate Number		i. Date of Certification		j. If an Alien, Give Alien's Registration Card Number		k. Permanent Residence Card Number	
l. Height 5'8"	m. Weight 128	n. Hair Color Brn	o. Eye Color Brn	p. Sex M	q. Race W	r. Do you have a current Driver's License? If so, give number and state <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

14. Financial Information.  
 a. Total purchase price \$ 450,000 (if buying an existing business) or investment being made by the applying entity, corporation, partnership, limited liability company, other \$ 500,000

b. List the total amount of your investment in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid \$ 100,000

c. Provide details of the Investment described in 14.b. You must account for all of the sources of this investment. Attach a separate sheet if needed.

Type: Cash, Services or Equipment	Source	Amount
Cash - Commerce Bank	David W. Burke St. Louis MO	100,000

d. Loan Information (attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
Michael B Burke	Box 2246, Crested Butte, CO 81224	8 yrs	Teocalli Tamale stock	55,000
same	same	on Demand	same	45,000

**Oath of Applicant**

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature <i>Andrew Manuaga</i>	Title Secretary	Date 10/27/14
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# Town of Crested Butte

P.O. Box 39 Crested Butte, Colorado 81224

*-National Trust for Historic Preservation's 2008 Dozen Distinctive Destinations Award Recipient-*

*-A National Historic District-*

Phone: (970) 349-5338  
FAX: (970) 349-6626  
[www.townofcrestedbutte.com](http://www.townofcrestedbutte.com)

January 28, 2015

Frank Kugel  
Upper Gunnison River Water Conservancy District  
210 West Spencer, Suite B  
Gunnison, CO 81230

Dear Frank Kugel and grant review committee,

It is my pleasure to write a letter in support of the Peanut Lake Riparian Restoration proposal being submitted to the Upper Gunnison River Water Conservancy District by the Crested Butte Land Trust.

Since the Town of Crested Butte's first Area Plan in 1996, we have prioritized the protection of wetlands and floodplains and the current Town Council's values include embracing environmental stewardship. Our Open Space program works closely with the Crested Butte Land Trust on securing permanent conservation agreements, funding projects and collaborating on the long-term care of protected lands.

The Peanut Lake Riparian Restoration project showcases the Crested Butte Land Trusts (Land Trust) commitment to the ongoing stewardship of conservation lands. As the conservation easement holder of the Peanut Lake property, the Town recognizes the ecological and societal values of protecting Peanut Lake and improving river and wetland health. These will positively impact the properties conservation values which include preservation and protection of wildlife and plant habitat, the wetland and riparian areas and open space and scenic qualities of the property. Prevention of flood damage and increased flood capacity is also an important element of this project particularly because of its close proximity to the Town of Crested Butte.

The Town of Crested Butte supports the Land Trusts work to prevent a breach of Peanut Lake and to improve ecological function on and around the Peanut Lake property. This urgent project has community support and will demonstrate quantifiable results. We urge you to consider awarding grant funds to the Crested Butte Land Trust for the Peanut Lake Riparian Restoration.

Sincerely,



Todd Crossett  
Town Manager  
Town of Crested Butte  
Crested Butte, Colorado



PO BOX 5800 MT. CRESTED BUTTE, COLORADO 81225-5800

PHONE: 970.349.6632 FAX: 970.349.6326

December 30, 2014

Crested Butte Town Council  
Mayor Aaron Huckstep  
PO Box 39  
Crested Butte, CO 81224-0039

Dear Mayor Huckstep and the Crested Butte Town Council,

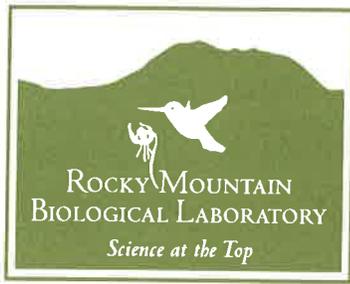
On behalf of Mayor David Clayton, the Mt. Crested Butte Town Council, and the Citizens of Mt. Crested Butte, thank you for your support of our Transportation Alternative Program Grant Application!

We are joyful to report that the Colorado Department of Transportation Region 3 has awarded the Town of Mt. Crested Butte with a \$922,884 grant to construct the Gothic Trail project which is the extension of our Recreation Path from Marcellina Lane to Winterset. The Mt. Crested Butte Town Council has set aside the required matching funds to allow this project to break ground in the spring of 2015 and the project bid process will begin in early 2015. The completion of this project will increase public safety along Gothic Road in Mt. Crested Butte.

Again, thank you for your support of our grant application.

Sincerely,

Joseph W. Fitzpatrick, Jr.  
Town Manager



January 7, 2015

P.O. Box 519  
Crested Butte, CO 81224  
Phone: 970.349.7231  
Fax: 970.349.7231  
www.rmbll.org

Town of Crested Butte  
P.O. Box 39  
Crested Butte, CO 81224

Dear Town Council,

Thank you for your generous grant award of \$2,000.00 to the Rocky Mountain Biological Laboratory for the Gothic bus service. We are very grateful for this award! Bus service to Gothic is a wonderful benefit to our valley, and it is very helpful to the RMBL community.

With your support, we have built a unique scientific community. With access to millions of acres and an unparalleled record of long term research, RMBL scientists play a key role in developing knowledge about our environment. We have a long history of introducing students to the joy of discovering the natural world, and we have a dedicated group of researchers and mentor scientists who bring their expertise to Gothic year after year.

Thank you for helping us to develop environmentally literate citizens by contributing to the research at RMBL. This past year, our scientific productivity increased, not only in the number of publications, but also in the number of students and the variety of scientists spending the summer at RMBL.

Again, thank you for your generous grant award and for supporting science and education at RMBL!

Sincerely,

Ian Billick, Ph.D.  
Executive Director

RECEIPT

Received from the Town of Crested Butte, a \$2,000 grant to the Corporation of the Rocky Mountain Biological Laboratory at Gothic, a Colorado non-profit organization with IRS 501(c)3 status. This donation was received on 12/31/14. No goods, services, property or items of value were provided in consideration of this gift. Rocky Mountain Biological Laboratory Federal Tax ID number: 84-6050523.



Evaluation & Training, Inc.

January 22, 2015

Ms. Lois Rozman  
TOWN OF CRESTED BUTTE  
P.O. Box 39  
Crested Butte, CO 81224-0039

Dear Lois:

On behalf of the Board of Directors, staff and especially the clients of Six Points, please accept our sincere gratitude for check no. 74923 dated January 14, 2015 in the amount of \$2,000.00. This funding will make such a difference in our ability to grow and adapt our vocational training program and to support our environmental stewardship efforts. We are very grateful that the Town of Crested Butte has once again chosen to partner with us in improving the lives of our developmentally disabled clients and preserving our natural resources.

In closing, please let everyone on the Town Council know that their continued support helps us better serve our clients and improve our outreach to the entire valley. Thank you so much for all the Town Council does to make Crested Butte a better place to live for everyone.

With sincere gratitude,

Sue Uerling  
Executive Director

*We are so very grateful for your continued support. Please come see us in our new home! Bless you! Sue*

*Note: In accordance with the requirements outlined in section 170(f)(8) of the IRS Code, no goods or services were given in consideration of this gift. The Six Points Tax ID# is 84-0852105. All gifts will be included in our Annual Report unless we are otherwise instructed. Thanks again.*

**From:** Jim Barney [<mailto:jim@freestylearchitects.com>]

**Sent:** Tuesday, January 27, 2015 5:11 PM

**To:** Glenn Michel; R Mason; Chris Ladoulis; J Schmidt; Shaun; Walker Berkshire; Aaron Huckstep

**Subject:** Potential Annexation

Dear Town Council,

Crested Butte is the place that I am proud to call home. I am in support of the proposed annexation of town. I am making this assumption, based upon the fact, that you all, with the assistance of the citizens of Crested Butte and the developers are going to create a design that we will all be proud of for years to come. I believe in our ability to make this happen. Here are the reasons why I support the idea.

Annexations like this are good for the environment and the development of healthy communities. The United States Green Building Council (USGBC) encourages growth in urban areas to support the health of the environment. The logic behind this idea is that people will share resources (transportation, utilities, commercial facilities, and public amenities). People can live closer to restaurants, the post offices, park and etc... which in turn reduces our reliance upon cars as a form of transportation. In so doing, the inefficiencies of urban sprawl will not take effect as dramatically as it would in the absence of the annexation.

Crested Butte will see the impact of growth regardless of the approval of this annexation. The question is how to best manage this growth. Those that want to close the door behind themselves and try not to let anyone else in, are deluding themselves as to what is best for our community. The Town of Crested Butte is geographically constrained by mountains, rivers and wetlands. It will never be too big. Our relatives first came to Colorado in the 1840's. The Uncompahgre Utes were here before us. Our town, in relative terms, is young. Let's encourage the smart growth. Open the door.

If the annexation were approved, the town now has the opportunity to fill the gaps in facilities and amenities that are missing in our current town. The town could provide zoning that would promote sensible affordable housing (higher density, like the Caddis Flats (Is this still its name?)). The fire department could relocate its facilities closer to Hwy 135 which in turn would open up its current location to other public function closer to the core of the downtown business district. You could promote the creation of area to be designated to professional offices. Most of my clients work remotely. This professional area would not compete with Elk Ave businesses for retail sales and food and beverage revenue. People need places to work. If they work in town, they will not drive their polluting cars elsewhere (a lot of time to the airport to conduct business elsewhere). A small coffee shop would not hurt either. This small pocket of multi-use spaces, perhaps businesses on the ground level and affordable housing on the second and third levels, would be a nice touch to create a sense of community.

I am an architect. I like to think that I have some ideas as to how great communities are created. If the concept of annexation does pass, I hope that it develops in a manner that is more sensitive to both the transition of time and respective to the natural topography of the Slate River Valley. The Verzuh annexation has received an abundance of criticism from an architectural standpoint. Playing "Monday morning quarterback", this how I think that this annexation could have been better designed. Here are the some of the lessons learned from the Verzuh annexation. Think of designing a home in the Verzuh annexation this way.....

Imagine, if you were, to bake a cake (the cake is a house in Verzuh). However, there are rules as to how you are allowed to bake this cake. This cake can only be baked in a prescribed sized pan. This cake also has to be decorated in a prescribed manner as well. The baker aspires to be original. Within the constraints of these parameters, they create the best cake possible, to the extent of his/her artistic

abilities. In the Verzuh annexation, general speaking, all of the lots are the same size. Naturally, many of these cakes (I mean houses) look too similar. Similar is good to a point, until it becomes redundant.

How could the annexation be designed to promote interesting architecture? The town of Crested Butte has put together a great set of design guidelines. The developers should make lots variable in size. If you were to make some lots 75' x 60', 60' x 60' or 45' x 80' (you get my point) instead of every lot being 50' x 120', the houses would take on different shapes. They would still look historic in natural, but would look different from block to block. It is good to have consistency, however, variation every now and then, is refreshing. Change the size of the pan and you will get a different kind of cake.

I think that the grid system would work in this area. However, we might want to change the orientation of the primary rectangular lots from North/South to East/West. While shading would still occur and some natural light would be blocked from entering some of the houses, the main East/West (longest span) roof lines would receive an abundance of sunlight that could be captured by solar thermal and photovoltaic panels. The grid will bump up to natural curves at its boundary. The lots in this transition area could be designed to take on more organic shapes. The houses would still be historic, but their unique orientations would add to the variety of the community from an architectural standpoint. The placement of the homes would respond naturally to the contours of the landscape.

I was living in Denver for a bit when the Verzuh plans were being processed. I think that in general, it turned out well. However, we can do better. I hope that this annexation happens for the reasons stated above. Thanks for giving me the opportunity to voice my opinion on the topic.

-Jim Barney

Jim Barney, Architect, LEED AP



Ph 970.596.8126

PO Box 1338

736 Riverland Drive, Unit B

Crested Butte, CO 81224

<http://freestylearchitects.com/>

Town of Crested Butte, Colorado  
507 Maroon Ave  
Crested Butte, CO  
81224

January 26, 2015

Dear Mayor and Council Members,

As regards the Slate River annexation, I want to state my agreement with Peter and Mary Jane Bridge's recent letter to the council. Peter and Mary Jane have enumerated significant issues that should be addressed before moving forward with this project.

I wish the council to further consider that impact fees, tap fees and other assessments on the builder/developer of new construction do not typically cover the full costs of growth.

Categories of existing infrastructure impacted by new development include:

- School Facilities
- Transportation Systems
- Water Service Facilities
- Sanitary Sewer Systems
- Storm Drainage Systems
- Parks & Rec. Facilities
- Fire & EMS Facilities
- Police Facilities
- Library Facilities
- General Government Facilities
- Solid Waste Facilities
- Power Generation & Distribution Systems
- Communications systems such as phone and internet

A thorough evaluation of the costs impacting infrastructure resulting from the 115 new residential units proposed for this project should be conducted as due diligence in the evaluation process. You may be thinking that an evaluation of this magnitude will place a large burden on town staff. That it will. Developers should be required to pay for such evaluations rather than the taxpayer who under current practices pick up at least part of the tab for whatever evaluations are done by staff. As was noted recently by County Commissioner Phil Chamberlain, "County Community Development cost of services drastically exceeds proceeds". I presume the same is likely true for the town.

Further, should significant expansion or upgrade of one or more of the forgoing infrastructure systems be required, bond issues may be considered to finance the upgrade. Financing costs incurred whenever bonds are used to fund capital improvements will significantly increase the ultimate costs and should be included in the analysis used to evaluate any new major project.

The costs associated with annual operations of community government are typically covered by tax revenues and impact fees. While I do not have knowledge of the towns operating costs and revenues I encourage the council to assure that operations are covered by operating revenues and are not reliant on impact fees. To rely on impact fees to fund operations is de facto reliance on growth to fund the communities' recurring costs. The potential added deficit to operating revenues in the future, resulting from a major project such as this one, must be factored into any evaluation.

I am aware of two specific studies that show that historically growth does not pay for itself. The first is a study by the American Farmland Trust, which studied more than 100 communities throughout the United States and found that, on average, working and natural lands require only 36 cents for every dollar of taxes paid, while residential land requires \$1.15 for every dollar of taxes. The second is a study entitled *Cost of Infrastructure to Serve New Residential Development in Austin, Texas*. This study found that the total net cost for serving a typical new residential unit in Austin, after deducting credits for impact fees and future tax contributions of the development, is \$23,351. An amount ultimately paid by the taxpayers and ratepayers of Austin, and not by the new development itself.

Lastly, I ask that you use a qualitative assessment of the value of this project. What will this project do for you and your neighbors? Will it provide something that you are currently missing in your life in Crested Butte? I doubt that you will find much value added to your circumstances by this project. Conversely, you and your neighbors will likely find there are more negative externalities than benefits. And lest you point to land rights as the inalienable right enjoyed by developers, consider that just as nations have the right to determine immigration policy, communities have tools available to guide them along a desired path. Growth does not have to be inevitable if our citizens decide it is not in their best interests. As the community's representatives, determining the desirability of this project is a sober responsibility. The Slate River Project, whether supported via annexation or otherwise should be evaluated in the context put forth herein.

Sincerely,

Bill Oliver

Huck, Jim, Chris and Colleagues,

I am writing to comment on the proposed annexation north of town.

My most significant concern with this proposal is with infrastructure, particularly the increased demand it will place on our water supply. Based on comments in the paper, it is my understanding these new homes will increase water demand by about 20%. In visiting with the staff at the Gunnison Water Conservancy District, it is not uncommon that demands are placed on Meridian Lake to meet the existing water needs in the summer and that water rationing has occurred in the recent past during a drought. These new homes would certainly affect what already sounds like a tenuous water supply.

I believe water demand to be the most significant consideration, however, others include traffic demands. As you know, we recently had a study performed at the 4-way and near the school which stated improvements would need to be made in the near future to handle the increased traffic. I don't believe this study included the possibility of the annexation which no doubt would cause changes to be needed sooner.

Lastly, I agree with Bridges that the annexation would diminish the historical character of the town. Right now we are 10 blocks square and that's pretty much it. Creep up the valley with non-grid roads would, in my opinion, start to look more like a city with a north suburb rather than a small quaint town.

While I would certainly welcome multiple new homes in need of kitchen supplies from our store, I strongly encourage you to assess this annexation on a scientific basis, particularly in regards to water, as we may be setting ourselves up for pain long term.

My opinion at this time is against the annexation until we explore in detail the effects it will have on town as stated above.

Please move slowly and deliberately with this decision.

Thank you for your consideration.

Bobby Maxwell  
405 641 3229 cell