



**AGENDA  
TOWN OF PARACHUTE  
BOARD OF TRUSTEES  
REGULAR MEETING  
SEPTEMBER 15, 2016  
222 GRAND VALLEY WAY, PARACHUTE, CO  
6:30 P.M.**

The Town of Parachute will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 285-7630, x-104 for assistance.

**(A) CALL TO ORDER AND ROLL CALL**

**(B) PLEDGE OF ALLEGIANCE**

**(C) APPROVE AGENDA**

**(D) CONSENT AGENDA:**

- (1) MINUTES FROM THE AUGUST 18, 2016, REGULAR MEETING
- (2) EXPENDITURES PAID FROM AUGUST 11, 2016, TO SEPTEMBER 7, 2016.
- (3) LIQUOR LICENSE RENEWAL APPLICATION FOR RETAIL LIQUOR STORE LICENSE.  
 APPLICANT: Bottlecap Liquors, LLC.  
 DBA: Bottlecap Liquors  
 LOCATION: 150 Columbine Ct, Suite A  
 Parachute, CO 81635
- (4) LIQUOR LICENSE RENEWAL APPLICATION FOR A RETAIL 3.2 BEER OFF-PREMISES LICENSE.  
 APPLICANT: Rocky Mountain C Stores Inc  
 DBA: Rocky MTN C Stores  
 LOCATION: 201 Columbine Ct  
 Parachute, CO 81635

**(E) COMMENTS FROM CITIZENS REGARDING ITEMS NOT ON THE AGENDA**

The Board of Trustees welcomes you and thanks you for your time and concerns.

If you wish to address the Board of Trustees, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the Board. Your comments will be limited to **three**

**(3) minutes**. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town Staff for follow-up. Thank you.

**PLEASE SILENCE ALL CELL PHONES, PAGERS, AND HAND HELD DEVICES. THANK YOU.  
PLEASE NOTE: THIS MEETING IS BEING AUDIO AND VIDEO RECORDED.**

**(F) DEPARTMENTAL REPORTS:**

- (1) Mayor and Board of Trustees ..... Mayor and Trustees
- (2) Town Manager Monthly Update..... Stuart McArthur, Town Manager
- (3) Community Development Report ..... Stuart McArthur, Town Manager
- (4) Public Works Department Monthly Update.....Mark King, Public Works Director
- (5) Police Department Monthly Update ..... Cary Parmenter, Police Chief

**(G) BOARD CONSIDERATION OF MG LIQUORS, LLC LIQUOR LICENSE APPLICATION TO ADD A RETAIL WAREHOUSE STORAGE PERMIT AND APPROVE MAYOR TO SIGN.**

**APPLICANT:** Maribel Garcia / MG Liquors, LLC  
**APPLYING AS:** MG Liquors  
**DBA:** MG Liquors  
**LOCATION:** 393 E 2<sup>nd</sup> Street  
Parachute, CO. 81635

**STAFF:** LUCY CORDOVA, TOWN CLERK

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**(H) BOARD CONSIDERATION OF LIQUOR LICENSE APPLICATION FOR TRANSFER OF RETAIL LIQUOR STORE AND APPROVE MAYOR TO SIGN.**

**APPLICANT:** Tumbleweed Liquors, LLC  
**APPLYING AS:** Tumbleweed Liquors, LLC / Transferring from Bottlecap Liquors  
**DBA:** TUMBLEWEED LIQUORS  
**LOCATION:** 150 COLUMBINE CT SUITE A  
PARACHUTE, CO. 81635

**STAFF:** LUCY CORDOVA, TOWN CLERK

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**(I) PUBLIC HEARING BEFORE THE BOARD OF TRUSTEES TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM ROCKY MOUNTAIN LASER TAG, INC FOR A SPECIAL USE REVIEW TO CONSTRUCT AN OUTDOOR RECREATION FACILITY ON A SERVICE COMMERCIAL ZONED PROPERTY.**

**APPLICANT/OWNER:** Rocky Mountain Laser Tag, Inc  
225 Callahan Ave  
Parachute, CO 81635

**PROJECT NAME:** Public hearing for a Special Use Review to construct an outdoor recreation facility on a Service Commercial zoned property.

**PROJECT LOCATION:** 68 Cardinal Way  
Parachute, CO 81635

**LEGAL DESCRIPTION(S):** Section: 12  
Township: 7  
Range: 96  
Lot: 3 A resub of Lot 2A, Sec E  
County of Garfield

**STAFF:** MARK CHAIN, TOWN PLANNER

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**(J) BOARD CONSIDERATION OF RESOLUTION NO. 2016-21**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, APPROVING A SPECIAL REVIEW USE PERMIT FOR BRUCE HOGGAN TO OPERATE AN OUTDOOR RECREATION FACILITY**

**STAFF:** STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

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**(K) BOARD CONSIDERATION OF RESOLUTION NO. 2016-22**

**RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GRANT FROM THE COLORADO HEALTH FOUNDATION COTTONWOOD PARK CHILDREN'S PLAYGROUND PROJECT.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

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**(L) BOARD CONSIDERATION OF RESOLUTION NO. 2016-23**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, AUTHORIZING THE CREATION OF A CAPITAL LEASING CORPORATION.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

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**(M) PRESENTATION TO THE BOARD OF TRUSTEES REGARDING THE 2017 RECOMMENDED BUDGET FOR THE TOWN OF PARACHUTE.**

STAFF: STUART McARTHUR, TOWN MANAGER

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**(N) EXECUTIVE SESSION (IF NECESSARY)**

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**(O) MOTION TO ADJOURN**

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**MINUTES  
TOWN OF PARACHUTE  
BOARD OF TRUSTEES REGULAR MEETING AND  
JOINT MEETING WITH  
GARFIELD COUNTY COMMISSIONERS  
AUGUST 18, 2016**

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Meeting called to order by Mayor Roy B McClung 6:30 pm

**(A) CALL TO ORDER AND ROLL CALL**

**TRUSTEES PRESENT:** John Loschke  
Fred Andersen  
Tim Olk  
Juanita Williams  
Travis Sproles  
Tom Rugaard

**MAYOR:** Roy McClung

**STAFF PRESENT:** Town Manager, Stuart McArthur  
Admin Assistant, Lauralee Patton  
Public Works Director, Mark King  
Police Chief, Cary Parmenter

**AUDIENCE LIST ATTACHED**

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**(B) PLEDGE OF ALLEGIANCE**

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**(C) APPROVE AGENDA**

**MOTION 1:** Moved and seconded Loschke / Sproles to approve Agenda with no changes.  
*Vocal vote unanimous*

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**(D) CONSENT AGENDA:**

- (1) MINUTES FROM THE JULY 21, 2016, REGULAR MEETING
- (2) EXPENDITURES PAID FROM JULY 14, 2016, TO AUGUST 10, 2016

**MOTION 2:** Moved and seconded Loschke / Olk to approve Consent Agenda  
*Motion passed unanimously with a 6-0 vote*

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**Mike Berry, 135 W 1<sup>st</sup> Street, Parachute CO**

Mr. Berry spoke regarding irrigation and utility billing issues with his property as well as the Police presence and traffic enforcement on 1<sup>st</sup> Street.

**Dave Devaney, 28 snowberry Pl, Parachute CO**

**Judith Hayward, 180 S 2<sup>nd</sup> Ct, Parachute CO**

Mr. Devaney and Mrs. Hayward spoke regarding the outcome of Grand Valley Days.

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**(F) DEPARTMENTAL REPORTS:**

- (1) Mayor and Board of Trustees ..... Mayor and Trustees  
Mayor McClung stated that former Mayor of New Castle, Frank Breslin passed away recently. The Town sent a tree to planted in his honor at the New Castle Town Hall.

(2) Town Manager Monthly Update..... Stuart McArthur, Town Manager  
Mr. McArthur went over his monthly report. He updated the Board on Sales Tax, that he had been approached by land owners about potential annexations, Budget health, and potential drilling by URSA. Informed the Board that the potential drilling site is about 600 feet from the new Bus Barn and Alternative High School so many health issues were raised by the School District. URSA intends to put a pipeline down Cardinal Way, however that is not where the Town would like Cardinal Way to go. Town Manager McArthur requested direction from the Board on being able to approach URSA and request contribution to the engineering of that area as they will have to survey it all anyway. URSA sent the Town a certified letter asking to waive any kind of additional information as they have already given enough. Town Manager McArthur suggested the Town DO NOT Waive any kind of rights as continued conversation is still necessary. Given the location of the Pad and future plans for the Town, Mayor McClung advised the Town not to give up any sort of rights. Mr. McArthur spoke regarding the location and status for ramp access to the Colorado River, appraisal for property, and Capital Leasing Corporation. Mr. McArthur, requested direction from the Board on the creation of a Capital Leasing Corporation to potentially acquire land, parks, and buildings. The Town does not expect to use this CLC at the moment, it is intended for the Town to be prepared if opportunity presents itself. The Board advised Mr. McArthur that they agreed with the forming of the Capital Leasing Corporation. Town Manager informed the Board the Town will have to pay back 36k because Cingular Wireless was charging customers for internet access. Mr. McArthur also informed the Board that there needed to be some clarification on what type of Marijuana Manufacturing is acceptable and spoke on Consumption Clubs.

(3) Community Development Report..... Stuart McArthur, Town Manager  
Town Manager McArthur went over the Community Development report. Spoke regarding Grand Valley Days, Oktoberfest, Chase Rice, ticket sales, and tubing business.

(4) Public Works Department Monthly Update.....Mark King, Public Works Director  
Town Manager McArthur went over the Public Works monthly report. He spoke about the new speed signs going in on Cardinal Way towards the High School and the continuing issues with water leaks.

(5) Police Department Monthly Update ..... Cary Parmenter, Police Chief  
Police Chief Parmenter went over his monthly report. He spoke in response to a citizen comment about the Police presence and traffic enforcement on First street. He stated that the Police Department was short an officer and most of their work was from service calls, however a new officer has been hired and is in training.

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**(G) TOWN OF PARACHUTE COMPREHENSIVE PLAN AND FUTURE PLANS PRESENTATION.**

STAFF: STUART McARTHUR, TOWN MANAGER

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**(H) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES TO CONSIDER A DEVELOPMENT REVIEW APPLICATION FROM ZONED PROPERTIES, INC. (ON BEHALF OF PARACHUTE DEVELOPMENT CORPORATION & ZONED COLORADO PROPERTIES, LLC) FOR A SPECIAL REVIEW USE VESTED PROPERTY RIGHTS AND VESTED PROPERTY RIGHTS AGREEMENT TO DEVELOP A SINGLE BUILDING SITE FOR A RETAIL MARIJUANA CULTIVATION FACILITY AND OTHER POTENTIAL MARIJUANA USES, INCLUDING A MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURER, AN OPTIONAL PREMISES CULTIVATION OPERATION, A MEDICAL MARIJUANA TESTING FACILITY, A RETAIL MARIJUANA STORE, RETAIL MARIJUANA TESTING FACILITY, AND/OR RETAIL MARIJUANA PRODUCT MANUFACTURING FACILITY.**

**APPLICANT/OWNER:** Zoned Properties, Inc  
14300 N Northsight Blvd., Suite 208  
Scottsdale, AZ 85260

**PROJECT NAME:** Public Hearing for a Special Review Use for a Vested Property Rights Agreement, including a Site Specific Development Plan for multiple Retail Marijuana Facilities.

**PROJECT LOCATION:** 110 Diamond Loop  
Parachute, CO 81635

**LEGAL DESCRIPTION(S):**

Section: 12  
Township: 7  
Range: 96  
Lot: 7 Amended Lots 1-3, 6-10, Block 2 & Lots 1-18 Block  
3 REC #784960  
County of Garfield

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY J. CONKLIN, TOWN ATTORNEY

Mayor opened Public Hearing at 8:50pm  
Applicant not present.  
No public comment.  
Public Hearing closed at 8:52pm

**MOTION 3:** Moved and seconded by Loschke / Rugaard to continue Public Hearing for Zoned Properties, Inc to a date certain of November 17, 2016.  
*Motion passed unanimously with a 6-0 vote*

**(I) PUBLIC HEARING BEFORE THE TOWN OF PARACHUTE BOARD OF TRUSTEES IN CONSIDERATION OF APPLICATIONS FOR RETAIL MARIJUANA LICENSES FOR: A RETAIL MARIJUANA STORE; A RETAIL MARIJUANA CULTIVATION FACILITY; AND A RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY FROM PARACHUTE UNLIMITED, LLC.**

**APPLICANT/OWNER:** Parachute Unlimited LLC  
225 Eagle Drive 9C  
Avon, CO 81620  
**DBA:** American Green  
**PROJECT NAME:** Application for 3 Retail Marijuana Licenses from the Town of Parachute; a Retail Marijuana Store, a Retail Marijuana Cultivation Facility, and a Retail Marijuana Products Manufacturing Facility  
**PROJECT LOCATION:** 110 Diamond Loop  
Parachute, CO 81635  
**LEGAL DESCRIPTION(S):** Section: 12  
Township: 7  
Range: 96  
Lot: 7 Amended Lots 1-3, 6-10, Block 2 & Lots 1-18 Block  
3 REC #784960  
County of Garfield

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY J. CONKLIN, TOWN ATTORNEY

Mayor opened Public Hearing at 8:52pm  
Applicant not present.  
No public comment.  
Public Hearing closed at 8:54pm

**MOTION 4:** Moved and seconded by Rugaard / Olk to continue Public Hearing for Parachute Unlimited, LLC, to a date certain of November 17, 2016.  
*Motion passed unanimously with a 6-0 vote*

**(J) PRESENTATION OF AND BOARD CONSIDERATION OF ACCEPTING THE TOWN OF**

**PARACHUTE'S 2015 FINANCIAL AUDIT REPORT.**

PRESENTER: STEVEN PLUTT, DAZZIO & PLUTT, LLC  
STAFF: D. LYNN STROUD, FINANCE DIRECTOR

**MOTION 5:** Moved and seconded by Sproles / Williams to accept 2015 Financial Audit Report.  
*Motion passed unanimously with a 6-0 vote*

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**(K) BOARD CONSIDERATION OF ORDINANCE NO. 706-2016.**

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF PARACHUTE AT THE 2016 COORDINATED. ELECTION A BALLOT QUESTION WHETHER SECTION 2-8 OF THE TOWN CHARTER SHALL BE AMENDED SUCH THAT BOARD OF TRUSTEES TERMS IN OFFICE SHALL BE CONSIDERED CONSECUTIVE UNLESS THEY ARE AT LEAST TWO YEARS APART.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 6:** Moved and seconded by Loschke / Sproles to approve Ordinance No. 706-2016.  
*Motion passed unanimously with a 6-0 vote*

*AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF PARACHUTE AT THE 2016 COORDINATED. ELECTION A BALLOT QUESTION WHETHER SECTION 2-8 OF THE TOWN CHARTER SHALL BE AMENDED SUCH THAT BOARD OF TRUSTEES TERMS IN OFFICE SHALL BE CONSIDERED CONSECUTIVE UNLESS THEY ARE AT LEAST TWO YEARS APART.*

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**(L) BOARD CONSIDERATION OF ORDINANCE NO. 707-2016**

**AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF PARACHUTE AT THE 2016 COORDINATED ELECTION A BALLOT QUESTION WHETHER SECTION 2-4 OF THE TOWN CHARTER SHALL BE AMENDED TO REQUIRE THE MAYOR TO VOTE IN SAME MANNER AS OTHER TRUSTEES.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 7:** Moved and seconded by Loschke / Sproles to deny Ordinance No. 706-2016.  
*Motion passed unanimously with a 6-0 vote*

*AN ORDINANCE OF THE TOWN OF PARACHUTE, COLORADO, SUBMITTING TO THE REGISTERED ELECTORS OF THE TOWN OF PARACHUTE AT THE 2016 COORDINATED ELECTION A BALLOT QUESTION WHETHER SECTION 2-4 OF THE TOWN CHARTER SHALL BE AMENDED TO REQUIRE THE MAYOR TO VOTE IN SAME MANNER AS OTHER TRUSTEES.*

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**(M) BOARD CONSIDERATION OF RESOLUTION NO. 2016-17**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, ESTABLISHING A REMOTE PARTICIPATION POLICY FOR MEETINGS OF THE BOARD OF TRUSTEES AND OTHER TOWN COMMISSIONS AND BOARDS.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 8:** Moved and seconded by Loschke / Olk to approve Resolution 2016-17  
*Motion passed unanimously with a 6-0 vote*

(N) **BOARD CONSIDERATION OF RESOLUTION NO. 2016-18**

**RESOLUTION SUPPORTING THE APPLICATION FOR A GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE ACQUISITION AND INSTALLATION OF DIRECTIONAL AND INFORMATIONAL SIGNAGE TO OFF HIGHWAY VEHICLE AND HIKING TRAILS.**

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 9:** Moved and seconded by Loschke / Rugaard to approve Resolution 2016-18

*Motion passed unanimously with a 6-0 vote*

*RESOLUTION SUPPORTING THE APPLICATION FOR A GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT FOR THE ACQUISITION AND INSTALLATION OF DIRECTIONAL AND INFORMATIONAL SIGNAGE TO OFF HIGHWAY VEHICLE AND HIKING TRAILS.*

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(O) **BOARD CONSIDERATION OF RESOLUTION NO. 2016-19**

**RESOLUTION SUPPORTING THE APPLICATION FOR A GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT (GCFMLD) FOR THE FOR THE CONSTRUCTION OF AN ACCESS RAMP TO THE COLORADO RIVER FOR OUTDOOR RECREATION PURPOSES AT COTTONWOOD PARK.**

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 10:** Moved and seconded by Sproles / Rugaard to approve Resolution 2016-19

*Motion passed unanimously with a 6-0 vote*

*RESOLUTION SUPPORTING THE APPLICATION FOR A GRANT FROM THE GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT (GCFMLD) FOR THE FOR THE CONSTRUCTION OF AN ACCESS RAMP TO THE COLORADO RIVER FOR OUTDOOR RECREATION PURPOSES AT COTTONWOOD PARK.*

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(P) **BOARD CONSIDERATION OF RESOLUTION NO. 2016-20**

**RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GRANT FROM THE COLORADO STATE DEPARTMENT OF LOCAL AFFAIRS (DOLA) FOR THE CONSTRUCTION OF A PARK 'N' RIDE FACILITY.**

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 11:** Moved and seconded by Loschke / Williams to approve Resolution 2016-20

*Motion passed unanimously with a 6-0 vote.*

*RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GRANT FROM THE COLORADO STATE DEPARTMENT OF LOCAL AFFAIRS (DOLA) FOR THE CONSTRUCTION OF A PARK 'N' RIDE FACILITY.*

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(Q) **BOARD CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE GARFIELD COUNTY CLERK AND RECORDER CONCERNING A COORDINATED 2016 GENERAL ELECTION AND APPROVE MAYOR TO SIGN.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 12:** Moved and seconded by Williams / Sproles to approve IGA with Garfield County Clerk & Recorder for coordinated 2016 general Election.

*Motion passed unanimously with a 6-0 vote.*

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**(R) BOARD CONSIDERATION OF AGREEMENT BETWEEN THE TOWN OF PARACHUTE AND BETTER CITY TO PROVIDE PROFESSIONAL SERVICES FOR ECONOMIC DEVELOPMENT AND APPROVE MAYOR TO SIGN.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 13:** Moved and seconded by Olk / Rugaard to approve agreement between Town of Parachute and Better City and approve Mayor to sign.

*Motion passed unanimously with a 6-0 vote.*

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**(S) BOARD CONSIDERATION OF LICENSE AGREEMENT BETWEEN WILLIAM R. PATTERSON, RODNEY C. POWER, RONALD E. TIPPING, MARIE E. TIPPING AND THE TOWN OF PARACHUTE, FOR EGRESS ACCESS FROM THE COLORADO RIVER AND APPROVE MAYOR TO SIGN.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

**MOTION 14:** Moved and seconded by Loschke / Sproles to approve agreement for egress access from the Colorado River and approve Mayor to sign.

*Motion passed unanimously with a 6-0 vote.*

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**(T) BOARD CONSIDERATION OF NINE (9) PARTY MEMORANDUM OF UNDERSTANDING REGARDING GARFIELD COUNTY SENIOR PROGRAMS FOR 2016 AND APPROVE MAYOR TO SIGN.**

STAFF: STUART McARTHUR, TOWN MANAGER  
JEFFREY CONKLIN, TOWN ATTORNEY

Town Administrator McArthur informed the Board that only 10% of Parachute residents use the transportation services provided by the Senior Program and 90 % was Battlement Mesa residents. He advised Board that he thought it was fair to only pay 10% of the requested amount.

Board discussion ensued.

**MOTION 15:** Moved and seconded by Loschke / Sproles to approve Garfield County 9 party MOU with changes. The Town of Parachute is to pay \$324.00 instead of \$3,246.69.

*Motion passed unanimously with a 6-0 vote.*

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**(U) RATIFICATION OF ACQUISITION OF F350 TWELVE (12) PASSENGER VAN FOR USE WITH RIVER RAFTING OPERATIONS.**

STAFF: STUART McARTHUR, TOWN MANAGER

**MOTION 16:** Moved and seconded by Rugaard / Olk to approve Ratification of acquisition of F350 12 passenger van.

*Motion passed unanimously with a 6-0 vote.*

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**(W) MOTION TO ADJOURN**

**MOTION 17:** Moved and seconded by Williams / Sproles to adjourn meeting.

*Vocal vote passed unanimously.*

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Roy McClung, Mayor

ATTEST:

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Lucy Cordova, Town Clerk

DRAFT

Invoice Number	Description	Net Invoice Amount
<b>ACCUTEST LABORATORIES</b>		
D8-77921	WATER SAMPLE TESTING	441.50
D8-77921	C.C. - ACCUTEST	441.50-
<b>ACTION SHOP SERVICE</b>		
93046,93353	LAWN MOWER REPAIR	82.44
93046,93353	C.C. - ACTION SHOP SERVICES	82.44-
<b>AFLAC</b>		
567382	SUPPLEMENTAL INSURANCE	523.64
<b>AIRGAS USA, LLC</b>		
9938190931	LRG NITROGEN RENTAL & HAZ MAT FEE	17.77
9938190931	LRG NITROGEN RENTAL & HAZ MAT FEE	17.77
9938190931	LRG NITROGEN RENTAL & HAZ MAT FEE	17.76
9938190931	C.C. - AIRGAS	53.30-
<b>AMERICAN JANITOR</b>		
1095	JULY JANITORIAL SERVICES	325.00
1100	JULY JANITORIAL SERVICES	438.00
<b>ASP, INC.</b>		
0337290	TRAINING GUN - P.D.	409.85
0337290	C.C. - ASP INC	409.85-
<b>ASPHALT SPECIALISTS &amp; SUPPLY</b>		
10281	ASPHALT PATCHING	4,650.00
<b>AUSTIN CIVIL GROUP, INC.</b>		
053116-3,073116-3	1ST STREET WATER MAIN	10,786.75
<b>BATTLEMENT MESA HARDWARE LLC</b>		
08/16	EQUIPMENT RENTAL	135.00
08/16	PARKS SUPPLIES	88.61
08/16	WATER PLANT SUPPLIES	131.69
08/16	STREET SUPPLIES	242.74
08/16	BUILDING SUPPLIES	14.97
08/16	PW PARTS / SUPPLIES	44.86
08/16	PW PARTS / SUPPLIES	44.86
08/16	PW PARTS / SUPPLIES	44.85
08/16	PW PARTS / SUPPLIES	44.85
08/16	C.C. - BATTLEMENT MESA HARDWARE	792.43-
<b>BATTLEMENT MESA METROPOLITAN DISTRICT</b>		
1112	SEWER SERVICE CONTRACT	12,543.00
<b>BEHAVIORAL HEALTH</b>		
08/08/16	PSYCHOLOGICAL EVALUATION - KORVER	300.00
<b>BRIANNA ADDIE</b>		
08/16	REFUND PARK RESERVATION FEE	100.00
<b>BRUBACHER DESIGN</b>		
1937,1940	LOGO / RULE SIGNAGE TOWN HALL	326.56
<b>CBI</b>		
T170100050	BLOOD / DRUG TESTING	600.00
<b>CDC JANITORIAL</b>		
181136	TOILET PAPER / ICE MELT / RAGS	208.60
181136	C.C. - CDC JANITORIAL	208.60-
<b>CDPHE</b>		
FGD2016359	DRINKING WATER FEE	465.00
<b>CEBT</b>		
08/31/16	HEALTH, LIFE, DENTAL	20,652.50
08/31/16	VISION INSURANCE	224.00
<b>CENTURY EQUIPMENT COMPANY</b>		
GP05420	BACKHOE CUTTING EDGE	56.44
GP05420	BACKHOE CUTTING EDGE	56.44
GP05420	C.C. - CENTURY EQUIPMENT	112.88-

Invoice Number	Description	Net Invoice Amount
<b>CENTURY LINK</b>		
08/16	#0368 OLD TOWN HALL	74.94
08/16	#0390 REVEL SPRINGS	192.19
08/16	#5687 WATER PLANT	229.76
08/16	C.C. - CENTURY LINK	496.89-
<b>CIRSA</b>		
161460	TAHOE REPAIR DEDUCTIBLE	500.00
<b>CITY OF RIFLE</b>		
351,358	INMATE TRANSPORTATION	106.25
351,358	C.C. - CITY OF RIFLE	531.25-
<b>COMFORT AIR OF GRAND JUNCTION</b>		
28113,28203,28965	SYSTEM SERVICE CALLS	1,148.43
28113,28203,28965	C.C. - COMFORT AIR	1,148.43-
<b>DEPENDABLE WASTE SERVICES</b>		
08/16	CONTRACTED TRASH REMOVAL	166.00
08/16	CONTRACTED TRASH REMOVAL	4,582.00
09/16	CONTRACTED TRASH REMOVAL	166.00
09/16	CONTRACTED TRASH REMOVAL	3,471.68
<b>DEREK WINGFIELD</b>		
08/16	TRAVEL - PAONIA E.D.	143.76
08/16	TRAVEL - OKTOBERFEST/RAFTING/PROMO	125.93
<b>DISPLAY SALES</b>		
7440	BANNERS GRANT - DOWNPAYMENT	1,636.00
7440	C.C. - DISPLAY SALES	1,636.00-
<b>ELAM CONSTRUCTION, INC.</b>		
292364	ROAD BASE	1,065.26
292364	C.C. - ELAM CONSTRUCTION	1,065.26-
294718	STREETS CONCRETE	936.25
<b>EmTech INC.</b>		
S29281	COTTONWOOD PARK PUMP	401.18
S29281	C.C. - EMTECH	401.18-
<b>FIKES WEST, INC.</b>		
33617	Air FreshENER / URINAL MATS	48.50
33617	Air FreshENER / URINAL MATS	48.50
<b>FILTER TECH SYSTEMS, INC.</b>		
8149,8175,8170	PVC PIPE & SUPPLIES	1,774.18
8149,8175,8170	TROUBLE SHOOT REPLACE DIGITAL OUTPUT MODULE	267.83
8149,8175,8170	C.C. - FILTER TECH SYSTEMS	2,042.01-
<b>FIRE AND POLICE PENSION ASSOC.</b>		
08/15/16	POLICE PENSION & D&D	1,756.99
08/31	POLICE PENSION & D&D	1,794.57
<b>GALLS, AN ARAMARK CO., LLC</b>		
5900350	PD UNIFORMS	307.00
5900350	C.C. - GALLS	307.00-
<b>GARFIELD CLEAN ENERGY</b>		
2016	MEMBERSHIP CONTRIBUTION	1,500.00
<b>GARFIELD DEPT. OF HUMAN SERVICE</b>		
2016	CONTRIBUTION - SENIOR PROGRAM	510.00
<b>GRAND JUNCTION JEEP</b>		
149934,150502,150817	12 & 14 DODGE MAINTENANCE	553.25
149934,150502,150817	C.C. - GJ CHRYSLER JEEP	553.25-
<b>GRAND JUNCTION PIPE &amp; SUPPLY</b>		
08/16	WATER DEPT PARTS	1,451.29

Invoice Number	Description	Net Invoice Amount
08/16	PARKS SPRINKLER PARTS	215.18
08/16	IRRIGATION SYSTEM PARTS	3,353.25
08/16	C.C. - GRAND JUNCTION PIPE	5,019.72
<b>GRAND RIVER HOSPITAL DISTRICT</b>		
2016	CONTRIBUTION - MEALS ON WHEELS	500.00
<b>GRAND VALLEY EDUCATIONAL FOUNDATION</b>		
2016	CONTRIBUTION	1,000.00
<b>GRAND VALLEY HISTORICAL SOCIET</b>		
2016	CONTRIBUTION	500.00
<b>HACH</b>		
10035335	CHLORINE FOR WATER PLANT	5,160.00
<b>HILL AND ROBBINS P.C.</b>		
32367	SPECIAL WATER COUNSEL	71.07
<b>HOLY CROSS ENERGY</b>		
07/16	REVEL SPGS WATER PLANT & PUMP	211.55
07/16	C.C. - HOLY CROSS ENERGY	211.55
<b>JESUS CUHUATEMOC ESTRADA</b>		
1000	50% DEPOSIT MECHANICAL BULL	350.00
<b>JUSTIN MAYFIELD</b>		
07/16	BIKE RODEO SUPPLIES	137.14
<b>KANSAS CITY LIFE INS.</b>		
08/15/16	DISABILITY INS.	879.01
<b>KARP, NEU, HANLON P.C.</b>		
521,522,523,524,525	GENERAL LEGAL	4,101.82
521,522,523,524,525	URSA	78.63
521,522,523,524,525	AMERICAN GREEN	225.00
521,522,523,524,525	ZONED PROPERTIES	521.81
521,522,523,524,525	PARACHUTE FIRE DISTRICT	277.50
521,522,523,524,525	PARACHUTE INN AGREEMENT	481.00
521,522,523,524,525	COURT	1,408.45
<b>KIM WISDOM</b>		
210	SUBCONTRACTED COURT SERVICES	672.75
<b>KONICA MINOLTA</b>		
28993762	CONTRACT PAYMENT AND OVERAGE	276.63
28993762	CONTRACT PAYMENT AND OVERAGE	276.63
28993762	CONTRACT PAYMENT AND OVERAGE	69.16
28993762	CONTRACT PAYMENT AND OVERAGE	69.16
28993762	CONTRACT PAYMENT AND OVERAGE	69.16
28993762	CONTRACT PAYMENT AND OVERAGE	69.16
<b>K-SUN COMMUNITY RADIO</b>		
2016	CONTRIBUTION	1,000.00
<b>LAWSON PRODUCTS INC</b>		
3596709	MisC SUPPLIES FOR SHOP	18.16
3596709	MisC SUPPLIES FOR SHOP	18.15
3596709	MisC SUPPLIES FOR SHOP	18.15
3596709	C.C. - LAWSON PRODUCTS	54.46
<b>LIBERTY NATIONAL LIFE INSURANCE CO.</b>		
09/16	SUPPLEMENTAL LIFE INSURANCE	127.98
<b>LIFT-UP</b>		
2016	Contribution	1,000.00
<b>LOVA TRAILS GROUP</b>		
2016	CONTRIBUTION	1,000.00
<b>MAGANA PARTY RENTALS</b>		
08/16	1/2 DOWN INFLATABLES	550.00
<b>MARCO CASTRO</b>		
16-M0014	BOND REFUND LESS COURT FINES & FEES	820.00

Invoice Number	Description	Net Invoice Amount
<b>MESA COUNTY HEALTH DEPT.</b>		
08/16	WATER TESTING	160.00
08/16	C.C. MESA COUNTY HEALTH	160.00-
<b>MODERN MARKETING</b>		
116882	EVIDENCE BOX / LED TASK LIGHT	277.14
116882	C.C. MODERN MARKETING	277.14-
<b>MOUNTAIN TEMP SERVICES LLC</b>		
351557,352256	RIVER RAFTING STAFFING SERVICES	874.50
<b>MUNRO SUPPLY</b>		
377067	RAW WATER PUMP	1,500.00
377067	C.C. - MUNRO SUPPLY	1,500.00-
<b>ON-SITE SAFETY INC.</b>		
315049	RECALIBRATE MONITOR	50.00
315049	C.C. - ON-SITE SAFETY	50.00-
<b>ORCHARD TRUST COMPANY, LLC</b>		
08/15/16 #1	Retirement & Deferred Comp.	2,444.60
08/15/16 #2	Retirement & Deferred Comp.	273.31
09/16	Retirement & Deferred Comp.	2,444.60
09/16	Retirement & Deferred Comp.	273.31
<b>PARACHUTE/BM PARKS &amp; REC</b>		
2016	CONTRIBUTION - GOLF TOURNAMENT	100.00
<b>PATRIOT HIGHWAY MARKINGS, LLC</b>		
2016-125	STREET STRIPING	8,378.00
<b>PAYFLEX SYSTEMS, USA INC.</b>		
08/15/16	HRA REIMB	755.72
08/22/16	HRA REIMB	677.10
08/29/16	HRA REIMB	652.50
09/02/16	HRA REIMB	2,203.94
873618	ADMIN FEE HRA REIMB	75.00
873618	ADMIN FEE HRA REIMB	100.00
873618	ADMIN FEE HRA REIMB	25.00
873618	ADMIN FEE HRA REIMB	25.00
873618	ADMIN FEE HRA REIMB	25.00
873618	ADMIN FEE HRA REIMB	25.00
873618	ADMIN FEE HRA REIMB	25.00
873618	ADMIN FEE HRA REIMB	25.00
<b>PAYLOCITY CORP</b>		
08/15/16	PAYLOCITY NET WAGES - DIRECT DEPOSIT	30,144.63
08/15/16	STATE WITHHOLDING PAYABLE	1,388.00
08/15/16	STATE UNEMPLOYMENT PAYABLE	13.34
08/15/16	FICA PAYABLE	4,846.13
08/15/16	FEDERAL WITHHOLDING PAYABLE	4,317.34
08/15/16	PAYLOCITY PAYROLL FEE	97.70
08/30/16	NET WAGES - DIRECT DEPOSIT	28,788.03
08/30/16-1	NET WAGES - CHECKS	2,078.01
08/30/16-2	STATE WITHHOLDING PAYABLE	1,370.00
08/30/16-2	STATE UNEMPLOYMENT PAYABLE	22.58
08/30/16-2	FICA PAYABLE	5,276.37
08/30/16-2	FEDERAL WITHHOLDING PAYABLE	4,132.99
08/30/16-4	PAYLOCITY PAYROLL FEE	129.50
<b>PLAN TOOLS, LLC</b>		
16-20	PLAN TOOLS	5,967.67
<b>PLUTT ROGERS &amp; COMPANY PC</b>		
1011	2015 AUDIT	9,500.00
<b>PR DIAMOND PRODUCTS INC.</b>		
42368	MULTI-PURPOSE BLADES	522.00
42368	C.C. - PR DIAMOND PRODUCTS	522.00-

Invoice Number	Description	Net Invoice Amount
<b>PWT</b>		
CD101163	WATER PLANT CHEMICALS	620.42
CD101163	C.C. - PWT	620.42-
<b>R &amp; S SALES &amp; WELDING SERVICE</b>		
5970	Oxy - Tank Rental	4.00
5970	Oxy - Tank Rental	4.00
5970	Oxy - Tank Rental	4.00
<b>RAGIN CAJUN OIL &amp; SERVICE</b>		
580	2013 FORD E350 TRLR PLUG CONNECTOR	53.67
580	C.C. - RAGIN CAJUN OIL	53.67-
<b>REDI SERVICES, LLC</b>		
20669	GRAND VALLEY DAYS REIMB	280.00
20669	C.C. - REDI SERVICES	280.00-
<b>RICOH USA, INC</b>		
5044094277	P.D. COPIER COSTS	43.89
5044094277	P.D. COPIER COSTS	23.63
5044094277	C.C. - RICOH	67.52-
<b>RIFLE REGIONAL ECONOMIC DEVEP. CORP.</b>		
07/16	INVESTOR MEMBERSHIP	1,000.00
<b>RIVER BRIDGE REGIONAL CENTER INC.</b>		
2016	CONTRIBUTION	1,000.00
<b>ROCKY MOUNTAIN LASER TAG</b>		
08/16	1/2 PYMT OKTOBERFEST LASER TAG	1,500.00
<b>RSVP</b>		
2016	CONTRIBUTION	1,000.00
<b>SAFEBUILT, INC.</b>		
25820	Inspection Services	2,947.03
<b>Safety &amp; Construction Supply Inc.</b>		
34445	GLOVES	20.83
34445	GLOVES	20.83
34445	GLOVES	20.82
34445	C.C. - SAFETY & CONST SUPPLY	62.48-
<b>SCHMUESER GORDON MEYER, INC.</b>		
229	RIVER ACCESS	3,270.50
229	PED ACCESS	2,225.25
229	PUBLIC WORKS MANUAL	782.00
229	PUBLIC WORKS MANUAL	782.00
229	PUBLIC WORKS MANUAL	782.00
229	CARDINAL WAY EXTENSION	828.00
229	GVHS CARDINAL WAY REPAIR	276.00
229	1ST STREET WATER MAIN	1,024.50
<b>SOUTHWESTERN SYSTEMS, INC</b>		
202053	SEWER PREVENTATIVE MAINTENANCE	5,773.48
<b>STEVEN A. NOFZIGER</b>		
005,006	PD TOWING SERVICES	390.00
<b>STEVEN BRUBACHER</b>		
16-JVM0001	VICTIM RESTITUTION PYMT #1	150.00
<b>STUART S. MCARTHUR</b>		
07/16	TRAVEL REIMB	298.08
07/16	PHONE REIMB	60.00
07/16	LICENSE FEE REIMB	2.50
07/16	FUEL EXPENSE REIMB	61.89
<b>SUMMIT SUN SHIRTS</b>		
08/16	OKTOBERFEST SHIRTS	898.50
08/16	C.C. - SUMMIT SUN SHIRTS	898.50-
<b>SWALLOW OIL COMPANY</b>		
07/31/16	CAR WASH	30.56

Invoice Number	Description	Net Invoice Amount
<b>TIX, INC</b>		
146942	OKTOBERFEST TICKET AGENCY FEES	92.00
146942	OKTOBERFEST CHECKING	92.00-
<b>TRU GREEN</b>		
8351,0879,7076	PARKS	747.60
8351,0879,7076	C.C. - TRUE GREEN	747.60-
<b>U. S. TRACTOR &amp; HARVEST, INC.</b>		
P28570	V-BELT PARKS	36.28
P28570	U.S. TRACTOR	36.28-
<b>ULTRAMAX</b>		
160479	GRANT FUNDED SUPPLIES	1,380.00
160479	C.C. - ULTRAMAX	1,380.00-
<b>UMB - CREDIT CARD</b>		
08/16	CREDIT CARD PURCHASES	31,425.70
<b>UNIVAR USA INC.</b>		
8847,9847,4939,5188	WATER PLANT CHEMICALS	1,492.92
<b>USA BLUE BOOK</b>		
16014,28305	LIFT STATION SUPPLIES	514.92
16014,28305	WATER PLANT PARTS / SUPPLIES	284.57
16014,28305	C.C. - USA BLUE BOOK	799.49-
<b>VERIZON WIRELESS</b>		
08/16	WIRELESS PHONE SERVICE	62.46
08/16	WIRELESS PHONE SERVICE	578.13
08/16	WIRELESS PHONE SERVICE	116.54
08/16	WIRELESS PHONE SERVICE	116.54
08/16	WIRELESS PHONE SERVICE	116.54
08/16	C.C. - VERIZON WIRELESS	990.21-
<b>VIEVU</b>		
18827	MONTHLY SERVICE FEE	125.00
18827	C.C. - VIEVU	125.00-
<b>WAGNER EQUIPMENT CO.</b>		
9650,7065,7066	PARTS/SUPPLIES	37.35
9650,7065,7066	PIN AND SIDE CUTTER	396.44
9650,7065,7066	C.C. - WAGNER EQUIPMENT	433.79-
<b>WAGNER RENTS INC.</b>		
1131957-0001	EXCAVATOR BUCKET	948.00
1131957-0001	C.C. - WAGNER RENTS	948.00-
<b>WELLS FARGO</b>		
1610398	PETTY CASH - RIVER RAFTING	200.00
<b>WEX, INC.</b>		
46261532	FUEL	33.04
46261532	FUEL	977.53
46261532	FUEL	390.54
46261532	FUEL	390.54
46261532	FUEL	390.53
46261532	FUEL	51.80
<b>WINWATER</b>		
41898	Revel Springs REPAIR	3,597.94
41898	C.C. - WINWATER	3,597.94-
<b>XCEL ENERGY</b>		
08/01/16	Street Light & West Interchange	3,215.23
08/05/16	Monthly Utility Service	551.34
08/05/16	Monthly Utility Service	131.99
08/05/16	Monthly Utility Service	324.22
08/05/16	Monthly Utility Service	471.33
08/05/16	Monthly Utility Service	2,356.64
08/05/16	Monthly Utility Service	314.22

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Invoice Number	Description	Net Invoice Amount
08/05/16	Monthly Utility Service	157.11
08/05/16	Monthly Utility Service	196.39
08/05/16	Monthly Utility Service	117.83
08/05/16	Monthly Utility Service	314.22

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$227.50
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
<b>Amount Due/Paid</b>	

JUN 27 2016 09:07

BOTTLECAP LIQUORS  
 PO BOX 85  
 PARACHUTE CO 81635-0085

Make check payable to: **Colorado Department of Revenue.**  
 The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name <b>BOTTLECAP LIQUORS LLC</b>		DBA <b>BOTTLECAP LIQUORS</b>		
Liquor License # <b>10987970000</b>	License Type <b>Liquor Store (city)</b>	Sales Tax License # <b>10987970000</b>	Expiration Date <b>09/25/2016</b>	Due Date <b>08/11/2016</b>
Operating Manager <i>[Signature]</i>	Date of Birth <b>2-22-49</b>	Home Address <b>2490 A Ct CO Jct G 81505</b>		
Manager Phone Number <b>970-260-1585</b>	Email Address <b>gary@msdore.com</b>			
Street Address <b>150 COLUMBINE CT SUITE A PARACHUTE CO 81635-9750</b>				Phone Number <b>9702429511</b>
Mailing Address <b>PO BOX 85 PARACHUTE CO 81635-0085</b>				

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  
 YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

**AFFIRMATION & CONSENT**

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.

Type or Print Name of Applicant/Authorized Agent of Business <i>[Signature]</i>	Title <b>Manager</b>
Signature <i>[Signature]</i>	Date <b>6-19-16</b>

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. **THEREFORE THIS APPLICATION IS APPROVED.**

Local Licensing Authority For	Date
Signature	Title <b>2016-09-09</b>
Attest <b>Page 18 of 116</b>	

**LIQUOR LICENSES HELD BY**  
**KEITH POCKROSS AND GARY DEAN**

Rocky Mountain C Stores  
Shell Food Mart  
200 County Road 215  
Parachute CO 81635  
**Account # 03-61425-0002**

Rocky Mountain C Stores, Inc  
Conoco Food Mart  
201 Columbine Court  
Parachute CO 81635  
**Account # 03-61425-0003**

Bottle Cap Liquors, LLC  
150 Columbine Court Suite A  
Parachute CO 81635  
**Account # 10-98797-0000**

**RETAIL LIQUOR OR 3.2 BEER  
 LICENSE RENEWAL APPLICATION**

Fees Due	
Renewal Fee	\$96.25
Storage Permit \$100 x _____	_____
Optional Premise \$100 x _____	_____
Related Resort \$75 x _____	_____
Amount Due/Paid	

ROCKY MTN C STORES  
 706 S 9TH ST STE 1  
 GRAND JUNCTION CO 81501-3736

Make check payable to: Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.

**PLEASE VERIFY & UPDATE ALL INFORMATION BELOW**

**RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE**

Licensee Name ROCKY MTN C STORES INC		DBA ROCKY MTN C STORES		
Liquor License # 03614250003	License Type 3.2% Beer Off Premises (city)	Sales Tax License # 03614250003	Expiration Date 10/24/2016	Due Date 09/09/2016
Operating Manager Gary Dean	Date of Birth 2-22-49	Home Address 2490 H Ct Grand Jct Co 81505		
Manager Phone Number 970 260 1588	Email Address gary@rmstores.com			
Street Address 201 COLUMBINE CT PARACHUTE CO 81635-9529				Phone Number 970 242 9511
Mailing Address 706 S 9TH ST STE 1 GRAND JUNCTION CO 81501-3736				

- Do you have legal possession of the premises at the street address above?  YES  NO  
 Is the premises owned or rented?  Owned  Rented\* \*If rented, expiration date of lease \_\_\_\_\_
- Since the date of filing of the last application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested.  YES  NO  
**NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS:** If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation.  YES  NO
- Since the date of filing of the last application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation.  YES  NO
- Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation.  YES  NO

**AFFIRMATION & CONSENT**

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.

Type or Print Name of Applicant/Authorized Agent of Business Gary Dean	Title President
Signature 	Date 7-21-2016

**REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY**

The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.

Local Licensing Authority For	Date
Signature	Title 2016-09-09
Attest Page 20 of 116	

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Bottle Cap Liquors, LLC  
150 Columbine Court Suite A  
Parachute CO 81635  
**Account # 10-98797-0000**



**STUART S. MCARTHUR  
TOWN MANAGER**

*Integrity • Respect • Teamwork • Pride • Innovation • Diversity*

222 GRAND VALLEY WAY • PARACHUTE, CO 81635 • (970) 285-7630

**DATE:** September 15, 2016  
**TO:** Board of Trustees  
**FROM:** Stuart S. McArthur, Town Manager   
**SUBJECT:** TOWN MANAGER MONTHLY REPORT – SEPTEMBER 2016

The purpose of this memo is to report to the Board of Trustees the activities of the Town during the past month and to review issues for upcoming meetings.

1. Sales tax report showing current month (August receipts for June sales) sales tax and comparing the last three years and the 2016 budget is attached to this report. You will note that sales tax YTD is slightly down by 4.36% from last year at this time. The net sales tax receipts are down by 43.76% for the month compared to 2015 actuals. The reason for the low sales tax figures is due to a refund made to Cingular Wireless of \$49,550. Without that refund our sales tax would be \$92,880 – up 34.88% over the same month last year. Year-to-date would be up 4.64% over 2015. For purposes of my analysis, I will use the gross number of \$92,880.

Of the \$92,880 tax receipt figure, \$23,806.50 is from the sale of recreation marijuana, representing about 25.7% (22.7% last month) of all sales tax for the month.

Without the marijuana sales and the related growth in other businesses, total YTD revenue would be down 19.5% from 2015. Sales taxes would be down nearly \$130,000 (\$459,616 versus \$589,335). This conservatively assumes that of the 68.8% growth experienced by the top 18 tax payers, only 50% of it is related to marijuana.

We have not received the State’s portion for the marijuana sales tax for the month.

- 2. YTD Financial Statements and 2016 Budget status will be provided at the meeting.
- 3. As of the writing of this report (Friday, September 9, 2016), the prices for energy commodities are:

WTI Crude Oil ..... \$46.60 (July - \$43.06) – Up 8.39%  
Natural Gas (Nymex) .....\$2.81 (July - \$2.54) – Up 10.7%

- 4. The Town opened the river tubing/rafting operation again at Cottonwood Park. The interest continues to be high. We will run the operation through October 2<sup>nd</sup>.
- 5. I submitted the grant application for the wayfinding signage to the Battlement Lakes trailhead to the Garfield County Federal Mineral Lease District (GCFMLD). The application is for

\$25,000. I received letters of support from the Battlement Mesa Service Association and the Forest Service.

The grant application for the River Access Ramp was rejected by GCFMLD due to mistakes I made. I will resubmit during the spring 2017 cycle.

I submitted a grant application to the Colorado Department of Local Affairs (DOLA) for upgrades to the Park ‘n’ Ride in partnership with CDOT and the Roaring Fork Transit Authority for \$200,000.

Other grants I would like to consider for application are:

- Cottonwood Park Upgrades .....Colorado Health Foundation..... \$100,000
- Grand Valley High School Sidewalk .....Safe Routes to School ..... \$200,000
- Park Acquisition / Development .....GOCO / DOLA ..... ???

6. The Town is working with Sexton and Sexton Interiors on the design for the remodel of the Rest Area cabin and restrooms. A Request for Proposals (RFP) will be distributed soon. We are looking at tile throughout interiors and repainting the exterior to look more like a cottage versus mountain cabin.
7. I had an extensive meeting with Better City consultants. We toured the Town completely, including the trailhead for the Battlement Lakes. The three priorities I gave them are:
  - a. Outdoor Recreation – Ideas, implementation, and funding sources
  - b. Water/Wastewater Infrastructure – Funding for lines up CR215 and to the West Interchange
  - c. Grocery store – Attract a company to the Town.

Does the Board agree with these priorities for economic development?

8. Progress continues on the update of the Town’s municipal code as it relates to the development review process. Does the Board have some specific direction regarding the update?

The Planning and Zoning Commission is getting monthly updates from PlanTools, the consulting team.

9. The CML District meeting was held last night in Rifle. Potential legislation was discussed.
10. As a reminder the election is scheduled for November 8<sup>th</sup>.
11. The December Board meeting will need to be a special meeting on December 8<sup>th</sup> to adopt the 2017 budget since the mill levy certification is legally due to the County on the 15<sup>th</sup>, which is the date of the regular meeting. Unless necessary, there will not be a regular meeting.
12. The Town received its direct distribution of severance taxes and federal mineral lease funds. It was far less than budgeted or expected:

Source	2016 Budget	2016 Actual Distribution
Severance Taxes	\$ 113,290	\$ 39,216.20
Federal Mineral Lease Funds	\$ 175,000	\$ 96,247.15

2017 direct distributions should be even less.

13. I have learned from Garfield County that the Road & Bridge Shareback for the Town will not occur in 2017. We received nearly \$50,000 in 2015. I am projecting less than \$30,000 in 2016. In 2017, we will received nothing.

**14. Upcoming Issues:**

Agenda Items:

- i. Upcoming retail marijuana license applications and renewals.
- ii. Annexation zoning for prior annexations
- iii. Survey and easements for Town water/electric/road facilities within the Battlement Mesa Company property
- iv. Fire District Property Sale

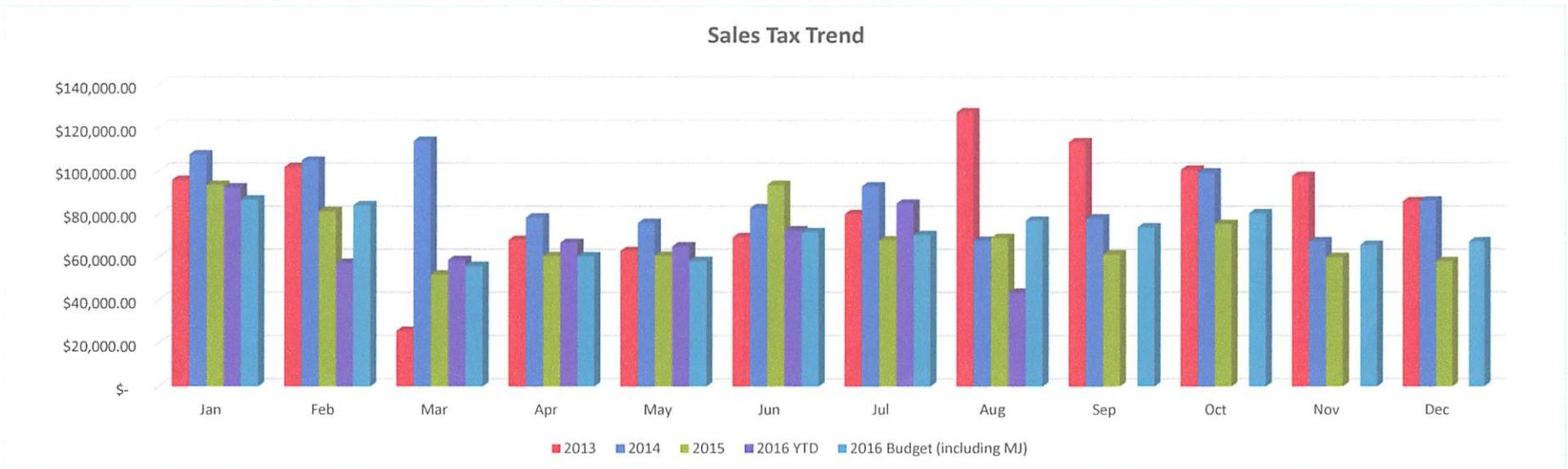
If you have questions or concerns, contact me at 970.285.7630 or [stuartmc@parachutecolorado.com](mailto:stuartmc@parachutecolorado.com).

**Town of Parachute  
Sales Tax Trend Analysis - 2016**

		Actuals								
Month Received	Month Paid*	2013	2014	2015	2015 YTD 2016	2016 YTD	2016 Budget (including MJ)	YTD % Compared to 2015	Actual Compared to Budget	
Jan	Nov	\$ 95,706.59	\$ 107,541.87	\$ 93,340.02	\$ 93,340.02	\$ 92,154.37	\$ 86,586.24	-1.27%	6.43%	
Feb	Dec	\$ 101,588.06	\$ 104,702.30	\$ 81,163.74	\$ 81,163.74	\$ 57,244.56	\$ 83,919.54	-29.47%	-31.79%	
Mar	Jan	\$ 25,564.29	\$ 113,904.74	\$ 51,821.09	\$ 51,821.09	\$ 58,553.69	\$ 55,845.37	12.99%	4.85%	
Apr	Feb	\$ 67,891.55	\$ 78,277.62	\$ 60,420.09	\$ 60,420.09	\$ 66,537.75	\$ 60,311.81	10.13%	10.32%	
May	Mar	\$ 62,753.99	\$ 75,764.05	\$ 60,555.16	\$ 60,555.16	\$ 64,923.68	\$ 58,117.56	7.21%	11.71%	
Jun	Apr	\$ 69,165.79	\$ 82,490.46	\$ 93,419.42	\$ 93,419.42	\$ 72,328.49	\$ 71,547.56	-22.58%	1.09%	
Jul	May	\$ 79,877.98	\$ 92,727.04	\$ 67,717.37	\$ 67,717.37	\$ 84,792.28	\$ 70,159.88	25.21%	20.86%	
Aug	Jun	\$ 127,189.55	\$ 67,447.53	\$ 68,804.28	\$ 68,804.28	\$ 43,250.50	\$ 76,909.25	-37.14%	-43.76%	
Sep	Jul	\$ 113,405.91	\$ 77,887.19	\$ 61,204.69	\$ -	\$ -	\$ 73,714.37	0.00%	0.00%	
Oct	Aug	\$ 100,377.26	\$ 99,147.71	\$ 75,283.71	\$ -	\$ -	\$ 80,227.83	0.00%	0.00%	
Nov	Sep	\$ 97,548.24	\$ 67,147.25	\$ 59,887.91	\$ -	\$ -	\$ 65,565.03	0.00%	0.00%	
Dec	Oct	\$ 85,800.99	\$ 86,001.23	\$ 58,023.81	\$ -	\$ -	\$ 67,095.57	0.00%	0.00%	
<b>Total</b>		<b>\$ 1,026,870.20</b>	<b>\$ 1,053,038.99</b>	<b>\$ 831,641.29</b>	<b>\$ 577,241.17</b>	<b>\$ 539,785.32</b>	<b>\$ 850,000.00</b>	<b>-4.36%</b>	<b>-2.54%</b>	

\* There is a two month delay of when sales tax paid and when received by the Town.

\*\* Note: \$49,550 was refunded to Cingular Wireless in August 2016. Without refund, sales tax would be \$92,800.

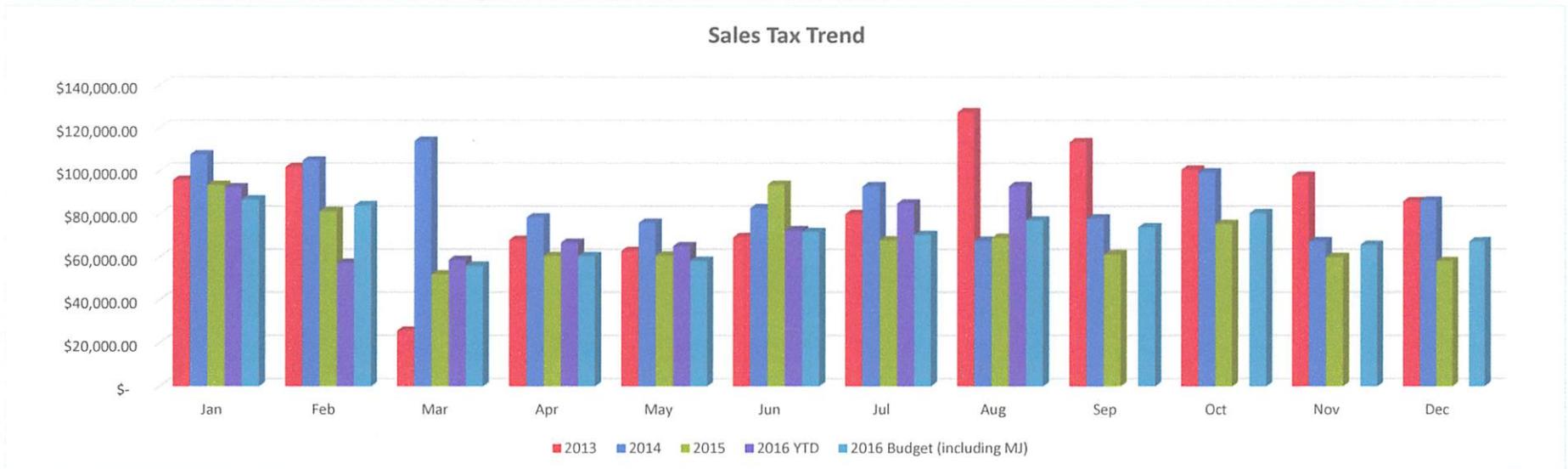


**Town of Parachute  
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<b>Total</b>		<b>\$ 1,026,870.20</b>	<b>\$ 1,053,038.99</b>	<b>\$ 831,641.29</b>	<b>\$ 577,241.17</b>	<b>\$ 589,335.32</b>	<b>\$ 850,000.00</b>	<b>4.64%</b>	<b>5.52%</b>

\* There is a two month delay of when sales tax paid and when received by the Town.

\*\* Note: \$49,550 was refunded to Cingular Wireless in August 2016. Without refund, sales tax would be \$92,800.





Derek Wingfield  
Community Development

Integrity ▪ Respect ▪ Teamwork ▪ Pride ▪ Innovation ▪ Diversity

222 GRAND VALLEY WAY ▪ PARACHUTE, CO 81635 ▪ (970) 285-7630

## STAFF REPORT

**DATE:** September 15, 2016  
**TO:** Board of Trustees  
**FROM:** Derek Wingfield, Community Development  
**SUBJECT:** **AUGUST 2016 MONTHLY UPDATE**

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The river floating adventure has continued into August. The rules, regulations and execution of the program have evolved. We have been opening the business had some small successes. The program still is a positive program that has great potential.

We did make it successfully through our co-promoted concert with 92.3 The Moose. We trade services for services in attempt to grow our event and theirs without as much expenditure. The changes from last year with their event took it from a money loss to a small profit this year. Hopefully the changes do the same for us. We did sell a handful of tickets directly at their show but the bigger win has been watching the climb in ticket sales based on the increased promotions, both at the event as well as the shift of priority from their show to ours.

We did land two more sponsors while we still have a great deal of ground to make up we are moving forward. On a note, Chase Rice was on the Today Show last week promoting the national tour and we are the only Colorado date. This publicity is helping. We do need volunteer help; Lauralee is running point on the organization of volunteers.

A mixed project has evolved the property we use and stage events (the field across the street from Cottonwood Park) currently owned by the Parachute Partners. We levelled it last year and we were able to seed it and hopefully we will have grass for Oktoberfest. This is a step for the event but also a step forward with our expanding our central park goal.

I have been working with several businesses and trying to facilitate the expansion of broadband in Town. I will let you know I have received some good news to come next month on this project.

The school zone signs are programmed working, and I have heard a great deal of praise for the Town from doing that. I also toured our schools and if you haven't I would recommend checking out the upgrades the bond has created for our community.

We are getting more calls on possible business locations. These are still steadily cannabis related; however it is starting to diversify. Hopefully we will see some new businesses open and flourish.

I attended an economic development meeting hosted by Paonia and facilitated by Downtown Colorado. I am proud to say the Town is moving and working towards growth. Several people commented on just how busy we are and how intuitive some of our projects to grow are.

Again please get with Lauralee about volunteering we could use the help.



*Mark King*  
*Public Works Director*

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222 GRAND VALLEY WAY ▪ PARACHUTE, CO 81635 ▪ (970) 285-7630

**Date:** September 15<sup>th</sup>, 2016  
**To:** Board of Trustees  
**From:** Mark King, Public Works Director  
**Subject:** September Monthly Report

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The purpose of this staff report is to provide the Board of Trustees with the Public Works updates for the past month.

There was an emergency water line replacement at the Revelle Springs. We had another leak and on further inspection of the water main we found that the main line needed to be replaced. We replaced 500' of 6" main. The Revelle springs were off a total of 3 days. Here are some pics of the old and new line.





We are planning to replace the remaining water line all the way to the golf course. In addition, we are installing 400 feet of 2 inch irrigation line to the Knox property.

All the banners for Oktoberfest have been installed. They are on Cardinal Way from C.R. 300 down to the Family Dollar and down 1<sup>st</sup> street from C.R. 215 to Mama's Restaurant.

The door for the court room should be delivered in the next week or and will be installed soon thereafter. The Police Department window is in. Pending building inspections, final finish work will be completed in the near future.

If you have any questions or concerns you can contact me at 970-986-1821.



CARY PARMENTER  
POLICE CHIEF

*Integrity • Respect • Teamwork • Pride • Innovation • Diversity*

222 GRAND VALLEY WAY • PARACHUTE, CO 81635 • (970) 285-7630

To: Board of Trustees

From: Cary Parmenter, Police Chief

Ref: August report

Date: 09/08/16

Officers have been working more complex cases the last few months, leaving less time for traffic enforcement and active patrolling of the Town. I have received several comments from citizens concerned that they have not seen the officers driving through their neighborhoods as often as they are used to.

We have been working with only three officers for the last two months, who have investigated 25 crime reports and responded to 270 calls for service in August, or 90 calls per officers. In August of 2015 we had four full time officers and one part time officer who responded to 344 calls for service or 76 calls per officers, which gave us more time for patrolling and traffic enforcement.

For comparison, for the month of August we averaged between 170 to 190 traffic stops a year, this year we made 47 traffic stops.

Officer Joel Korver is progressing very well in field training, his training officer, Justin Mayfield advises that Joel should be on his own by mid-October. This will help with easing some of the case load on the other officers.

As we move into the Fall season, we are hoping we can catch up on other work and training.

**POLICE ACTIVITY BLOTTER FOR AUGUST 2016  
SUMMARY**

**DATE**

- 08/02/16**      **DUI**  
An Officer was dispatched to 28 Cardinal Way for a report of a party in a vehicle throwing liquor bottles in the parking lot. The driver, Mark Majors 61, of Parachute was arrested for DUI, Violation of Bond Conditions, Restraining Order Violation, and 3<sup>rd</sup> Degree Assault.
- 08/02/16**      **Harassment**  
An Officer was dispatched to a report of Harassment at 200 Colorado Avenue. A warrant has been issued for the suspect, Lannis McAlpin 32 of Parachute.
- 08/02/16**      **Harassment**  
An Officer was dispatched to a report of Harassment in the area of 98 Cardinal Way. A warrant has been issued for the suspect, Lannis McAlpin 32 of Parachute.
- 08/02/16**      **Harassment**  
An Officer was dispatched to a report of Harassment in the area of Alpine Court. A warrant has been issued for the suspect, Lannis McAlpin 32 of Parachute.
- 08/06/16**      **Runaway Juveniles / Motor Vehicle Theft**  
An Officer was dispatch to the 400 block of 4<sup>th</sup> Street for a report of two missing juveniles. It was later discovered that the parties along with an additional juvenile had taken a motor vehicle. Two of the juveniles were arrested with a warrant issued for the third.
- 08/06/16**      **Criminal Mischief**  
An Officer was dispatch to the 100 block of 1<sup>st</sup> Street for a report of Criminal Mischief. The victim had an exterior light broken. There are no charges filed at this time.
- 08/07/16**      **Domestic Violence**  
An Officer responded to the 200 block of S. Railroad Avenue for a report of Domestic Violence. The suspect, Paul Gomez 41 of Garden Grove, CA, was arrested and charged with 3<sup>rd</sup> Degree Assault and Domestic Violence.
- 08/08/16**      **Warrant**  
Michael Smith 49 of Parachute, turned himself in at the Police Department for two warrants. He was taken to the Garfield County Jail.
- 08/15/16**      **Warrant**  
A juvenile, turned themselves in at the Police Department for two warrants. He was transported to the Department of Youth Corrections in Grand Junction.
- 08/16/16**      **Dog at Large**  
Officers responded to Alpine Lane for a report of a dog at large in custody. The suspect, Britteny Harris 35 of Parachute, was summonsed for Failure to Control Dog.

- 08/16/16 Indecent Exposure**  
Officers responded to 252 Green Street for a report of male exposing himself. Christopher Morales 24, of Parachute, was later arrested for Indecent Exposure and Disorderly Conduct.
- 08/17/16 Domestic Violence**  
Officers were called to the 200 Colorado Ave. on a report of an assault. The suspect, Creighton Matthews 28 of Parachute, was arrested and charged with Harassment and Domestic Violence.
- 08/20/16 Warrant / Traffic Violation**  
Officers contacted a female party, Bethany Duggan Hatcher 34 of Parachute, who had a warrant. She was issued a summons for a Violation of a Temporary Instruction Permit, she was then transported to the Garfield County Jail on the warrant.
- 08/21/16 Traffic Violation**  
Officers conducted a traffic stop in the area of County Road 215 and Interstate 70. The driver, Jeremy Savell 25, of Brooksville, FL was summonsed for Defective Vehicle, NPOI, and Fictitious Plates.
- 08/21/16 Criminal Mischief**  
Officers responded to the area of Alpine Court for a report of Criminal Mischief. The juvenile suspects were released back to parents with no charges filed at this time.
- 08/24/16 Violation of a Restraining Order**  
An Officer responded to 28 Cardinal Way for a report of an intoxicated male. The subject, Michael Newton 47 of Parachute, was found to be in Violation of a Restraining Order and arrested.
- 08/24/16 Barking Dog**  
An officer responded to the 200 block of Russey Ave. for a report of a barking dog. The suspect, Rachel Palfy 27 of Parachute, was summonsed for Animal Disturbances.
- 08/25/16 Assault**  
Officers responded to Grand River Hospital for a report of a stabbing in the 200 block of Russey Ave. The suspect, Brianne Boothe 32 of Parachute, was interviewed. The victim did not wish to press charges.
- 08/26/16 Theft**  
Officers responded to the area of 200 4<sup>th</sup> St. for a report of a theft. A juvenile was summonsed for Theft.
- 08/26/16 Abandoned Vehicle**  
On 8/21/16, Officers put a Red Tag on an abandoned vehicle in the Rest Area. On 8/26/16, the vehicle was towed away as abandoned.

- 08/26/16 Traffic Violation**  
Officers conducted a traffic stop in the area of the 300 block of Cardinal Way. The driver, Jose Rodriguez 25, of Rifle was arrested for No Front License Plates, DUR HTO, and NPOI.
- 08/28/16 Traffic Violation**  
Officers conducted a traffic stop in the area of mm 72 on Highway 6. The driver, Katie Dibble 21, of De Beque, had a warrant and was issued a summons for No Front License Plate and Driving w/o a Valid License.
- 08/30/16 Traffic Violation**  
Officers conducted a traffic stop in the area of mm 75 EB exit ramp on Interstate 70. The driver, Michael Heidrich 28, of Denver was summonsed for No Visible Registration and Speeding.
- 08/31/16 Disturbance / Restraining Order Violation**  
Officers responded to 252 Green St. for a report of a disturbance. The suspect, Eric Stettler 26, of Parachute was issued a warrant for Violation of a Restraining Order, Violation of Bond Conditions, Disorderly Conduct, Obstruction, and Resisting Arrest.

**47 Traffic Stops August 2016**  
**15 Traffic Citations August 2016**  
**25 Case Reports in August 2016**  
**52 Case Reports in August 2015**  
**24 Case Reports in August 2014**  
**29 Case Reports in August 2013**

**230 case reports YTD for 2016**  
**(313 case reports YTD in 2015)**  
**(136 case reports YTD in 2014)**  
**(141 case reports YTD in 2013)**  
**(137 case reports YTD in 2012)**  
**(116 case reports YTD in 2011)**

## Permit Application and Report of Changes

**Current License Number** 35-10057-0000  
**All Answers Must Be Printed in Black Ink or Typewritten**  
**Local License Fee** \$ 0.00

1. Applicant is a <input type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual <input type="checkbox"/> Partnership ..... <input checked="" type="checkbox"/> Limited Liability Company	<b>Present License Number</b>  35-10057-0000
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2. Name of Licensee MG LIQUORS LLC	3. Trade Name MG LIQUORS
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4. Location Address  
 393 E 2ND ST UNIT 2

City PARACHUTE	County GARFIELD	ZIP 81635
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**SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.**

Section A – Manager reg/change	Section C
• License Account No. _____  <input type="checkbox"/> Manager's Registration (Hotel & Restr.) .....\$75.00 <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment).....\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 12-47-301(8), C.R.S.) NO FEE	<input checked="" type="checkbox"/> Retail Warehouse Storage Permit (ea).....\$100.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) ..... 100.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) ..... 50.00 <input type="checkbox"/> Change Location Permit (ea)..... 150.00 <input type="checkbox"/> Change, Alter or Modify Premises \$150.00 x _____ Total Fee _____  <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____  <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____
Section B – Duplicate License	
• Liquor License No. _____  <input type="checkbox"/> Duplicate License ..... \$50.00	

**Do Not Write in This Space – For Department of Revenue Use Only**

Date License Issued	License Account Number	Period

The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.	<b>TOTAL AMOUNT DUE</b>	\$ _____ .00
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## Instruction Sheet

For All Sections, Complete Questions 1-4 Located on Page 1

**Section A**

*To Register or Change Managers*, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature.

**Section B**

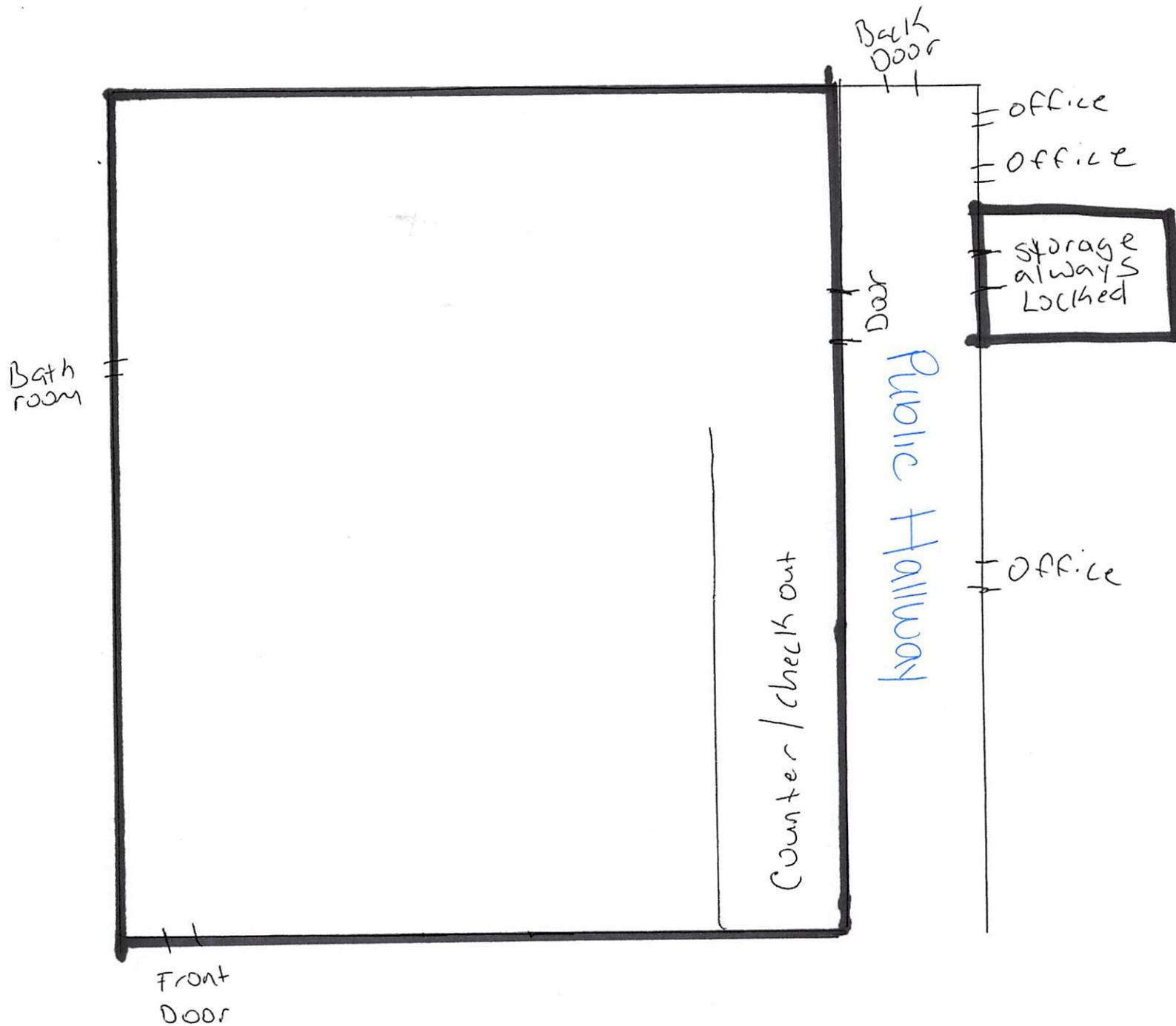
*For a Duplicate license*, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

**Section C**

Check the appropriate box in section C and proceed below.

- 1) *For a Retail Warehouse Storage Permit*, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 2) *For a Wholesale Branch House Permit*, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 3) *To Change Trade Name or Corporation Name*, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

<b>Storage Permit</b>	<p><b>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</b></p> <p><input checked="" type="checkbox"/> <b>Retail Warehouse Permit for:</b></p> <p style="padding-left: 20px;"><input type="checkbox"/> On-Premises Licensee (Taverns, Restaurants etc.)</p> <p style="padding-left: 20px;"><input checked="" type="checkbox"/> Off-Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> <b>Wholesalers Branch House Permit</b></p> <p>Address of storage premise: _____</p> <p>City _____, County _____, Zip _____</p> <p>Attach a deed/ lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.</p>				
<b>Change Trade Name or Corporate Name</b>	<p><b>6. Change of Trade Name or Corporation Name</b></p> <p><input type="checkbox"/> Change of Trade name / DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="padding-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="padding-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="padding-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td> <td style="width: 50%; padding: 2px;">New Trade Name</td> </tr> <tr> <td style="width: 50%; padding: 2px;">Old Corporate Name</td> <td style="width: 50%; padding: 2px;">New Corporate Name</td> </tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
<b>Change of Location</b>	<p><b>7. Change of Location</b></p> <p><b>NOTE TO RETAIL LICENSEES:</b> An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</p> <p><b>Date filed with Local Authority</b> _____ <b>Date of Hearing</b> _____</p> <p>(a) Address of current premises _____</p> <p style="padding-left: 20px;">City _____ County _____ Zip _____</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p style="padding-left: 20px;">Address _____</p> <p style="padding-left: 20px;">City _____ County _____ Zip _____</p> <p>(c) New mailing address if applicable.</p> <p style="padding-left: 20px;">Address _____</p> <p style="padding-left: 20px;">City _____ County _____ State _____ Zip _____</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.</p>				

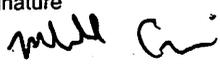


<b>Change of Manager</b>	<p><b>8. Change of Manager or to Register the Manager</b> of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 12-47-301(8).</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging &amp; Entertainment only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>
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<b>Modify Premises or Addition of Optional Premises or Related Facility</b>	<p><b>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</b></p> <p><b>NOTE:</b> Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed _____</p> <p>_____</p> <p>_____</p> <p>(b) If the modification is temporary, when will the proposed change:</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p><b>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</b></p> <p>(c) Will the proposed change result in the licensed premises now being located 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?</p> <p>(If yes, explain in detail and describe any exemptions that apply) ..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises? _____ Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p>
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**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge

Signature 	Title owner	Date 8-29-16
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**Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **Therefore, This Application is Approved.**

Local Licensing Authority (City or County)	Date filed with Local Authority
--	---------------------------------

Signature	Title	Date
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**Report of STATE Licensing Authority**

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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## Colorado Liquor Retail License Application

New License      New-Concurrent <input checked="" type="checkbox"/> Transfer of Ownership			
• All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Applicant should obtain a copy of the Colorado Liquor and Beer Code: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a> • Local License Fee \$ <u>920.00</u>			
1. Applicant is applying as a/an <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)		<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other	
2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation <u>Tumbleweed Liquors LLC</u>			FEIN Number <u>81-3615046</u>
2a. Trade Name of Establishment (DBA) <u>Tumbleweed Liquors</u>		State Sales Tax Number 	Business Telephone 
3. Address of Premises (specify exact location of premises, include suite/unit numbers) <u>150 S Columbine Ct Unit B</u>			
City <u>Parachute</u>	County <u>Garfield</u>	State <u>CO</u>	ZIP Code <u>81635</u>
4. Mailing Address (Number and Street) <u>150 S Columbine Ct</u>		City or Town <u>Parachute</u>	State <u>CO</u>
5. Email Address <u>austinenergygroup@gmail.com</u>			
6. If the premises currently has a liquor or beer license, you must answer the following questions			
Present Trade Name of Establishment (DBA) <u>Bottle Cap Liquors LLC</u>		Present State License Number <u>10987970000</u>	Present Class of License <u>Liquor Store</u>
		Present Expiration Date <u>9/25/16</u>	
Section A		Section B (Cont.)	
Nonrefundable Application Fees		Liquor License Fees	
<input type="checkbox"/> Application Fee for New License ..... \$920.00 <input type="checkbox"/> Application Fee for New License w/Concurrent Review ..... \$1020.00 <input checked="" type="checkbox"/> Application Fee for Transfer ..... \$920.00		<input type="checkbox"/> Liquor Licensed Drugstore (City)..... \$227.50 <input type="checkbox"/> Liquor Licensed Drugstore (County) ..... \$312.50 <input type="checkbox"/> Manager Registration - H & R ..... \$75.00 <input type="checkbox"/> Manager Registration - Tavern..... \$75.00	
Section B		Liquor License Fees	
<input type="checkbox"/> Add Optional Premises to H & R ..... \$100.00 X _____ Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X _____ Total _____ <input type="checkbox"/> Arts License (City) ..... \$308.75 <input type="checkbox"/> Arts License (County) ..... \$308.75 <input type="checkbox"/> Beer and Wine License (City) ..... \$351.25 <input type="checkbox"/> Beer and Wine License (County) ..... \$436.25 <input type="checkbox"/> Brew Pub License (City) ..... \$750.00 <input type="checkbox"/> Brew Pub License (County) ..... \$750.00 <input type="checkbox"/> Club License (City) ..... \$308.75 <input type="checkbox"/> Club License (County) ..... \$308.75 <input type="checkbox"/> Distillery Pub License (City) ..... \$750.00 <input type="checkbox"/> Distillery Pub License (County) ..... \$750.00 <input type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00 <input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) ..... \$600.00		<input type="checkbox"/> Master File Location Fee ..... \$25.00 X _____ Total _____ <input type="checkbox"/> Master File Background ..... \$250.00 X _____ Total _____ <input type="checkbox"/> Optional Premises License (City) ..... \$500.00 <input type="checkbox"/> Optional Premises License (County) ..... \$500.00 <input type="checkbox"/> Racetrack License (City) ..... \$500.00 <input type="checkbox"/> Racetrack License (County) ..... \$500.00 <input type="checkbox"/> Resort Complex License (City) ..... \$500.00 <input type="checkbox"/> Resort Complex License (County) ..... \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00 <input type="checkbox"/> Retail Liquor Store License (City) ..... \$227.50 <input type="checkbox"/> Retail Liquor Store License (County) ..... \$312.50 <input type="checkbox"/> Tavern License (City) ..... \$500.00 <input type="checkbox"/> Tavern License (County) ..... \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00	
Questions? Visit: <a href="http://www.colorado.gov/enforcement/liquor">www.colorado.gov/enforcement/liquor</a> for more information			
Do not write in this space - For Department of Revenue use only			
Liability Information			
License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$

# Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with gathering 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.

Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information

Items submitted, please check all appropriate boxes completed or documents submitted	
I.	<b>Applicant information</b> <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input checked="" type="checkbox"/> D. Return originals to local authority <input checked="" type="checkbox"/> E. Additional information may be required by the local licensing authority
II.	<b>Diagram of the premises</b> <input checked="" type="checkbox"/> A. No larger than 8 1/2" X 11" <input checked="" type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input checked="" type="checkbox"/> E. Bold/Outlined Licensed Premises
III.	<b>Proof of property possession (<u>One Year Needed</u>)</b> <input type="checkbox"/> A. Deed in name of the Applicant (or) (matching question #2) date stamped / filed with County Clerk <input type="checkbox"/> B. Lease in the name of the Applicant (or) (matching question #2) <input checked="" type="checkbox"/> C. Lease Assignment in the name of the Applicant with proper consent from the Landlord and acceptance by the Applicant <input type="checkbox"/> D. Other Agreement if not deed or lease. (matching question #2) (Attach prior lease to show right to assumption)
IV.	<b>Background information and financial documents</b> <input checked="" type="checkbox"/> A. Individual History Records(s) (Form DR 8404-I) <input checked="" type="checkbox"/> B. Fingerprints taken and submitted to local authority (State Authority for Master File applicants) <input checked="" type="checkbox"/> C. Purchase agreement, stock transfer agreement, and or authorization to transfer license <input checked="" type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
V.	<b>Sole proprietor / husband and wife partnership</b> <input type="checkbox"/> A. Form DR4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
VI.	<b>Corporate applicant information (if applicable)</b> <input checked="" type="checkbox"/> A. Certificate of Incorporation dated stamped by the Secretary of State <input checked="" type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation <input type="checkbox"/> D. List of officers, directors and stockholders of Applying Corporation (If wholly owned, designate a minimum of one person as Principal Officer of Parent)
VII.	<b>Partnership applicant information (if applicable)</b> <input type="checkbox"/> A. Partnership Agreement (general or limited). Not needed if husband and wife <input type="checkbox"/> B. Certificate of Good Standing (If formed after 2009)
VIII.	<b>Limited Liability Company applicant information (if applicable)</b> <input checked="" type="checkbox"/> A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office) <input checked="" type="checkbox"/> B. Certificate of Good Standing <input checked="" type="checkbox"/> C. Copy of operating agreement <input checked="" type="checkbox"/> D. Certificate of Authority if foreign company
IX.	<b>Manager registration for hotel and restaurant, tavern licenses when included with this application</b> <input type="checkbox"/> A. \$75.00 fee <input type="checkbox"/> B. Individual History Record (DR 8404-I) <input type="checkbox"/> C. If owner is managing, no fee required

Waiver

Waiver

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or oficers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or oficers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
(a) Been denied an alcohol beverage license?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
(b) Had an alcohol beverage license suspended or revoked?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
or Waiver by local ordinance? Other: _____	<input type="checkbox"/>	<input type="checkbox"/>		
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 oficers, 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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> 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 <i>Metcalf Property Management LLC</i>	Tenant <i>BottleCap Liquors LLC</i>	Expires <i>May 1 2021</i>		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13. <input type="checkbox"/>				
c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
<i>N/A</i>				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
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: <input type="checkbox"/>				
Has a local ordinance or resolution authorizing optional premises been adopted? <input type="checkbox"/>				
Number of additional Optional Premise areas requested. (See license fee chart) <input type="text"/>				
15. Liquor Licensed Drug Store applicants answer the following: <input type="checkbox"/>				
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? <input type="checkbox"/>				
If "yes" a copy of license must be attached.				
16. Club Liquor License applicants answer the following: Attach a copy of applicable documentation <input type="checkbox"/>				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? <input type="checkbox"/>				
(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? <input type="checkbox"/>				
(c) How long has the club been incorporated? <input type="text"/>				
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? <input type="checkbox"/>				
17. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following: <input type="checkbox"/>				
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) <input type="checkbox"/>				
18a. For all on-premises applicants. <input type="checkbox"/>				
(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 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. <input type="checkbox"/>				
Name	Type of License	Account Number		
19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, oficers, 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? <input checked="" type="checkbox"/>				
If yes, provide an explanation and include copies of any payment agreements. <input type="checkbox"/>				

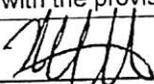
20. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the Applicant. All persons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

Name	Home Address, City & State	DOB	Position	% Owned
Mark A Smith	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Daniel V Griffin	[REDACTED] Cherry	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED] Co	[REDACTED]	[REDACTED]	[REDACTED]

\*\* If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20  
 \*\* Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)  
 \*\* If total ownership percentage disclosed here does not total 100%, applicant must check this box:  
 Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

**Oath Of Applicant**

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

Authorized Signature:  Printed Name and Title: MARK A Smith CEO - owner Date: 9-2-2016

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

Date application filed with local authority: 9-2-16 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:

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

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

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

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

Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Print	Title
Signature (attest)	Print	Title
		Date
		Date

## 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. (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business <i>Tumbleweed Liquors, LLC</i>	Home Phone Number [REDACTED]	Cellular Number [REDACTED]
2. Your Full Name (last, first, middle) <i>MARK AUSTIN SMITH</i>	3. List any other names you have used _____	
4. Mailing address (if different from residence)	Email Address <i>austinenergygroup@gmail.com</i>	

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 [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Previous			

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
<i>Green Cross Colorado LLC</i>	<i>660 N Bryant St. Denver 80177</i>	<i>CEO</i>	<i>11-10-2010</i>	<i>- present</i>

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

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
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  b. Social Security Number  c. Place of Birth  d. U.S. Citizen  Yes  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  m. Weight  n. Hair Color  o. Eye Color  p. Gender  q. Race  r. Do you have a current Driver's License/ID? If so, give number and state.  Yes  No #  te

14. Financial Information.
- a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$
- b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$
- \* If corporate investment only please skip to and complete section (d)  
\*\* Section b should reflect the total of sections c and e

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

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

d. Provide details of the corporate 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	Loans	Account Type	Bank Name	Amount
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
Battle Cap Liquors LLC	150 S Columbine Ct Parachute CO 81635	5 year	Personal Guarantee	400,000
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**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  Print Signature  Title  Date

MARK AUSTIN SMITH  CO-OWNER  8-15-2016



## AFFIDAVIT - RESTRICTIONS ON PUBLIC BENEFITS

I, Mark A Smith, swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

- I am a United States citizen.
- I am not a United States citizen but I am a Permanent Resident of the United States.
- I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.
- I am a foreign national not physically present in the United States.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature

A handwritten signature in black ink, appearing to read "Mark A Smith", is written over the signature line.

Date

9-2-2016

APPLICANT

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLOCK  
LAST NAME NAM FIRST NAME Mark MIDDLE NAME Austin

DOB LEAVE BLANK

SIGNATURE OF PERSON FINGERPRINTED

*[Handwritten Signature]*

ALIASES AKA

000230200

RESIDENCE OF PERSON FINGERPRINTED

[Redacted]

PARACHUTE, CO

DATE OF BIRTH DOB

12 01 88

DATE

8-22-16

SIGNATURE

*[Handwritten Signature]*

EMPLOYER AND ADDRESS

Tumbleweed

[Redacted]

CITIZENSHIP US

SEX M

RACE W

HT 5'10"

WG 200

EYES Grn

HAIR Grn

Minneapolis, MN

YOUR NO OCA

FBI NO FBI

ARMED FORCES NO MNU

SOCIAL SECURITY NO [Redacted]

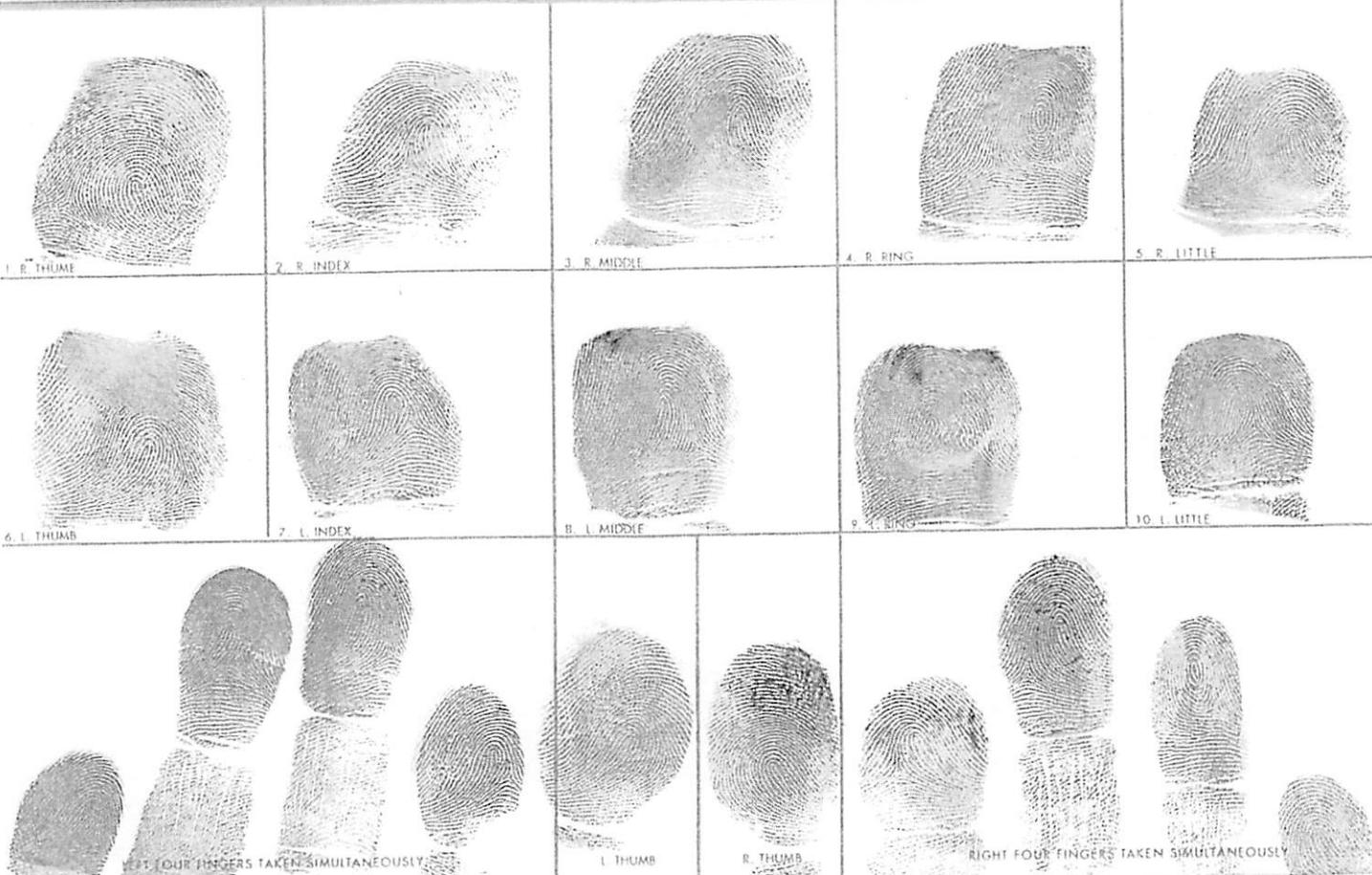
LEAVE BLANK

CLASS

REF

REASON FINGERPRINTED

Liquor Licensing



TUMBLEWEED COMPANIES, LLC

92-371/1231 ID  
99452

DATE 8-23-16

PAY TO THE ORDER OF

Colorado Bureau of Investigation

\$ 38.50

thirty eight dollars + 50/100

DOLLARS

Bank of America

ACH R/T 123103716

FOR Mark

*[Handwritten Signature]*



**COLORADO**  
Bureau of Investigation  
Department of Public Safety

Page 1 of 1

Identification  
690 Kipling Street, Suite 3000  
Lakewood, CO 80215  
303-239-4208

DATE 08/30/2016

PD PARACHUTE  
P O BOX 100  
PARACHUTE, CO 81635

RE: SMITH, MARK AUSTIN  
SOC [REDACTED]

DATE OF BIRTH [REDACTED]

No Colorado record of arrest has been located based on above name and date of birth or through a search of our fingerprint files.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests which are not supported by fingerprints will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records, and juvenile records are not available to the public.

Since a record may be established after the time a report was requested, the data is only valid as of the date issued. Therefore, if there is a subsequent need for the record, it is recommended another check be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,  
Michael S. Rankin, Director  
Colorado Bureau of Investigation



CIVIL APPLICANT RESPONSE

ICN E201624300000276722 CIDN OCA CO0230200  
SMITH, MARK AUSTIN W 510 [REDACTED]  
MNU SOC [REDACTED] SEX M  
COCBI0000 COLORADO B OF I  
DENVER CO 2016/08/26  
A SEARCH OF THE FINGERPRINTS ON THE ABOVE  
INDIVIDUAL HAS REVEALED NO PRIOR ARREST  
DATA. CJIS DIVISION  
2016/08/30 FEDERAL BUREAU OF INVESTIGATION

COCBI0000  
CO BUREAU OF INVEST  
COLORADO B OF I  
STE 3000  
690 KIPLING ST  
DENVER, CO 80215-8001

## 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, Tavern and Lodging and Entertainment 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. (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business Tumbleweed Liquors, LLC		Home Phone Number [REDACTED]	Cellular Number [REDACTED]	
2. Your Full Name (last, first, middle) Griffin, Daniel, Vaughn		3. List any other names you have used		
4. Mailing address (if different from residence) 7931 S Broadway, Ste 155, Littleton, CO 80122		Email Address mosby2012@comcast.net		
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 [REDACTED]		[REDACTED]		[REDACTED]
Previous [REDACTED]		[REDACTED]		[REDACTED]
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
Green Cross Colorado, LLC	660 N Bryant St, Denver, CO 80122	Owner	12/06/09	08/15/16
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	
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.)				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.)				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

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 [redacted] b. Social Security Number [redacted] c. Place of Birth [redacted] d. U.S. Citizen  Yes  No  
 e. Naturalized, state where [redacted] f. When [redacted] g. Name of District Court [redacted]

h. Naturalization Certificate Number [redacted] i. Date of Certification [redacted] j. If an Alien, Give Alien's Registration Card Number [redacted] k. Permanent Residence Card Number [redacted]

l. Height 6'3" m. Weight 230 n. Hair Color Grey o. Eye Color Green p. Gender Male q. Race White r. Do you have a current Driver's License/ID? If so, give number and state.  Yes  No [redacted] State [redacted]

14. Financial Information.  
 a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ [redacted]  
 b. List the total amount of the personal investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ [redacted]  
 \* If corporate investment only please skip to and complete section (d)  
 \*\* Section b should reflect the total of sections c and e

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

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount
[redacted]	[redacted]	[redacted]	[redacted]

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount
① Seller Financing	150 S Columbine Parachute Co 81635	5 yr	Personal Guarantee	\$400,000

**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 [Signature] Print Signature Daniel V Griffin Title Co-Owner Date 08/15/16



## AFFIDAVIT - RESTRICTIONS ON PUBLIC BENEFITS

I, Daniel V. Griffin, swear or affirm under penalty of perjury under the laws of the State of Colorado that (check one):

- I am a United States citizen.
- I am not a United States citizen but I am a Permanent Resident of the United States.
- I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.
- I am a foreign national not physically present in the United States.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature

A large, stylized handwritten signature in black ink, appearing to read "Daniel V. Griffin".

Date

9.14.2016

APPLICANT

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK

LAST NAME NAM FIRST NAME Daniel MIDDLE NAME Vaughn

ALIASES AKA

000230200

RESIDENCE OF PERSON FINGERPRINTED

PARACHUTE, CO

DATE OF BIRTH DOB

DATE 8-22-16 SIGNATURE OF EMPLOYER Tumbleweed

EMPLOYER AND ADDRESS

Liquor Licensing

CITIZENSHIP US SEX M RACE W HGT 6'3" WGT 242 EYES BLU HAIR brn PLT N.M.

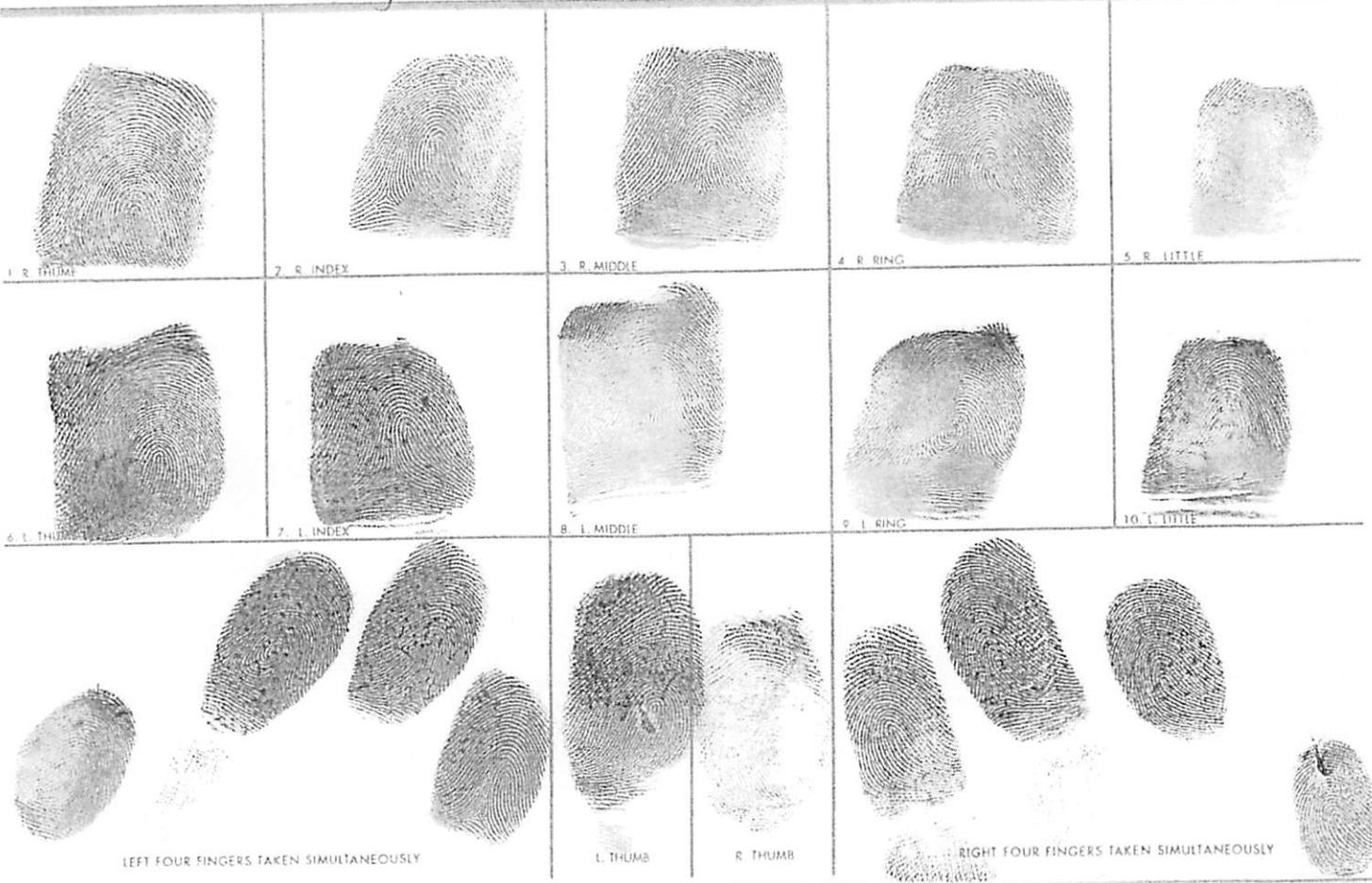
YOUR NO. OCA

FBI NO. FBI

ARMED FORCES NO. MNU

CLASS \_\_\_\_\_

REF \_\_\_\_\_



**TUMBLEWEED COMPANIES, LLC**

DATE 8-23-16

92-371/1231 ID 99452

PAY TO THE ORDER OF Colorado Bureau of Investigation \$ 38.50

Thirty eight dollars + 50/100 DOLLARS

**Bank of America**

ACH R/T 123103710

FOR Daniel

Shm

2016-09-09

Page 53 of 116



**COLORADO**  
Bureau of Investigation  
Department of Public Safety

Identification  
690 Kipling Street, Suite 3000  
Lakewood, CO 80215  
303-239-4208

DATE 08/30/2016

PD PARACHUTE  
P O BOX 100  
PARACHUTE, CO 81635

RE: GRIFFIN, DANIEL VAUGHN  
SOC: [REDACTED]

DATE OF BIRTH: [REDACTED]

No Colorado record of arrest has been located based on above name and date of birth or through a search of our fingerprint files.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests which are not supported by fingerprints will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records, and juvenile records are not available to the public.

Since a record may be established after the time a report was requested, the data is only valid as of the date issued. Therefore, if there is a subsequent need for the record, it is recommended another check be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,  
Michael S. Rankin, Director  
Colorado Bureau of Investigation



CIVIL APPLICANT RESPONSE

ICN E201624400000006351 CIDN OCA C00230200  
GRIFFIN, DANIEL VAUGHN W 60 [REDACTED]  
MNU SOC [REDACTED] SEX M  
COCBI0000 COLORADO B OF I [REDACTED]  
DENVER CO  
A SEARCH OF THE FINGERPRINTS ON THE ABOVE  
INDIVIDUAL HAS REVEALED NO PRIOR ARREST  
DATA. CJIS DIVISION  
2016/08/31 FEDERAL BUREAU OF INVESTIGATION

COCBI0000  
CO BUREAU OF INVEST  
COLORADO B OF I  
STE 3000  
690 KIPLING ST  
DENVER, CO 80215-8001

### 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 2 day of August, 2016.

**Seller:**

Bottlecap Liquors  
Licensee & License Number

Bottlecap liquors  
Trade name

Signature

Position

Print Name

Wayne Clark

**Buyer:**

Tumbleweed Liquors LLC  
Applicant

Tumbleweed Liquors  
Trade name

Signature

Position

Print Name

CEO co-owner

MARK A Smith



Colorado Secretary of State  
 Date and Time: 04/04/2016 11:30 AM  
 ID Number: 20161243752  
 Document number: 20161243752  
 Amount Paid: \$50.00

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

ABOVE SPACE FOR OFFICE USE ONLY

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

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

Tumbleweed Liquors, LLC

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

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

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

Street address

150 S Columbine

*(Street number and name)*

Parachute

*(City)*

CO

*(State)*

81635

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province - if applicable)*

Mailing address

*(leave blank if same as street address)*

7931 S Broadway

*(Street number and name or Post Office Box information)*

Ste 155

Littleton

*(City)*

CO

*(State)*

80122

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province - if applicable)*

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

Name

*(if an individual)*

Smith

*(Last)*

Mark

*(First)*

A

*(Middle)*

*(Suffix)*

or

*(if an entity)*

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

Street address

7931 S Broadway

*(Street number and name)*

Ste 155

Littleton

*(City)*

CO

*(State)*

80122

*(ZIP Code)*

Mailing address

*(leave blank if same as street address)*

*(Street number and name or Post Office Box information)*

\_\_\_\_\_ CO \_\_\_\_\_  
(City) (State) (ZIP Code)

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

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

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

Name  
(if an individual) Smith Mark A  
(Last) (First) (Middle) (Suffix)

or

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

Mailing address 7931 S Broadway  
(Street number and name or Post Office Box information)  
Ste 155  
Littleton CO 80122  
(City) (State) (ZIP/Postal Code)  
United States  
(Province -- if applicable) (Country)

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

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

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

(Mark the applicable box.)

one or more managers.

or

the members.

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

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

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

This document contains additional information as provided by law.

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

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

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

Notice:

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

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

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

Smith	Mark	A	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
7931 S Broadway			
<small>(Street number and name or Post Office Box information)</small>			
Ste 155			
<hr/>			
Littleton	CO	80122	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<hr/>		<hr/>	
<small>(Province - if applicable)</small>		<small>(Country)</small>	
		United States	

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

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

**Disclaimer:**

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



6. The date of first use in commerce of the trademark in this state by such individual or such individual's predecessor in interest is 04/04/2016  
*(mm/dd/yyyy)*

7. The registrant identified above is currently using the trademark in commerce in this state and such registrant believes, in good faith, that such registrant has the right to use the trademark in connection with the goods or services listed above and such registrant's use of the trademark does not infringe the rights of any other person in that trademark.

8. *(If applicable, adopt the following statement by marking the box and include an attachment.)*  
 This document contains additional information as provided by law.

**Notice:**

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

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

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

Smith	Mark	A		
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>	
<u>7931 S Broadway</u>				
<i>(Street number and name or Post Office Box information)</i>				
<u>Ste 155</u>				
Littleton	CO	80122		
<i>(City)</i>	<i>(State)</i>	<i>(Zip/Postal Code)</i>		
<i>(Province - If applicable)</i>	<u>United States</u>			
	<i>(Country)</i>			

*(If applicable, adopt the following statement by marking the box and include an attachment.)*  
 This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

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# Tumbleweed Liquors

Serving 21+

OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

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

Tumbleweed Liquors, LLC

is a

Limited Liability Company

formed or registered on 04/04/2016 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20161243752 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 08/31/2016 that have been posted, and by documents delivered to this office electronically through 09/07/2016 @ 11:01:36 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 09/07/2016 @ 11:01:36 in accordance with applicable law. This certificate is assigned Confirmation Number 9823945 .



Handwritten signature of Wayne W. Williams in cursive script.

Secretary of State of the State of Colorado

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

Date of this notice: 08-22-2016

Employer Identification Number:  
[REDACTED]

Form: SS-4

Number of this notice: CP 575 A

TUMBLEWEED LIQUORS  
DANIEL V GRIFFIN MBR  
7931 S BROADWAY STE 155  
LITTLETON, CO 80122

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER**

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-3615046. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	01/31/2017
Form 940	01/31/2017
Form 1065	03/15/2017

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, *Electronic Choices to Pay All Your Federal Taxes*. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.

The IRS is committed to helping all taxpayers comply with their tax filing obligations. If you need help completing your returns or meeting your tax obligations, Authorized e-file Providers, such as Reporting Agents (payroll service providers) are available to assist you. Visit the IRS Web site at [www.irs.gov](http://www.irs.gov) for a list of companies that offer IRS e-file for business products and services. The list provides addresses, telephone numbers, and links to their Web sites.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

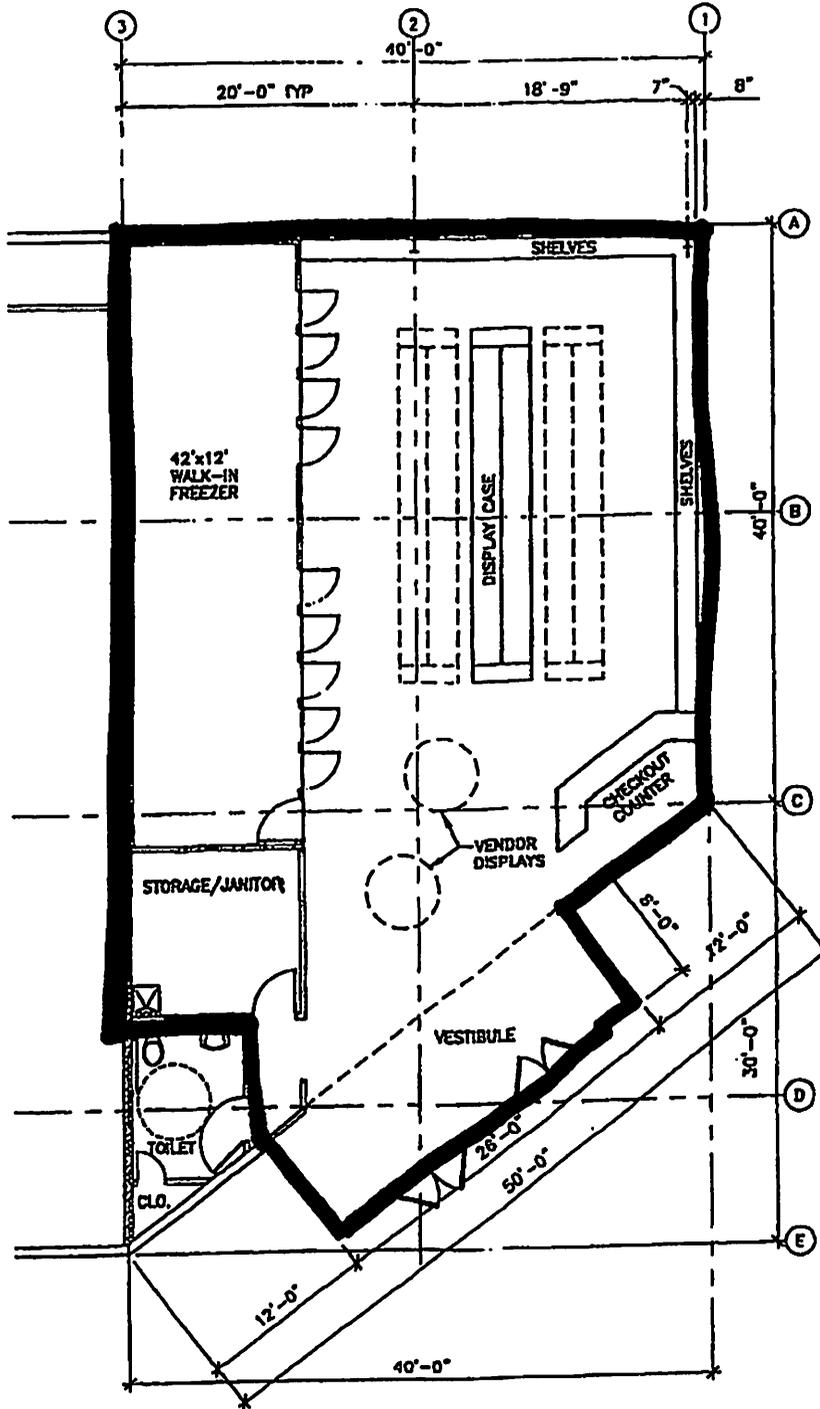
**IMPORTANT REMINDERS:**

- \* Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is TUMB. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.



**PRELIMINARY FLOOR PLAN**

1/8"=1'-0"

RETAIL - 30 OCCUPANTS PER SQ. FT.  
STORAGE - 300 OCCUPANTS PER SQ. FT.

COOLER 504 SQ. FT.  
STORAGE 140 SQ. FT.  
TOILET 122 SQ. FT.  
TOTAL STORAGE 766 SQ. FT.

RETAIL = TOTAL SQ. FT. - STORAGE SQ. FT.  
= 2,087 SQ. FT. - 766 SQ. FT. = 1,331 SQ. FT.

STORAGE - 766/300 = 2.55 = 3  
RETAIL - 1,331/30 = 44.37 = 45  
THEREFORE - 45 + 3 = 48

**BOTTLE CAP LIQUORS**  
Ferdinand, Colorado  
Job No. 0411



ARCHITECTS AND PLANNERS  
917 MAIN STREET  
GRAND JUNCTION  
COLORADO 81501  
(970) 241-1803  
(970) 245-7728



**PUBLIC NOTICE OF HEARING**

Pursuant to the Liquor Laws of Colorado **NOTICE IS HEREBY GIVEN** that an application has been made to the Local Licensing Authority of the Town of Parachute, Colorado, for a Retail Liquor Store License, which permits the sale of malt, wine and spirits to be consumed on premises.

**APPLICANT:** Daniel V. Griffin & Mark A. Smith

**TRADE NAME:** Tumbleweed Liquors, LLC

**ADDRESS OF PROPOSED LICENSED PREMISES:**

150 Columbine Court Unit 8A, Parachute, CO 81426

**DATE OF APPLICATION:** August 15, 2016

**PUBLIC NOTICE IS HEREBY GIVEN** that a Public Hearing will be held on the application at the Regular Meeting of the Board of Trustees on **Thursday, September 15th, 2016 at 8:30 p.m.** in the Board of Trustees room in the Parachute Town Hall, 222 Grand Valley Way, Parachute, CO 81426. Petitions or remonstrances concerning said application may be filed in the Town Clerk's Office, prior to the hearing. All interested persons may appear at said hearing.

**BY ORDER OF THE LOCAL LICENSING AUTHORITY, TOWN OF PARACHUTE  
BOARD OF TRUSTEES, P.O. BOX 100, PARACHUTE, CO 81426-0100 (970) 265-7500**



### **PUBLIC NOTICE OF HEARING**

Pursuant to the Liquor Laws of Colorado **NOTICE IS HEREBY GIVEN** that an application has been made to the Local Licensing Authority of the Town of Parachute, Colorado, for a Retail Liquor Store License, which permits the sale of malt, vinous, and spirituous liquors not to be consumed on premise.

**APPLICANT:** Daniel V. Griffin & Mark A. Smith

**TRADE NAME:** Tumbleweed Liquors, LLC

**ADDRESS OF PROPOSED LICENSED PREMISES:**

150 Columbine Court Unit #A, Parachute, CO 81635

**DATE OF APPLICATION:** August 15, 2016

**PUBLIC NOTICE IS HEREBY GIVEN** that a Public Hearing will be held on this application at the Regular Meeting of the Board of Trustees on **Thursday, September 15th, 2016 at 6:30 p.m.** in the Board of Trustees room in the Parachute Town Hall, 222 Grand Valley Way, Parachute, CO 81635. Petitions or remonstrance's concerning said application may be filed in the Town Clerks Office, prior to the hearing. All interested persons may appear at said hearing.

**BY ORDER OF THE LOCAL LICENSING AUTHORITY, TOWN OF PARACHUTE**

**CLERK: P.O. BOX 100, PARACHUTE, CO. 81635-0100 (970) 285-7630**

**WELCOME  
TO PARACHUTE**

Town of Parachute  
222 Grand Valley Way  
PO Box 100  
Parachute CO 81635 970-285-7630

Receipt No: 1.003792 Sep 7, 2016

TUMBLEWEED COMPANIES LLC

Previous Balance:	.00
Tax / Licenses & Permits	
Liquor Licenses	750.00
10-32-150	
LIQUOR LICENSES	
	-----
Total:	750.00
	=====
Check / Money Orders	
Check No: 1790	750.00
Total Applied:	750.00
	-----
Change Tendered:	.00
	=====

Duplicate Copy  
09/07/2016 02:36PM

## STAFF REPORT

### Town Of Parachute Board of Trustees Meeting Thursday September 15, 2016

### Hoggan Special Review Use Application

Report Date – 9/9/2016

<b>PROJECT INFORMATION</b>	
Name of Project:	Hoggan Special Review Use
Type of Request:	Special Review Use to allow outdoor Recreation – Laser tag & Archery Combat/Team Games
Name of Applicant:	Bruce Hoggan/Rocky Mountain Lasertag, Inc.
Applicant Address:	
Contact Information:	970.379.8886
Owner:	Hoggan Handfuls LLC
Owner Address:	369 Meadow Creek Dr. Parachute, CO 81635
Contact Information	970.379.8886
Site Address & Parcel Number:	68 Cardinal Way : Parcel ID #: 2409-124-43-003
Surveyor:	Bookcliff Survey Services, Inc.
Surveyor address/contact:	136 E. 3 <sup>rd</sup> St. Rifle, CO 81650 970.625.1330
Project Engineer	None Identified
Engineer Contact Information:	NA
Existing Zoning:	Service Commercial
Proposed Zoning:	Same as above
Surrounding Zoning:	North: CDOT Right-of-Way East: Service Commercial South: Service Commercial West: Service Commercial & CDOT ROW
Existing Land Use:	Vacant
Proposed Land Use:	Outdoor Recreation – Lasertag & Archery Team Sports
Surrounding Land Use:	East: professional Business Offices North: CDOT right-of-way West & South: Vacant
Parcel Size:	1.26 Ac.
Minimum Lot Size:	6,000 SF
Property Legal Description:	Lot 3, A Re-subdivision of Lot 2A, Section E, Spring Lake Estates, Town of Parachute

**Project Location:** The property is located at 65 Cardinal Way in the Central Business District. The vicinity map is provided on the following page.

## **I. Description of Application:**

Property Description: The property is approximately 1.25 acres in size and is currently vacant. Utilities have been provided to the site as part of the Spring Lake Estates development/subdivision. There are no unusual physical or environmental constraints that staff is aware of. The property has access directly from Cardinal Way.

I - 70 and the CDOT right-of-way lie to the north and northwest of the site. Vacant property along Cardinal way lies to the west and south of the subject property. Medical business offices are developed along the East boundary of the subject property.

Description of Application: The applicant is requesting approval of a Special Review Use application for an outdoor recreation facility on their 1.25 acre property along Cardinal Way. The applicant describes the operation as a Lasertag Archery Combat Outdoor Recreation and team games operation. The entire property would be used for the activities.

It is important to note that the applicant proposes no permanent improvements at this time. Specifically, the site would be an unenclosed, outdoor recreation facility with no fencing, no landscaping, nor connection to any public utilities, including water and wastewater. No outdoor lighting or parking is proposed. One sign, 8' x 4' is being proposed at this time.

Portable sanitation (Port-a-johns) would be provided along the eastern/northeastern boundary of the property. Trash would be stored in a shed. Bottled water would be provided. Hours of operation are proposed to be limited. The applicant states that the facility would only be open only when H Dentistry is closed. The applicant intends to use parking on the adjacent dental offices – which the applicant also owns – as a convenience for customers as well as to limit the development costs of the site. The applicant lays out his intent for use of the property in the application and proposes that no outdoor lighting, fencing, minimal landscaping are proposed with initial development. No irrigation is also intended to be provided. Schematic layout is hand-drawn on a subdivision diagram and shows a “tire zone”, a “centerfield area”, “pallet field” and other obstacles/areas for the lasertag and archery games etc. This is included in your packet.

The applicant directly addresses lack of building and utility infrastructure. Specifically, the applicant has a short-term goal of building a facility in a cost

# Vicinity Map



efficient manner, attracting customers and growing the business gradually as financing permits. The long-term goal would involve construction of a large indoor arena for eventual year-round gaming.

#### Some Issues related to Land Use.

Planning Staff supports the idea of the gradual and organic growing of the business and not spending inordinate amounts of money prior to obtaining a solid and sustainable customer base. However, staff does have some concerns with a temporary facility as proposed. The first is the fact that this land use is proposed for what is the future Central Business District for the Town. It is an excellent idea to attract people from the area to the Central Business District (CBD). But as the town grows and hopefully successful businesses locate to the area, it is important that such a use "fits in". Often times, outdoor recreation facilities which are utilized over a significant part of the year are located in areas further from a Downtown Core. Second, staff wants to ensure that there are no problems with sanitation anywhere in the town and specifically within the CBD. If temporary facilities are approved, there needs to be a specific maintenance plan to ensure that there is adequate water and that sanitary facilities are emptied and cleaned on a regular basis. There also may be concerns from some staff that vandalism could occur such as port-a-johns being tipped over. It should be noted that the Municipal Code does allowed shared parking arrangements. Parking should be analyzed to make sure that parking is taken care of by the user. Finally, occasionally outdoor recreation facilities are screened. Generally, parks are open to view and this obviously makes sense. A Lasertag and Archery complex are noted for having labyrinths and designed hiding places so some type of screening is something that should be considered. The Fire District and First responders may also want to think about the nature of the facility to ensure that they are generally safe for the user and there is relatively quick access for emergency services.

#### Zoning and Special Review Use

The subject property is located in the Service Commercial Zone District. The proposed use is for Lasertag and Archery Combat/team games. The applicant notes this as "Outdoor Recreation". Eventually, applicant proposes to have some kind of arena to enclose a recreation use. Planning Staff looks at the outdoor recreation component as being temporary in nature. Please note that "outdoor recreation" is not a permitted use in the Service Commercial zone district. However, public recreation facilities are allowed as a "permitted use" and events/indoor recreation centers are listed as "special review uses". Therefore, there could be some question on what is the appropriate land use review category.

Section 15.03.175 of the Municipal Code provide some guidance. The section state that if use is not listed it may be allowed by approval of a special review use

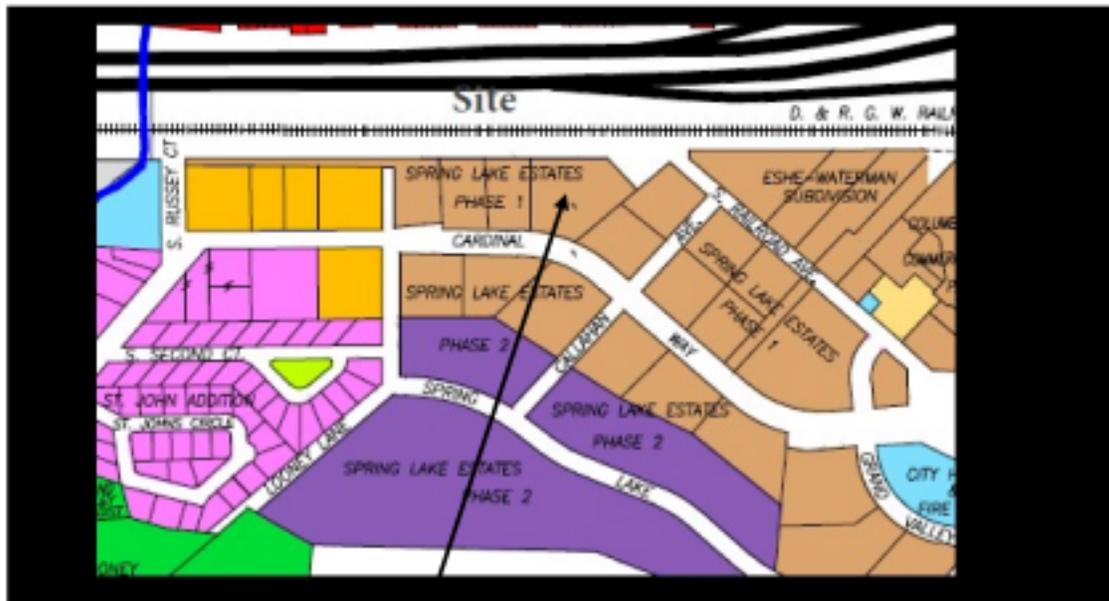
pursuant to section 15.05.206 of the Parachute Municipal Code. This appears to be the appropriate land use process given that this could be considered a temporary use on its eventual path to being a public recreation facility.

15.01.111 - Land Dedication

The Town has general requirements for land dedication, and these also apply to commercial development. "The Board shall require dedication of certain sites for Parks and Recreation use or fee in lieu of dedication, and may require preservation of sites for school and other public purposes". It should be noted that the Board can reduce the dedication or fees for Commercial Land uses and can even waive the requirement under certain circumstances (15.01.111 E.4 ). It is my understanding that this land dedication requirement may have been taken care of previously with the Spring Lake Estates land-use approval process. Regardless, the Board can weigh this requirement and given that the proposed land uses recreation in nature, this is appropriate.

**Area Zoning Map**

The subject site and adjacent zoning is provided below.



II. Subject

### III. Requested Actions:

The applicant is requesting consideration of a Special Review Use for a Laser Tag and Archery/Team Games facility.

Note: A Special Review Use is a use which may or may not be appropriate in a particular location depending on the nature of the proposed use, its relationship

LEGEND	
	RESIDENTIAL HIGH DENSITY
	RESIDENTIAL MEDIUM DENSITY
	RESIDENTIAL LOW DENSITY
	NEIGHBORHOOD COMMERCIAL
	OFFICE COMMERCIAL
	GENERAL BUSINESS
	LOW RISE INDUSTRIAL
	PLANNED USE DEVELOPMENT
	OLD TOWN CENTER
	PUBLIC FACILITY
	PUBLIC LAND & OPEN SPACE
	ROADWAY TRAVEL
	RURAL AGRICULTURE

to surrounding land uses and its impacts, compatibility with the neighborhood and conformance with the Parachute Plan. Special review uses may be permitted upon approval by the Board of Trustees as provided in the Parachute Municipal Code. The Board may require a Development Improvements Agreement as a condition of approval of a special review use (15.03.165 D).

#### **IV. Applicable Regulations:**

**Relationship to Comprehensive Plan** - The application should be in general conformance with the Parachute Comprehensive Plan.

#### **Special Review Uses**

15.05.206 Review criteria and Planning Commission recommendation (to Board of Trustees).

A. *Review Criteria.* The Planning Commission shall consider all the evidence presented by the applicant and other interested parties, comments of review agencies, recommendations of the Town Manager, and comments from the public. At a minimum, the Planning Commission shall also consider the following criteria:

1. Conformance of the proposal with the Town of Parachute Municipal Code;
2. The compatibility of the proposal with the character of the surrounding area including, but not limited to, the architectural character of the neighborhood;
3. The desirability for the proposed use in the specific area of the Town;
4. The potential for adverse environmental effects that might result from the proposed use;
5. Compatibility of the proposed use and the site (or subdivision) plan with the Parachute Plan; and
6. Conformance of any plan with the requirements of the Town of Parachute public works improvements manual.

#### **V. Special Review Use Staff Comments:**

##### **Conformance with the Town of Parachute Comprehensive Plan.**

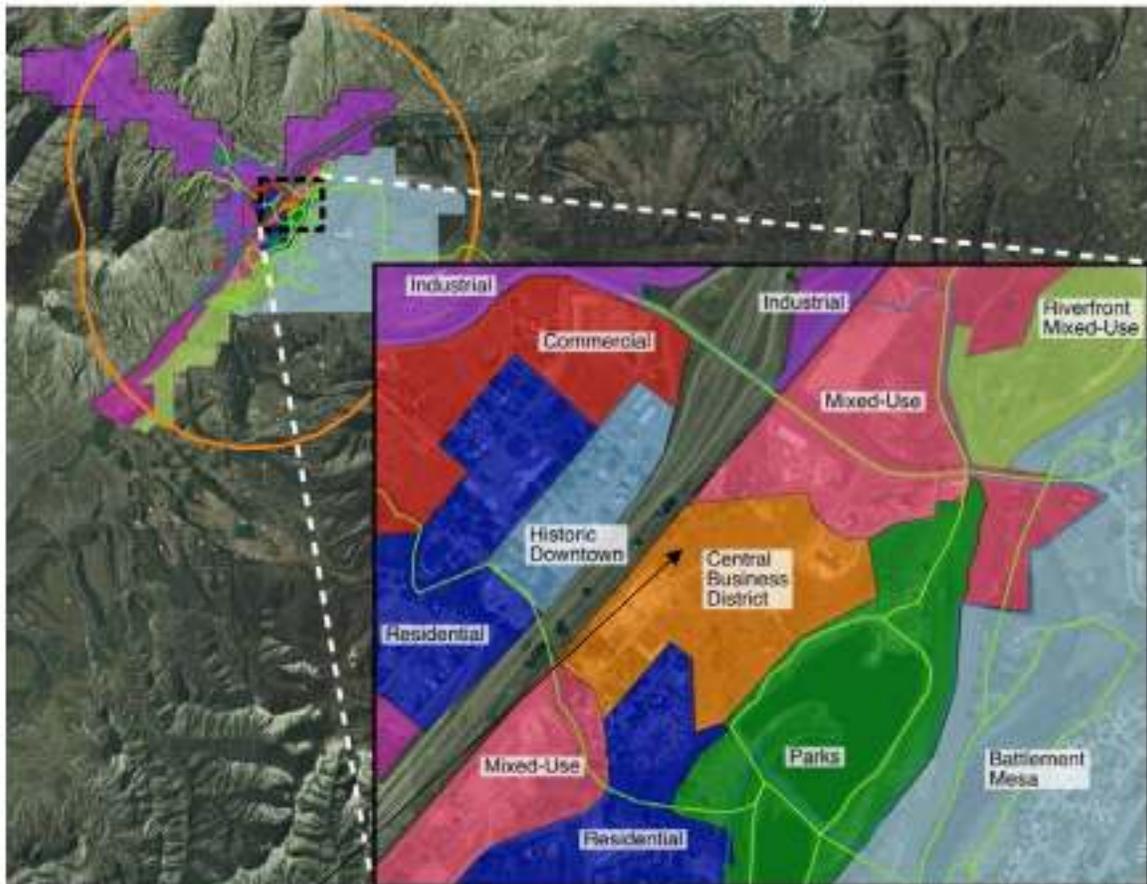
A master plan is not zoning. The plan represents the general manner categories and patterns of land uses, public facilities, transportation and other elements as desired by the Town as growth takes place in the future. Zoning establishes definite standards for land use, structures and other appropriate regulations.

The subject property is located in the area noted as "Central Business District". Below is an excerpt from the 2015 Comprehensive Plan which describes the intent of the Central Business District.

**Central Business District** ☐ The Central Business District is anticipated to ultimately be a type of a mixed-use development that allows for multi-family housing, commercial office space, and retail development.

The Central Business District is anticipated to include architectural design standards that will maintain the feel and quality of construction within the zone. Rather than being viewed as restrictive, the design standards should be viewed as a way for the Community to reassure developers that their investment in the Community is valued and will be protected by preventing lower quality construction from dragging down values. Due to its prime location between the freeway and outdoor assets such as the Colorado River and two (2) small lakes, the Central Business District has the potential to become the focal point of the Community.

**Staff Comment:** Staff finds that the proposed use can be considered in conformance with the Comprehensive Plan. The recreational uses, though not specifically identified, can fit into plans of the Town for utilizing the outdoor assets of the Colorado River and the small lakes in the area. In the long term, an outside use with no structure may not be appropriate given the fact that it is in the heart of the Central Business District area defined in the Comprehensive Plan - but the proposal can make a good interim use and help the town fulfill its financial and long-term land-use goals. The relevant Comprehensive Plan map – Map 4: Downtown Parachute is provided for reference.



**Subject Site**

## VI. Special Review Use: Comment and Review of Criteria

The following section will analyze and give point by point comments on the Criteria used to evaluate a Special Review Use as identified in Section 15.05.206 of the cat municipal Code.

### 1. Conformance of the proposal with the Town of Parachute Municipal Code

Staff Comment: the proposed use will be required to conform to all applicable provisions in the Parachute Municipal Code. This includes conformance to all of the requirements of the Municipal Code, building/fire codes, electric codes and other applicable regulations. Of course, most Municipal Code provisions relate to buildings of structures, hooking into municipal utilities such as water, wastewater as well as those provided by other utility providers such as gas and electric, etc. Many Code provisions also relate to the provision of parking. As noted previously, the applicant proposes as a short-term plan to not provide a structure, not hook into municipal or other utilities and to share parking infrastructure on an adjoining property which is also owned by the applicant. ***Because of this unusual proposal as well as the short-term goal of building a business and then providing a building and other infrastructure in the future, Planning Staff is recommending that as part of the approval applicant provide a Site Plan as provided in town code (section 15.06.104 and 15.07.112). Following the Site Plan Review Procedures will allow the Town Manager, staff and review agencies/special districts to review in detail all use on the subject property so that all users are safe, it fits in with the surrounding land uses and neighborhood in an appropriate manner and furthers the goals of the Comprehensive plan and the Central Business District. Staff is also at this time recommending that the applicant enter into a Development Improvements Agreement if the Board wishes to approve the Special Review Use so that all issues can be properly addressed.***

The following items are excerpts from the land use code that are applicable to the subject property and must be complied with as part of the site plan review process. Comments will be made as appropriate.

#### Section 15.03.197 General Requirements for all Business, Commercial and Industrial Uses

B. All outdoor storage, trash receptacles and activities associated with permitted uses shall be entirely enclosed by building walls or by a solid masonry wall not less than seven feet (7') in height located at the front setback line. On all other property lines said uses shall be enclosed by buildings, solid masonry walls, vine covered chain-link fences, or uniformly compact evergreen hedges, continuously maintained and not less than seven feet (7') in height.

C. All applicable environmental standards of the state of Colorado or the United States government shall be complied with at all times.

G. In all front yards, the equivalent of one (1) tree per thirty (30) lineal feet of interior

property line shall be provided; in all rear and side yards

H. All yards between the public street curbing and the property line are to be professionally landscaped and maintained with drought tolerant landscaping, incorporating native shrubs and trees.

M. Security lighting fixtures are not to project above the fascia or parapet of the building and are to be shielded or recessed in the building walls to provide cut-off at the property line.

N. The storage of combustible materials shall be not less than twenty feet (20') from any interior lot line, and a roadway shall be provided, graded, surfaced, and maintained from the street to the rear of the property to permit free access of fire trucks at any time.

O. No materials or wastes shall be deposited upon a subject lot in such form or manner that they may be transferred off the lot by natural causes or forces. All waste materials shall be stored in an enclosed area and shall be accessible to service vehicles.

P. Wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored only in closed containers in required enclosures.

Q. Trash enclosure location shall be subject to the approval of the Building and Planning Department. Trash enclosure shall be of masonry construction or approved alternate material.

### **15.03.199 Building Exterior Design Standards**

*C. Standards for Exterior Building Design and Construction Applicable in All Areas of the Town of Parachute.* Except as otherwise provided herein, any land surface and any work or improvements upon any real property within the Town of Parachute shall be erected, removed, restored, altered or demolished in such a manner so as to maintain, protect and complement the historic character and qualities of buildings, structures and properties.

### **15.07.112 Site plan review.**

Prior to the issuance of a building permit for all uses except single-family residences, a site plan must be submitted as required by PMC [15.01.114](#). In addition to the building permit requirements, the following information shall be submitted for a parking lot or parking area:

F. Grading, drainage,

K. Irrigation plan for the landscaped areas; and

L. Other pertinent data.

The Town Manager shall make the initial determination of whether or not the plans and specifications comply with the provisions of this chapter. Appeals from the Town Manager's decision may be taken by any aggrieved party to the Board of Adjustment within fourteen (14) days after such decision.

**Staff Comment (for all above standards).** As noted previously, this use is meant to be a temporary use and a professional site planner/designer and/or engineer has not been engaged. That is understandable given the present economy. Planning Staff believes that all of the above standards and even others can be met by the Applicant. Allowing more detail to be provided at the Site Plan stage and a give-and-take between the applicant and the Town Administrator/staff/review agencies will allow all items to be dealt with on a professional basis and minimize any adverse impacts. Also, if the Applicant wishes to enhance certain portions of the application either in advance of approval or after initiation of activities, (such as security lighting, hooking up to municipal water, etc.), the Site Plan process as well of conditions of approval and a Development

Improvements Agreement will help ensure that the neighborhood and surrounding properties are not adversely affected.

15.07.106 Parking Requirements for Uses Not Listed. For specific use is not listed in section 15.07.102 above, the Town Administrator shall determine the Appropriate Number of parking Spaces required based upon the type of activity, intensity and number of employees in similarity to listed uses.

**Staff Comment.** There are no listed parking requirements for a use entitled “lasertag and Archery” etc. Planning Staff will work with the Town Administrator to ensure that the parking proposed on the H Dentistry property works for the proposed use or prescribe conditions in in the event that problems arise.

**2. The compatibility of the proposal with the character of the surrounding area including, but not limited to, the architectural character of the neighborhood;**

**Staff Comment.** Much of the property adjacent to the proposed use is vacant or is CDOT right-of-way. There are office and professional business space to the east of the subject site. The Central Business District is undergoing change and hopefully more development is coming in the near future. These property should not be adversely impacted by the proposed use.

**3. The desirability for the proposed use in the specific area of the Town;**

**Staff Comment:** the recreational nature of this proposed use can help link the Central Business District to the propose, future recreational uses of the Colorado River and nearby lakes as noted in the Comprehensive Plan. In addition, it is Staff's opinion that bringing in more users to the area they can only help enhance the economic vitality of this area. Proper mitigation will have to be used in order to ensure compatibility with the local neighborhood. Proper screening by a fence that meets all code requirements will go a long way to ensuring that there is adequate separation between uses on the property and adjacent sites, nuisances do not spill over onto adjacent properties or the neighborhood, that trespassing does not occur and that vandalism (such as tipping over port port-a-johns) does not take place

**4. The potential for adverse environmental effects that might result from the proposed use;**

**Staff Comment:** The applicant does not provide any engineering details or other appropriate analyses to prove that adverse environmental impacts will not occur.

It is staff's opinion that adverse environmental effects are a low risk to the Town. There is the possibility of wastewater/sewage spills if something happens to the portable waste systems on site. The use of toxic chemicals is not foreseen at this time. Compliance with applicable Town and other regulations to avoid adverse environmental effects will require more discussion at the Site Plan review process. Compatibility of the proposed use and the site (or subdivision) plan with the Parachute Plan; and

**Staff Comment:** Previously discussed.

5. Conformance of any plan with the requirements of the Town of Parachute public works improvements manual.

**Staff Comment:** No site engineering or engineering plan has been submitted. However, the temporary nature of the use and lack of physical development indicates that long-term risk to Town infrastructure is low. The town does have the ability to answer more information during the Site Plan review process.

## **VII. Review Agency Comments**

Public Works – No comments received.

Town Engineer – No comments received.

Police Department - No concerns identified.

Fire Department - See Attached Letter. (Fencing requested).

## Mark Chain

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**From:** Stuart McArthur <StuartMC@parachutecolorado.com>  
**Sent:** Tuesday, August 30, 2016 7:43 AM  
**To:** Mark Chain  
**Subject:** FW: Land Use Application

From the fire district.

**From:** Rob Ferguson [mailto:opschief@gvfpd.org]  
**Sent:** Tuesday, August 30, 2016 7:41 AM  
**To:** Stuart McArthur <StuartMC@parachutecolorado.com>  
**Cc:** 'David Blair' <firechief@gvfpd.org>  
**Subject:** Land Use Application

Good morning Stuart,

Chief Blair passed Bruce Hoggan's land use application over to me this morning. I have reviewed the material. I don't see anything that would be affected by the International Fire Code however from a safety stand point it would be good to make sure all the pallets and tire piles are secured to make sure they will not fall over on patrons. Another thing that I see is the field not being secured by a fence. The pallet storage onsite provides a very easy travel path for fire if someone was to set fire to the site. "The construction of combustible pallets with their large air spaces and volume of wood or plastic boards is a recipe for rapid consumption by fire" as stated in the IFC 3404.3.3.9 Idle combustible pallets. Please let me know if you need anything else from the Fire District. Have a great week.

Respectfully,

**Rob Ferguson**  
Deputy Fire Chief  
Grand Valley Fire Protection District  
0124 Stone Quarry Road  
Parachute, CO 81635

Office 970-285-9119  
Fax 970-285-9748  
[opschief@gvfpd.org](mailto:opschief@gvfpd.org)

## VIII. Staff Recommendation

Staff recommends approval of the Hoggan Special Review Use application with the following conditions:

1. The Special Review Use Permit shall be approved for a period of up to two years. At the end of that time period, there shall be a Public Meeting at which time the operations of the Hoggan Lasertag and Archery Recreation Facility will be reviewed. The Board of Trustees, in their discretion may approve a continuation of the operation of the Facility "as is", may recommend certain changes in the operational schedule or nature of the physical facility itself, or require that a structure or enclosed arena be constructed to house the Facility. The Board of Trustees may require at that time that the Facility also be hooked up to Town utilities and that parking and other improvements such as additional landscaping be constructed on site.
2. The Town Manager or his designee shall review the operation of the Facility at the end of one year from the opening of the Facility. At that time, any issues related to complaints from the public, suggestions from Town Staff, Department Heads or any Special District may be considered in order to enhance the operation of the Facility and allow it to function at an appropriate level as part of the Central Business District.
3. A seven (7) ft. high screened fence that meets Parachute Municipal Code standards shall enclose the property. Frontage landscaping shall be installed.

The fence may be constructed leaving the side facing the highway (I-70) open. The open fencing will be reviewed in three (3) months. If it is deemed to be unsafe or otherwise unacceptable, the Town may require the seven (7) foot high screened fence to be constructed to enclose the entire property.

4. As required by the Parachute Municipal Code, the applicant shall submit a detailed site plan subject to review and conformance with Sections 15.07.112 and 15.06.104 of the Municipal Code. Special consideration shall be focused on trash storage area and portable sanitation facilities areas. Relationship to the Shared Parking Facility with H Dentistry and signage/outdoor lighting (if proposed) shall also be considered.
5. The Applicant shall enter into a Development Improvements Agreement with the Town as per Section 15.03.165 D of the Parachute Municipal Code. The Development Agreement may include provisions for timely review and operation of the Facility per the approved Special Review Use permit including hours of operation, issues related to an outdoor recreational use without permanent Municipal Water and Wastewater Facilities, and use of the Shared Parking on an adjacent lot.
6. All use of the site shall conform to with adopted fire codes applicable to the Town of Parachute and recommendations on emergency access and other appropriate safety measures as suggested by the Grand Valley Fire Protection District and the

Town of Parachute Police Department.

7. The Record of Decision by the Parachute Board of Trustees for the Hogan Special Review Use shall be recorded in the real state records of the Garfield County Clerk and Recorder.
8. All representations made in the applicant's written material or verbally as reflected in the minutes of the public meetings or hearings where the Application was presented to the Commission and/or Board of Trustees are considered part of the application and binding on the applicant.
9. Applicant shall reimburse the town for any and all fees, including consulting costs, incurred in the review of the Application.

**Recommended Board of Trustees Motion:**

**The recommended motion on the special review use application is:**

I move to approve the Hoggan Application for a Special Review Use Permit for an Outdoor Lasertag and Archery Team Facility in the Service Commercial Zone District with the staff recommended conditions.



TOWN OF PARACHUTE  
PO BOX 100  
222 GRAND VALLEY WAY  
PARACHUTE, CO 81635

JUN 30 2016 08:16

LAND USE APPLICATION

Name of Applicant: ERICE HOGGAN / ROCKY MOUNTAIN LASERTAG, INC.  
(INCLUDE ADDRESS AND TELEPHONE NO.)

Project Name: ALPHA PROJECT

Project Location: PARCEL 240912443003

LEGAL DESCRIPTION: T7S R96 W SECTION 12

Existing Zoning: SERVICE COMMERCIAL Proposed Zoning: OUTDOOR REC

Type of Application (check all that apply):

SUBDIVISION:

- |                                     |                      |                          |                                   |                          |       |
|-------------------------------------|----------------------|--------------------------|-----------------------------------|--------------------------|-------|
| <input type="checkbox"/>            | MINOR SUBDIVISION    |                          |                                   |                          |       |
| <input type="checkbox"/>            | MAJOR SUBDIVISION    | <input type="checkbox"/> | PRELIMINARY                       | <input type="checkbox"/> | FINAL |
| <input type="checkbox"/>            | RE-SUBDIVISION       | <input type="checkbox"/> | PRELIMINARY                       | <input type="checkbox"/> | FINAL |
| <input type="checkbox"/>            | P. U. D.             | <input type="checkbox"/> | PRELIMINARY                       | <input type="checkbox"/> | FINAL |
| <input type="checkbox"/>            | BUILDING DIVISIONS   | <input type="checkbox"/> | PRELIMINARY                       | <input type="checkbox"/> | FINAL |
| <input type="checkbox"/>            | AMENDED PLAT         | <input type="checkbox"/> | PRELIMINARY                       | <input type="checkbox"/> | FINAL |
| <input type="checkbox"/>            | REZONING             | <input type="checkbox"/> | SIGN VARIANCE                     |                          |       |
| <input type="checkbox"/>            | ZONING VARIANCES     | <input type="checkbox"/> | FLOOD PLAIN DEVELOPMENT           |                          |       |
| <input checked="" type="checkbox"/> | SPECIAL REVIEW USE   | <input type="checkbox"/> | VACATION OF STREET, ALLEY, R.O.W. |                          |       |
| <input type="checkbox"/>            | GEOLOGIC DEVELOPMENT | <input type="checkbox"/> | ANNEXATIONS                       |                          |       |
| <input type="checkbox"/>            | LOT CONSOLIDATION    | <input type="checkbox"/> | WATERSHED PERMIT                  |                          |       |

PROPERTY OWNER: HOGGAN HANDFULS LLC  
325 CALLAHAN AVE PARACHUTE, CO. 81635  
(INCLUDE NAME, ADDRESS, AND TELEPHONE NO.) 970-379-8886

PROJECT ENGINEER/SURVEYOR:  
(INCLUDE NAME, ADDRESS, AND TELEPHONE NO.)

SURVEY: BOOK CLIFF SURVEY SERVICES, INC. 136 E. 3RD ST. RIFLE CO. 81650 970-625-1330  
(INCLUDE NAME, ADDRESS, AND TELEPHONE NO.)

Describe Land Dedication Proposal:

\_\_\_\_\_  
\_\_\_\_\_

Describe Water Rights Dedication Proposal:

\_\_\_\_\_  
\_\_\_\_\_

I Certify that the information and exhibits herewith are true and correct to the best of my knowledge, and that in filing this application, I am acting with knowledge and consent of those persons listed above without whose consent the requested action cannot lawfully be accomplished.

Name:(print) BRUCE W. HOGGAN  
Address: 225 CALLANAN AVE, PARACHUTE, CO. 81635  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**INSTRUCTIONS:**

1. **Read both sides of application thoroughly.**
2. **Complete all of the requested information.**
3. Descriptions of property and dedication proposals on this form should be general and brief.
4. All applications must include a **CURRENT TITLE POLICY**, indicating ownership and encumbrances.
5. All applications must include **PROOF OF TAXES PAID**.
- ✓6. Applicants should review the Town of Parachute Land Use Regulations 15.01, 15.03, 15.04, 15.05, 15.06, and any other sections specified for the proposed request.
- ✓7. **All applicants who are not property owners must present a Letter of Representation, signed and notarized by the property owners.**
8. **Applications not signed and lacking any of the requested information will be deemed incomplete and will not be scheduled for a Planning and Zoning Commission review.**

**ADMINISTRATIVE PERSONNEL:**

APPLICATION FEE: \_\_\_\_\_

APPLICATION RECEIVED DATE: \_\_\_\_\_ COMPLETE DATE: \_\_\_\_\_

PLANNING & ZONING HEARING: \_\_\_\_\_ BOT HEARING: \_\_\_\_\_

MAILINGS DATE: \_\_\_\_\_ PUBLICATION DATE: \_\_\_\_\_

P&Z APPROVAL DATE: \_\_\_\_\_ BOT APPROVAL DATE: \_\_\_\_\_

ADJACENT PROPERTY OWNERS: (attach separate sheet if needed)

Name	Address
<u>LINN ENERGY</u>	<u>235 CALLAHAN AVE, PARACHUTE CO.</u>
<u>H2 DENTISTRY PLLC</u>	<u>235 CALLAHAN AVE PARACHUTE CO.</u>
<u>VALLEY CREEKSIDE LLC - 210-9669</u>	<u>600 CARDINAL WAY, PARACHUTE CO.</u>
_____	_____
_____	_____

MINERAL RIGHTS OWNERS & LESSEES OF SUBJECT PROPERTY (attach separate sheet if needed) \*PLEASE NOTE ALL MINERAL RIGHTS OWNERS AND LESSEES MUST BE NOTIFIED 30 DAYS IN ADVANCE TO APPLICATION REVIEW. PLEASE INDICATE ALL MINERAL RIGHTS OWNERS, & LESSEES AS (MR), OR (L)

Name	Address
<u>B + V Developers LLLP</u>	<u>259 Cty Rd 320 Rifle CO 81650</u>
<u>c/o TED VAUGHAN</u>	_____
_____	_____
_____	_____

DESCRIPTION OF PROPOSAL: (INCLUDE PROPOSED USE, ACREAGE, ETC.)

UTILIZE EXISTING LOT FOR OUTDOOR ARENA FOR PURPOSES OF LASERTAG AND ARCHERY COMBAT OUTDOOR RECREATION AND TEAM GAMES. USE ENTIRE 1.2 ACRE WITHOUT A FENCE. PARKING AT H2 DENTISTRY AFTER HOURS. NO GRASS. ARENA BUILT OF WHATEVER ITEMS CAN BE FOUND FOR CHEAP: VEHICLES, PALLETS, TIRES, ETC. PORT-A-JONN USED AS A RESTROOM.

Describe how this Proposed Land Use Application Complies with the Town of Parachute Land Use Regulations and the Town of Parachute Master Plan 2002.

RECREATIONAL BUSINESS: FOR AGES 5 AND UP FOR LASERTAG, AND 8 AND UP FOR ARCHERY COMBAT. THE GAMES INVOLVE TEAMS, RUNNING, ETC. EVENTUALLY, WHEN FUNDS PERMIT, WE HOPE TO BUILD AN INDOOR ARENA AND PARKING LOT.

Describe any possible Flood Plain issues:

MINOR PUDPLING OCCURS IN THE CENTER OF THE FIELD THIS WILL HAVE MINOR EFFECTS ON THE OUTDOOR ARENA.

Describe Traffic Impact Fees Proposal: (Standard Calculation or Individual Traffic Study)

IN SIX YEARS, MY EXPERIENCE SHOWS MAIN TRAFFIC IS HIGH SCHOOL STUDENTS TO AND FROM SCHOOL. OTHERWISE TRAFFIC IS SLOW TO HOMES, FAMILY DOLLAR, AND OTHER SMALL SHOPS AND STORAGE AREAS.

Special Review for Use

Complete Application for Use	Submit <u>AT LEAST 42 Calendar</u> days prior to a regular P & Z Meeting	Bruce
Determination of Completeness	Within 5 days of submittal (this completed application is when the 42 day rule starts)	Stuart - Th.
Public Notice	<p>Notice sent by <u>certified mail</u> with receipt requested to all <u>property owners</u> within two hundred feet at least 15 days in advance of hearing.</p> <p>Notice shall be published in Post Independent general circulation <u>within</u> at least <u>15 days of</u> hearing.</p> <p>Also provide notice to any <u>mineral owners</u> if applicable.</p> <p>Post notice on the property <u>at</u> least 15 days in advance of hearing and must contain in posting</p> <ul style="list-style-type: none"> <li>• Statement of nature of the matter being considered</li> <li>• Time, date, and place of hearing (Town Hall, P &amp; Z and Board Meetings)</li> <li>• Agency or office and phone number where further information can be obtained.</li> <li>• A legal description of the property.</li> </ul>	<p>Bruce DON'T DO THIS UNTIL THE APPLICATION IS DETERMINED TO BE COMPLETE</p> <p><i>CITY NEEDS</i> = Certified Mail Green Tabs → Proof of Publication</p>
FEE	250.00	Bruce
Letter Requesting use of projectiles	Anytime: submit to the Town Manager describe the use, where, why, etc.	Bruce
<i>P &amp; Z Mtg</i>	<i>Aug 11, 2016</i>	

# Town of Parachute Special Review Use Submittal Check List

JUN 30 2016 07:51



**IMPORTANT.** This submittal checklist is provided as a convenience only to land-use applicants as a guide to the submittal process. Applicants must use the land-use regulations of the Town of Parachute to obtain the required information necessary for submitting a complete application. The land-use regulations are available at Town Hall during regular business hours or online at: <https://www.colorado.gov/pacific/parachutecolorado/municipal-code>. The Town of Parachute planner is available to answer questions or to provide clarification on application submittal requirements. **DO NOT USE THIS CHECKLIST AS THE PRIMARY INFORMATION SOURCE FOR APPLICATION SUBMITTALS.**

**General.** The application submittal requirements consist of elements that are common to all applications as well as requirements that are necessary only for certain types of applications. Common submittal requirements are indicated first followed by specific requirements for various types of applications. In some instances, additional submittal requirements may be specified as part of the supplemental or special development requirements of these Regulations.

Complete applications must be submitted, as required in these Regulations, at the point of initiation of the land use review process.

**General and Common Submittal Requirements.** The applicant shall be required to submit all copies specified by the Town Administrator or by another Town official designated by the Town Administrator. All applications identified in Chapter 15.05 shall include:

- Application form, signed by the owner(s) of the property, in the format provided by the Town Clerk.
- Legal description of the property included in the application.
- Proof of legal ownership and the names and addresses of the owners of the property and any lienholder(s). *given 2015 copied by Town.*
- Names and addresses of any owners or lessees of mineral rights for the property.
- The names and addresses of any property owners within two hundred feet (200') of any portion of the property.
- Statement of the purpose of the application and a brief description of the proposal.
- Vicinity map indicating the location of the property included in the land use application. *OUTLINED GOOGLE EARTH*
- Application fee pursuant to Section 15.01.108.

## 15.06.104 Site Plan Requirements.

Site plan required in these Regulations shall include:

- The location of all existing and proposed buildings, utilities and other improvements on the property. A building envelope (a portion of the property within which a building may be located) may be shown for proposed buildings to allow minor adjustments.
- The location and number of parking spaces for off-street parking and loading areas in accordance with Chapter 15.07 of these Regulations. *OUTLINED GOOGLE EARTH*
- A traffic circulation plan showing the direction of traffic flows and indicating the locations of entries and exits of parking lots and the relationships of parking lots to entrances and exits of any buildings. *APPROX - GOOGLE EARTH*
- Location of service & refuse collection areas. *WATER + TRASH - GOOGLE EARTH  
000 TOILETS - " "*

# Town of Parachute Special Review Use Submittal Check List

- Location of all signs indicating the size, shape & height of each sign. *GOOGLE EARTH*
- Area & location of open space & recreation areas. *GOOGLE EARTH*
- Location & type of outdoor lighting.      "      "
- Location of existing & proposed fences.      "      "
- Location of landscaping features & other methods of screening.      "      "
- The estimated date of completion of the proposed improvements.      "      "

## Landscaping Plan Shall Indicate

- Method of maintenance.      "      "
- List of type, size, and quantity of plant materials.      "      "
- General location of the landscaping.      "      "
- Estimated date of completion of improvements.      "      "
- Adjacent streets & rights-of-way & street improvements.      "      "







Google earth

feet  
meters



VICINITY MAP: OUTLINED.

BUILDINGS, UTILITIES, + IMPROVEMENTS:

A. EXISTING - NONE

B. PROPOSED -

PARKING: ONLY OPEN WHEN H-DENTISTRY, PLLC IS CLOSED

18 CURRENT SPOTS AVAILABLE, 2 ARE HANDICAP

TRAFFIC CIRCULATION: SEE ARROWS.

OO REFUSE: DRINKING WATER AND TRASH.

- TRASH STORED IN SHED,

- EXISTING SILING OF 8' x 4' STAYS WHERE IT IS OR ROTATES.

OPEN SPACE AND RECREATION: THE ENTIRE LOT

OUTDOOR LIGHTING: NONE

FENCES: NONE EXISTING OR PROPOSED.

SCREENING: NONE EXISTING OR PROPOSED.

2016-09-09

Page 94 of 116

OVER

ESTIMATED COMPLETION: APRIL 2017

## LANDSCAPING

MAINTENANCE: WEED WHACKING IF/AS NEEDED

PLANTS: NONE

LOCATION OF LANDSCAPING: N/A

DATE: N/A

ADJACENT IMPROVEMENTS:

NONE DONE SINCE 2010

NONE PLANNED.

000: PORTA JOHN ♂ ♀ ♀

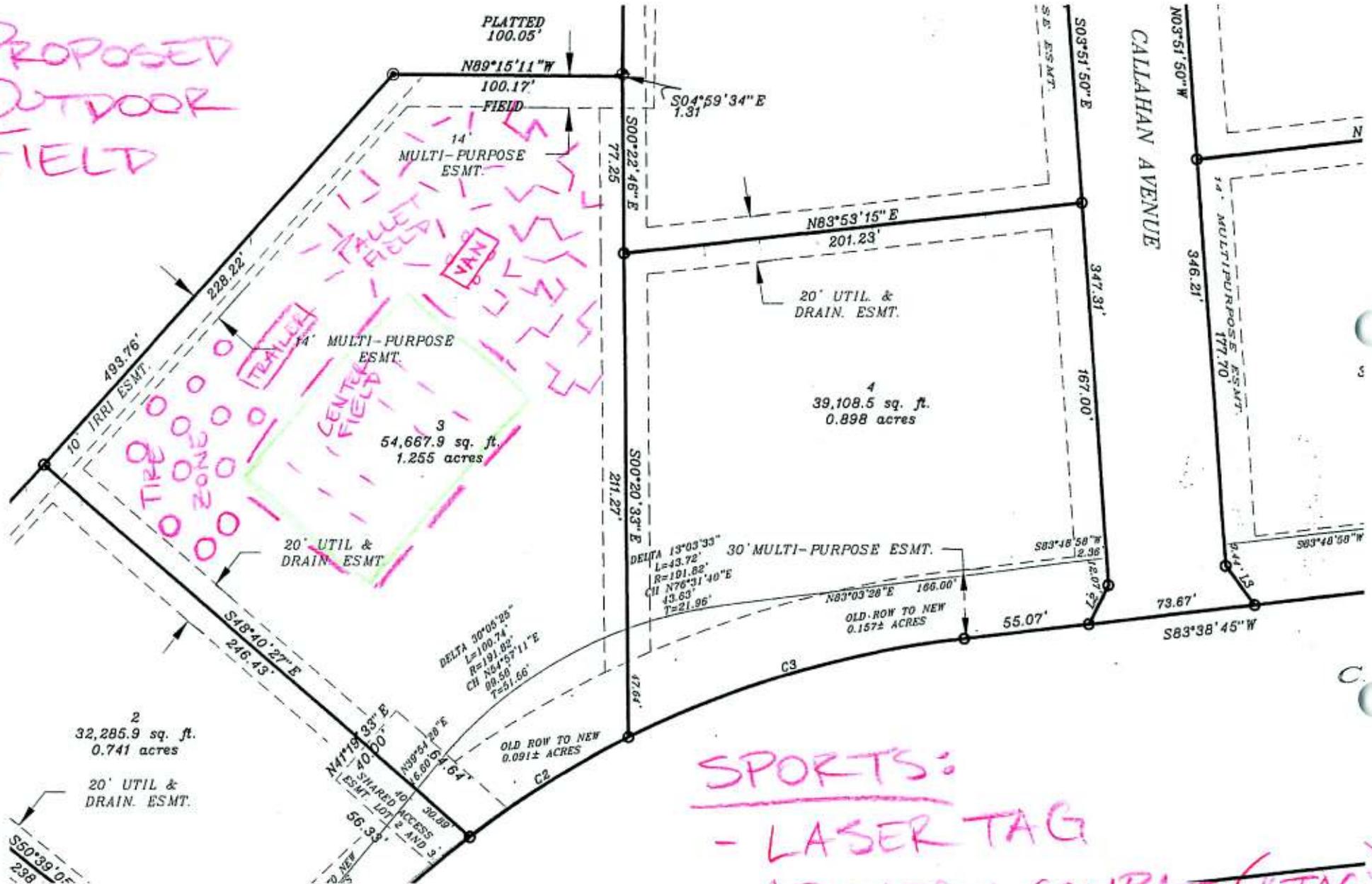
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NO TAPS: WATER, SEWER, ELECTRIC, IRRIGATION.

GOAL: SHORT TERM PLAN ON LOW BUDGET TO DRAW OUT OF TOWN CUSTOMERS, GROW BUSINESS, AND ESTABLISH REPUTATION.

THE LONG TERM PLAN INVOLVES A LARGE IN DOOR ARENA FOR YEAR ROUND GAMING.

PROPOSED  
OUTDOOR  
FIELD

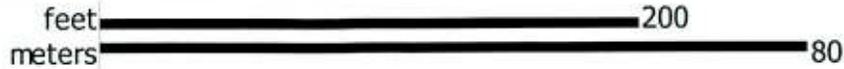


SPORTS:  
- LASER TAG  
- ARCHERY COMBAT ("TAG")





Google earth



VICINITY MAP: OUTLINED.

BUILDINGS, UTILITIES, + IMPROVEMENTS:

A. EXISTING - NONE

B. PROPOSED -

PARKING: ONLY OPEN WHEN H-DENTISTRY, PLLC IS CLOSED  
 18 CURRENT SPOTS AVAILABLE, 2 ARE HANDICAP

TRAFFIC CIRCULATION: SEE ARROWS.

☐ REFUSE: DRINKING WATER AND TRASH.

- TRASH STORED IN SHED,

— EXISTING SIGN OF 8' x 4' STAYS WHERE IT IS OR ROTATES.

OPEN SPACE AND RECREATION: THE ENTIRE LOT.

OUTDOOR LIGHTING: NONE

FENCES: NONE EXISTING OR PROPOSED.

SCREENING: NONE EXISTING OR PROPOSED.

↙ OVER ↘

ESTIMATED COMPLETION: APRIL 2017

## LANDSCAPING

MAINTENANCE: WEED WHACKING IF/AS NEEDED.

PLANTS: NONE

LOCATION OF LANDSCAPING: N/A

DATE: N/A

ADJACENT IMPROVEMENTS:

NONE DONE SINCE 2010

NONE PLANNED.

000: PORTA JOHN ♂ ♀ ♀

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NO TAPS: WATER, SEWER, ELECTRIC, IRRIGATION.

GOAL: SHORT TERM PLAN ON LOW BUDGET TO DRAW OUT OF TOWN CUSTOMERS, GROW BUSINESS, AND ESTABLISH REPUTATION.

THE LONG TERM PLAN INVOLVES A LARGE IN-DOOR ARENA FOR YEAR ROUND GAMING.

# Vicinity Map





**PUBLIC NOTICE**

**TAKE NOTICE** that Rocky Mountain Lasertag, Inc. has filed a land use application with the Town of Parachute, State of Colorado, for approval of a Special Review Use to construct an **outdoor recreation facility** on service commercial zoned property situated in the Town of Parachute, State of Colorado described as:

Spring Lake Estates, Section E, Lot 3; a Resubdivision of Lot 2A Section E.

**Property Address:** 68 Cardinal Way, Parachute, CO 81635

All persons affected by the proposed land use application are invited to appear and state their views, protests, or support. If you cannot appear personally at such hearing, then you are urged to state your views by letter as the Planning and Zoning Commission and the Board of Trustees will give consideration to the comments of property owners and the others affected in deciding whether to grant or deny the request.

The proposed development project may be reviewed at the Town of Parachute offices located at 222 Grand Valley Way, Parachute, CO, between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday. You may call 970-285-7630, x 106 with questions or concerns.

Public meetings on the proposed land use application have been scheduled for:

Planning and Zoning Commission (Public Meeting):  
September 8, 2016 at 6:30 p.m.

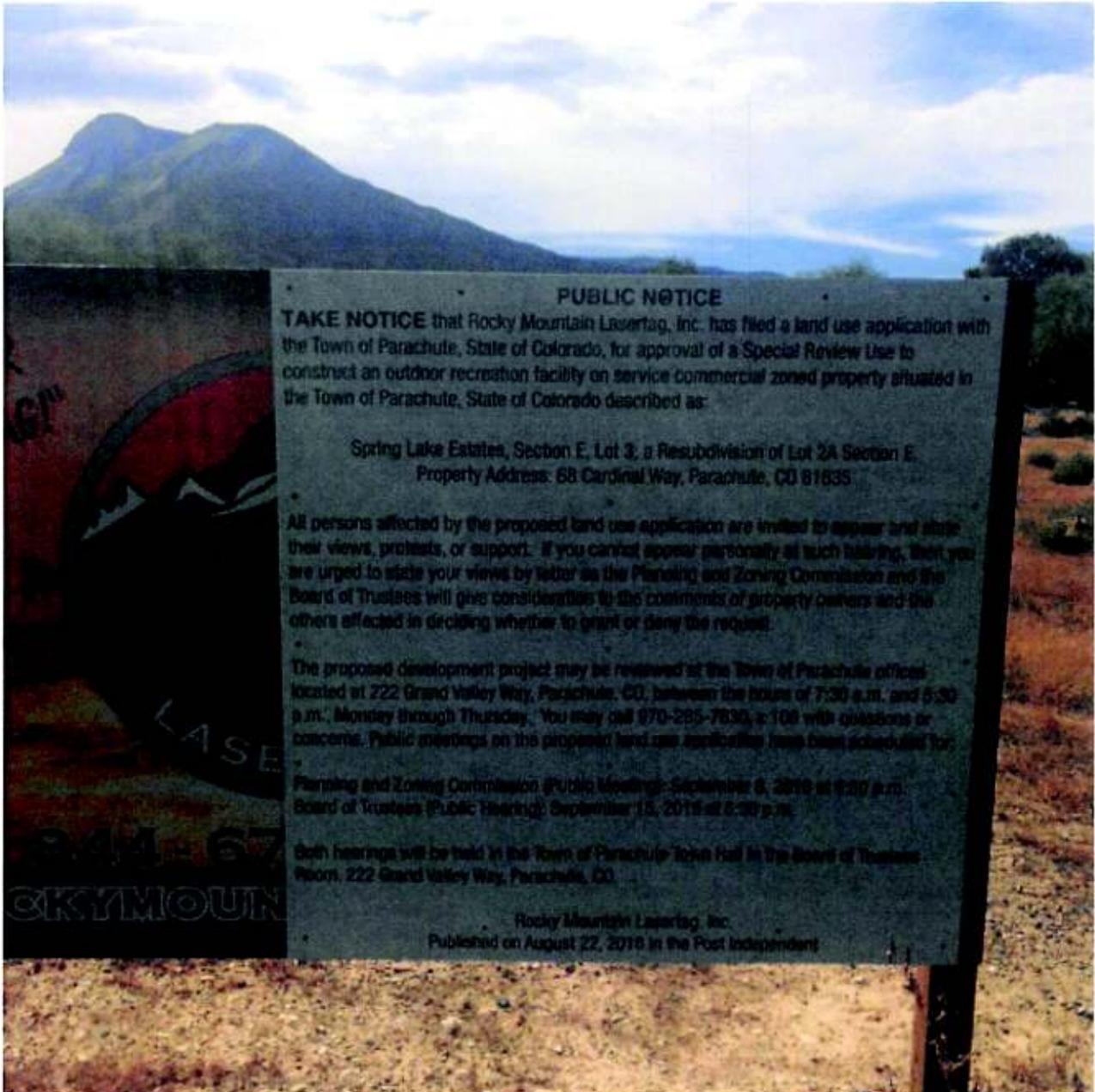
Board of Trustees (Public Hearing): September 15,  
2016 at 6:30 p.m.

Both hearings will be held in the Town of Parachute Town Hall in the Board of Trustees Room, 222 Grand Valley Way, Parachute, CO.

Rocky Mountain Lasertag, Inc.

Published on August 22, 2016 in the Glenwood Springs Post Independent (12322758)

**Ad shown is not actual print size**



**PUBLIC NOTICE**

**TAKE NOTICE** that Rocky Mountain LaserTag, Inc. has filed a land use application with the Town of Parachute, State of Colorado, for approval of a Special Review Use to construct an outdoor recreation facility on service commercial zoned property situated in the Town of Parachute, State of Colorado described as:

Spring Lake Estates, Section E, Lot 3, a Resubdivision of Lot 2A Section E.  
Property Address: 68 Cardinal Way, Parachute, CO 81835

All persons affected by the proposed land use application are invited to appear and state their views, protests, or support. If you cannot appear personally at such hearing, then you are urged to state your views by letter as the Planning and Zoning Commission and the Board of Trustees will give consideration to the comments of property owners and the others affected in deciding whether to grant or deny the request.

The proposed development project may be reviewed at the Town of Parachute offices located at 222 Grand Valley Way, Parachute, CO, between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday. You may call 970-285-7630, x 108 with questions or concerns. Public meetings on the proposed land use application have been scheduled for:

Planning and Zoning Commission (Public Meeting): September 8, 2016 at 6:00 p.m.  
Board of Trustees (Public Hearing): September 15, 2016 at 6:00 p.m.

Both hearings will be held in the Town of Parachute Town Hall in the Board of Trustees Room, 222 Grand Valley Way, Parachute, CO.

Rocky Mountain LaserTag, Inc.  
Published on August 22, 2016 in the Post Independent

7009 2820 0000 9882 5073

RIFLE, CO 81650

\$3.30

\$2.70  
\$0.00  
\$0.00  
\$0.00  
\$0.00

0583  
04

\$0.47

08/18/2016

\$6.47

B&V Developers LLP  
259 City Road 320  
Rifle, CO 81650

7009 2820 0000 9882 5059

PARACHUTE, CO 81635

\$3.30

\$2.70  
\$0.00  
\$0.00  
\$0.00  
\$0.00

0583  
04

\$0.47

08/18/2016

\$6.47

Valley Creekside LLC  
600 Cardinal Way  
Parachute, CO 81635

7009 2820 0000 9882 5042

PARACHUTE, CO 81635

\$3.30

\$2.70  
\$0.00  
\$0.00  
\$0.00  
\$0.00

0583  
04

\$0.47

08/18/2016

\$6.47

Linn Energy  
235 Callahan Ave  
Parachute, CO 81635

7009 2820 0000 9882 5060

PARACHUTE, CO 81635

\$3.30

\$2.70  
\$0.00  
\$0.00  
\$0.00  
\$0.00

0583  
06

\$0.47

08/18/2016

\$6.47

H. Dandistry  
225 Callahan Ave  
Parachute, CO 81635

**TOWN OF PARACHUTE, COLORADO  
RESOLUTION NO. 2016-21**

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**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE,  
COLORADO, APPROVING A SPECIAL REVIEW USE PERMIT FOR BRUCE  
HOGGAN TO OPERATE AN OUTDOOR RECREATION FACILITY**

**WHEREAS**, Bruce Hoggan dba Rocky Mountain Lasertag, Inc. (the “Applicant”) wishes to operate an outdoor recreation facility (that includes lasertage and archery team sports) on property located at 65 Cardinal Way, Parachute, CO 81635, identified as Garfield County Parcel No. 2409-124-43-003 (the “Property”);

**WHEREAS**, the Property is owned by Hoggan Handfuls, LLC, an entity controlled by the Applicant;

**WHEREAS**, the Property is zoned Service Commercial (SC);

**WHEREAS**, SC zoning allows for an outdoor recreation facility as a special review use and, therefore, Applicant has applied for a special review use permit for such use on the Property, known as the Hoggan Lasertag and Archery Recreation Facility (the “Application”);

**WHEREAS**, Section 15.05 of the Parachute Municipal Code (the “Code”) allows for special review use to be approved as follows:

Uses designated as special review uses are contingent uses which may or may not be appropriate in a particular location depending on the nature of the proposed use, its relationship to surrounding land uses and its impact on traffic capacities, potential environmental effects, compatibility with the neighborhood, and conformance with the Parachute Plan. It is the intent of these Regulations to provide a review of special review uses so that the community is assured that any proposed special review uses are suitable for the proposed location and are compatible with the surrounding land uses.

**WHEREAS**, the Planning Commission of the Town of Parachute reviewed the Application and has recommended approval, subject to the conditions set forth in Exhibit A which is incorporated herein (the “Conditions”); and

**WHEREAS**, the Board of Trustees has reviewed the Applicant’s Application for a Special Review Use Permit to allow for an outdoor recreation facility to be located on the Property and finds that it conforms with the terms and conditions of Chapter 15.05 of the Code subject to the subject to Conditions, which are incorporated herein, and, therefore, wishes to approve such permit.

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Board hereby approves Applicant's Application for a special review use permit for an outdoor recreation facility on the Property subject to the Conditions set forth in Exhibit A and authorizes the Town Manager to negotiate and approve a cash payment in lieu of land dedication pursuant to Section 15.01.111 of the Code.

Section 3. This Resolution may be recorded in the public records of Garfield County, Colorado.

**INTRODUCED, PASSED, ADOPTED, AND APPROVED** by a vote of \_\_\_ to \_\_\_ of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 15<sup>th</sup> day of September, 2016 and approved by the Mayor on the 15<sup>th</sup> day of September, 2016.

**BOARD OF TRUSTEES OF THE  
TOWN OF PARACHUTE, COLORADO**

By \_\_\_\_\_  
Roy B. McClung, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

## EXHIBIT A - CONDITIONS

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1. The Special Review Use Permit shall be approved for a period of up to two years. At the end of that time period, there shall be a Public Meeting at which time the operations of the Hoggan Lasertag and Archery Recreation Facility will be reviewed. The Board of Trustees, in their discretion may approve a continuation of the operation of the Facility “as is”, may recommend certain changes in the operational schedule or nature of the physical facility itself, or require that a structure or enclosed arena be constructed to house the Facility. The Board of Trustees may require at that time that the Facility also be hooked up to Town utilities and that parking and other improvements such as additional landscaping be constructed on site.
2. The Town Manager or his designee shall review the operation of the Facility at the end of one year from the opening of the Facility. At that time, any issues related to complaints from the public, suggestions from Town Staff, Department Heads or any Special District may be considered in order to enhance the operation of the Facility and allow it to function at an appropriate level as part of the Central Business District.
3. A seven (7) ft. high screened fence that meets Parachute Municipal Code standards shall enclose the property. Frontage landscaping shall be installed.

The fence may be constructed leaving the side facing the highway (I-70) open. The open fencing will be reviewed in three (3) months. If it is deemed to be unsafe or otherwise unacceptable, the Town may require the seven (7) foot high screened fence to be constructed to enclose the entire property.

4. As required by the Parachute Municipal Code, the applicant shall submit a detailed site plan subject to review and conformance with Sections 15.07.112 and 15.06.104 of the Municipal Code. Special consideration shall be focused on trash storage area and portable sanitation facilities areas. Relationship to the Shared Parking Facility with H Dentistry and signage/outdoor lighting (if proposed) shall also be considered.
5. The Applicant shall enter into a Development Improvements Agreement with the Town as per Section 15.03.165 D of the Parachute Municipal Code. The Development Agreement may include provisions for timely review and operation of the Facility per the approved Special Review Use permit including hours of operation, issues related to an outdoor recreational use without permanent Municipal Water and Wastewater Facilities, and use of the Shared Parking on an adjacent lot.
6. All use of the site shall conform to with adopted fire codes applicable to the Town of

Parachute and recommendations on emergency access and other appropriate safety measures as suggested by the Grand Valley Fire Protection District and the Town of Parachute Police Department.

7. The Record of Decision by the Parachute Board of Trustees for the Hogan Special Review Use shall be recorded in the real state records of the Garfield County Clerk and Recorder.
8. All representations made in the applicant's written material or verbally as reflected in the minutes of the public meetings or hearings where the Application was presented to the Commission and/or Board of Trustees are considered part of the application and binding on the applicant.
9. Applicant shall reimburse the town for any and all fees, including consulting costs, incurred in the review of the Application.

**TOWN OF PARACHUTE  
RESOLUTION NO. 2016-22**

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**RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A GRANT FROM THE  
COLORADO HEALTH FOUNDATION COTTONWOOD PARK CHILDREN'S PLAYGROUND  
PROJECT**

**WHEREAS**, the Town of Parachute is a political subdivision of the State of Colorado, and therefore an eligible applicant for a grant awarded by the Colorado Health Foundation (CHF); and .

**WHEREAS**, the Town of Parachute has submitted a grant application for the Cottonwood Park Children's Playground Project requesting a total award of up to \$100,000; and

**WHEREAS**, the Town of Parachute supports the completion of the project if a grant is awarded by the Colorado Health Foundation.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The above recitals are hereby incorporated as findings by the Board of Trustees.

Section 2. The Board of Trustees strongly supports the grant application submitted by the Town of Parachute and will appropriate matching funds for a grant with the Colorado Health Foundation.

Section 3. If the grant is awarded, the Board of Trustees strongly supports the completion of the project.

Section 4. The Board of Trustees of the Town of Parachute authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded pursuant to a grant agreement with the CHF.

Section 5. If a grant is awarded, the Board of Trustees hereby authorizes the Town Manager to sign a Grant Agreement with the Colorado Health Foundation.

**INTRODUCED, READ, PASSED, AND ADOPTED** as provided by law, by a vote of \_\_\_\_\_ to \_\_\_\_\_ of the Board of Trustees of the Town of Parachute, Colorado, at a regular meeting held at the Town of Parachute, Colorado, on the 15<sup>th</sup> day of September 2016, and approved by the Mayor on the 15<sup>th</sup> day of September 2016.

BOARD OF TRUSTESS OF THE  
TOWN OF PARACHUTE, COLORADO

By: \_\_\_\_\_  
Roy B. McClung  
Mayor

ATTEST:

\_\_\_\_\_  
Lucy Cordova  
Town Clerk

**TOWN OF PARACHUTE, COLORADO  
RESOLUTION NO. 2016-23**

---

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO, AUTHORIZING THE CREATION OF A CAPITAL LEASING CORPORATION.**

**WHEREAS**, the Town of Parachute, Colorado is a home-rule municipality organized under the authority of Article XX of the Constitution of the State of Colorado and the Charter of the Town of Parachute; and

**WHEREAS**, the Town now, or in the future may, own certain capital assets appropriate for lease within or without the Town for the improvement and betterment of the Town, its infrastructure, and its local business and residential community; and

**WHEREAS**, the Town now, or in the future may, desire to make capital asset acquisitions requiring lease purchase financing that may be accomplished through the creation of a nonprofit corporation; and

**WHEREAS**, the Board of Trustees for the Town of Parachute desires to create a capital leasing corporation to facilitate such lease purchase financings and to maintain control of capital assets for the betterment of the Town now and in the future; and

**WHEREAS**, the Board of Trustees intends to authorize the formation of such a corporation for the purposes set forth above and for such other purposes as shall be deemed reasonable and necessary.

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Parachute Board of Trustees hereby approves the formation of the Parachute Capital Leasing Corporation consistent with the Articles of Incorporation and Bylaws attached hereto as Exhibits A and B, respectively.

Section 3. The Town Manager is hereby authorized to take all actions necessary to the formation of the Parachute Capital Leasing Corporation as a nonprofit corporation existing under the laws of the State of Colorado and of the United States of America, as the same may be amended from time to time.

Section 4. The Town Mayor is hereby authorized to execute and deliver any and all documents reasonably necessary to accomplish the same.

Section 5. The Town Manager shall be designated to act as the incorporator of the Parachute Capital Leasing Corporation with the Colorado Secretary of State.

Section 6. This Resolution shall be in full force and effect upon approval by the Town Board.

**INTRODUCED, PASSED, ADOPTED, AND APPROVED** by a vote of \_\_\_ to \_\_\_ of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the \_\_\_ day of \_\_\_\_\_, 2016 and approved by the Mayor on the \_\_\_ day of \_\_\_\_\_, 2016.

**BOARD OF TRUSTEES OF THE  
TOWN OF PARACHUTE, COLORADO**

By \_\_\_\_\_  
Roy B. McClung, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

**ARTICLES OF INCORPORATION  
OF  
PARACHUTE CAPITAL LEASING CORPORATION,  
A COLORADO NONPROFIT CORPORATION**

The **PARACHUTE CAPITAL LEASING CORPORATION** (“P-CLC” or “Corporation”) is organized under and by virtue of the laws of the State of Colorado concerning nonprofit corporations and shall have and may exercise all of the rights, powers, privileges, and immunities granted to such corporations by those laws, as amended from time to time, subject to the restrictions and limitations contained in these Articles of Incorporation. The Corporation is organized and operated for charitable and civic purposes as more specifically described in these Articles of Incorporation.

**Article I  
ESTABLISHMENT**

- 1.1 NAME: Parachute Capital Leasing Corporation
- 1.2 FORM: Colorado Nonprofit Corporation
- 1.3 DURATION: Perpetual
- 1.4 ADDRESS: 222 Grand Valley Way  
P.O. Box 100  
Parachute, CO 81635

**Article II  
PURPOSE AND POWERS**

2.1 To purchase, lease, or otherwise acquire real estate and to construct, install, or acquire and place thereon any and all public improvements, within or without the boundaries of the Town of Parachute, Colorado (“Parachute” or the “Town”), and to purchase, lease, or otherwise acquire personal property of any kind, for the use and benefit of the Town, and to lease, convey, sell, transfer, or otherwise make available such real estate, improvements, and personal property to the Town for the benefit of the Town and its residents.

2.2 To operate, maintain, repair, and improve, or to cause to be operated, maintained, repaired, and improved, any and all real property and improvements, as well as personal property, acquired, constructed, or installed by the Corporation.

2.3 Upon the prior resolution and approval of a majority of the Board of Trustees of the Town of Parachute (the “Town Board”), to borrow money and to become indebted and to execute and deliver bonds, notes, or debentures to evidence such indebtedness, for the purpose of acquiring such real or personal property, constructing, designing, installing, and acquiring such improvements, and for such other purpose or purposes as may be necessary to accomplish the lawful objectives of the Corporation. Such indebtedness may be either unsecured or secured by

any mortgage, trust deed, or other lien upon the property to be acquired or any other rights or interests of the Corporation.

2.4 To conduct the business of the Corporation in such a manner so that ultimately title and ownership of the real property, personal property, and improvements purchased, acquired, or financed by the Corporation will be vested in the Town, except as may be otherwise be authorized by resolution of the Town Board

2.5 To exercise all powers, privileges, and rights necessary or advisable to carry out the objectives and purposes for which the Corporation is formed, and the Board of Directors hereby claims for this Corporation all the benefits, privileges, rights, and powers created, extended or conferred by the provisions of all applicable laws of the State of Colorado pertaining to nonprofit corporations, and any amendments or supplements thereto and such powers and authority as may be granted by any subsequent legislation relating to nonprofit corporations.

2.6 To make available for the use and benefit of the Town, the proceeds of any indebtedness of the Corporation under such terms and conditions as may be approved by the Corporation.

2.7 To finance any other public undertakings or public activities authorized by resolution of the Town Board.

2.8 The Corporation is not organized, nor shall it be operated, for pecuniary gain or profit, and it does not contemplate the distribution of gains, profits, or dividends to any private person or entity.

2.9 The property, assets, profits, and net income of the Corporation are dedicated irrevocably to the purposes set forth in this Article, and no part of the profits or net income of the Corporation shall ever inure to the benefit of any director, trustee, officer, or member thereof or to the benefit of any private person or entity.

### Article III **BOARD OF DIRECTORS**

3.1 The property, affairs, and business of the Corporation shall be managed and conducted by the Board of Directors. There shall be no members of the Corporation except the directors thereof. The Board of Directors shall have and exercise all the powers of the Corporation and shall make, subject to any limitations contained in these Articles of Incorporation and the Bylaws adopted hereunder, all bylaws, rules, and regulations for the governing of the Corporation and the management of its affairs. The Board of Directors may repeal, alter, or amend, subject to any limitations contained in these Articles of Incorporation or the Bylaws adopted hereunder, such bylaws, rules, regulations as the Directors deem proper for the management of the affairs of the Corporation.

3.2 The number of directors constituting the Board of Directors of the Corporation shall initially be five (5) members, each of whom shall be appointed by the Town Board and serve as a director for the term prescribed in the Bylaws of the Corporation and until his or her successor is appointed and qualified, unless he or she resigns or is removed in accordance with the Bylaws.

Two (2) members of the Town Board of Trustees shall serve as members of the Board of Directors and shall be appointed by majority vote of the Town Board. Three (3) members of the Board of Directors shall be appointed by majority vote of the Town Board from the persons who hold the following Town offices: the Town Manager, the Town Treasurer or Finance Director, and the Public Works Director or Community Development Director.

3.3 The number and membership of the Directors may be changed as provided in the Bylaws of the Corporation following initial appointments. The Directors shall be appointed in the manner provided in the Bylaws of the Corporation. The Town Board shall, by majority vote, have the power and ability to remove any Director.

#### Article IV **PROPRIETARY INTEREST OF MEMBERS**

4.1 The Directors and members of the Corporation shall have no private or proprietary interest in the Corporation.

4.2 The Board of Directors shall serve as such without compensation, and no part of the net earnings of the Corporation shall inure to the benefit of any private member or individual, provided, however, that the Board of Directors may allow payment of the expenses necessarily incurred by a Director in the performance of his or her duties as a Director. To the full extent permitted by applicable law, the Directors of the Corporation, and each of them, shall be fully indemnified by the Corporation for any liability incurred in connection with the duties and responsibilities hereunder.

4.3 A Director shall not be held personally liable to the Corporation for monetary damages for any breach of fiduciary duty as a Director; provided, however, that nothing herein shall be deemed to limit or eliminate the liability of a Director for:

- A. Any breach of the Director's duty of loyalty to the Corporation or its members and Directors;
- B. Any act or omission not in good faith or which involves intentional misconduct or a knowing violation of the law;
- C. Any act or omission which evidences assent to or participation in the making of any loan by the Corporation to any of its Directors; or
- D. Any transaction from which the Director derives an improper personal benefit.

#### Article V **DISPOSITION OF PROPERTY; ISSUANCE OF OBLIGATIONS**

5.1 The Board of Directors of the Corporation shall not sell, transfer, mortgage, convey, or otherwise dispose of all or any major part of the property and assets of the Corporation, nor shall the Corporation be dissolved, merged, or consolidated with any other corporation or other legal entity, except on an affirmative vote of a majority of the Board of Directors of the Corporation and an affirmative vote of a majority and resolution of the Town Board.

5.2 The Town, having authorized and directed the creation of the Corporation as an instrumentality of the Town, shall at all times during the existence of the Corporation, have a beneficial interest in the Corporation and its assets, properties, and moneys. Whenever any bonds, notes, or other evidence of indebtedness issued by the Corporation on behalf of the Town are satisfied, discharged, and retired, title to all real and personal property financed with the proceeds of such bonds, notes, or other evidence of obligation and owned by the Corporation shall be forthwith transferred to the Town, or to such other entity as the Town Board may designate.

5.3 The obligations from time to time issued by the Corporation shall never constitute the debt or indebtedness of the Town within the meaning of any provision or limitation of the Colorado Constitution or the laws or statutes of the State of Colorado, and such obligations shall not constitute nor give rise to a charge against the general credit or taxing powers of the Town; provided, however, that the Town may, from time to time, consistent with the limitations of the Colorado Constitution and then laws and statutes of the State of Colorado, enter into one or more leases, lease-purchase agreements or other financing arrangements with the Corporation upon the approval of the Town Board in accordance with the law.

## Article VI **LIMITATION OF LIABILITY**

6.1 A director of the Corporation shall not be personally liable to the Corporation for monetary damages for breach of fiduciary duty as a director, officer, agent, or employee except as to liability otherwise existing for (i) any breach of the director's duty of loyalty to the Corporation, (ii) acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) acts specified in Section 7-128-403 of the Colorado Revised Nonprofit Corporation Act, (iv) the amount of any loan made to a director or officer of the Corporation if the director assents to or participates in the making of such loan, until the repayment thereof, as specified in Section 7-128-501 of the Colorado Revised Nonprofit Corporation Act, or (v) any transaction from which the director, officer, agent, or employee directly or indirectly derived an improper personal benefit. If the Colorado Revised Nonprofit Corporation Act hereafter is amended to further eliminate or limit the liability of a director, officer, agent, or employee, then in addition to the circumstances in which a director is not personally liable as set forth in the preceding sentence, the liability of each director, officer, agent, or employee of the Corporation shall be eliminated or limited to the fullest extent permitted by the amended Colorado Revised Nonprofit Corporation Act.

6.2 Any repeal or modification of the foregoing paragraph shall not adversely affect any right or protection of a director of the Corporation existing immediately prior to the time of such repeal or modification.

## Article VII **INDEMNIFICATION**

7.1 The Corporation shall indemnify any person and his or her estate and personal representative(s) against all liability and expense incurred by reason of the person being or having been a director or officer of the Corporation to the full extent and in any manner that director may be indemnified under the Colorado Revised Nonprofit Corporation Act, as in effect at any time.

The Corporation shall also indemnify any person who is serving or has served the Corporation as director, officer, employee or agent, and that person's estate and personal representative, to the extent and in the manner provided in any bylaw, resolution of the directors, contract or otherwise, so long as such provision is legally permissible.

Article VIII  
**AMENDMENT**

8.1 Subject to the requirements of Sections 7-130-101 to 7-130-108 of the Colorado Revised Nonprofit Corporation Act, these Articles of Incorporation may be amended as set forth in the Bylaws of the Corporation.

Article IX  
**DISSOLUTION**

9.1 So long as any obligations of the Corporation shall be outstanding, the Corporation may not be dissolved except upon compliance with the provisions of Article VII of the Articles of Incorporation and upon the making of provisions for the full payment of such obligations. In the event of the dissolution of the Corporation, no part of its property shall be distributed to any member or individual, and any property of the Corporation not required to pay corporate debts and corporate expenses shall be distributed only to the Town.

Article X  
**PRINCIPAL OFFICE**

10.1 The address of the initial principal office of the Corporation is 222 Grand Valley Way, Parachute, Colorado 81635.

Article XI  
**REGISTERED OFFICE AND AGENT**

11.1 The initial registered agent of service of process of the Corporation is: Stuart McArthur, Town Manager, 222 Grand Valley Way, Parachute, Colorado 81635.

Article XII  
**FILING**

12.1 The name and mailing address of the individual who causes this document to be delivered for filing, and to whom the Secretary of State may deliver notice if filing of this document is refused, is: Jeffrey J. Conklin, Esq. Karp Neu Hanlon, P.C., 201 14th Street, Suite 200, P.O. Drawer 2030, Glenwood Springs, CO 81602