

AGENDA

November 21, 2018

**Armory Multi-Purpose Room
230 N. Bluff Street
Lake City, Colorado**

I. WORKSHOP **5:30 p.m.**

- A. Discuss Camille Richard Pete's Lake proposal
- B. Discuss 2019 preliminary budget

II. SPECIAL MEETING **6:30-7:00**

- A. Executive Session, pursuant to C.R.S. § 24-6-402(4)(f), to discuss a personnel matter.

III. REGULAR MEETING - AGENDA **7:00 p.m.**

IV. CALL TO ORDER:

V. ROLL CALL:

VI. APPROVAL OF MINUTES: November 7, 2018

VII. BILLS PAYABLE: November 21, 2018

VIII. COMMITTEE REPORTS:

- a. Lake San Cristobal Water Activity Enterprise
- b. Historic Preservation Commission
- c. Chamber of Commerce
- d. Marketing Committee
- e. Region 10
- f. Town Manager update
- g. Mayor/Trustee Reports

IX. CORRESPONDENCE RECEIVED:

XI. CITIZEN COMMUNICATION:

XII. ADDITIONS TO AGENDA:

XIII. ACTION ITEMS:

- a. Discussion and possible action to consider letters of interest from __ for the Historic Preservation Commission.
- b. Discussion and possible action to consider approval of 2019 lease for Community Garden.
- c. Discussion and possible action to consider letter of support for feasibility study for Pete's Lake area.
- d. Discussion and possible action to consider final approval for Special Event Liquor License for Friends of the John Wagner Public Library, Christmas Open House 12/06/2018, 206 Silver St., Lake City, Co. (Town Clerk)

XIV. ADJOURNMENT:

3. APPROVAL OF MINUTES:

A. November 7, 2018 – Regular Meeting

**TOWN OF LAKE CITY BOARD OF TRUSTEES MINUTES
LAKE CITY, HINSDALE COUNTY, COLORADO
November 7, 2018**

I. 4th QUARTER JOINT MEETING WITH HINSDALE COUNTY
12:00 p.m. Coursey Annex Building

- A. Discuss OHV's
- B. Discuss Community Plan

II. WORKSHOP 5:30 – 7:18

- A. Discuss Camille Richard Pete's Lake proposal
- B. Discuss extending the lease on the Community Garden – Camille Richard
- C. Discuss Historic Preservation Commission with Midge Murphy/Joe Fox
- D. Discuss Hollingsworth property on Henson Street
- E. Discuss 2019 preliminary budget – Public Works
- F. Discuss Special Workshop November 14th re: OHV's

III. REGULAR BOARD OF TRUSTEES MEETING 7:31 p.m.

IV. Call to Order:

The regular meeting of the Board of Trustees of the Town of Lake City was called to order by Mayor Vierheller at 7:31 p.m., in the Armory Multi-Purpose Room, 230 N. Bluff Street, Lake City, Colorado.

V. Roll Call:

Present: Mayor Vierheller and Trustees: Moore, Heaton, Priest, and Hollingsworth. Trustees Roberts and Rae were out.

Town Staff present: Town Manager Mitchell, Public Works Director Levine, Parks and Recreation Director Hake and Town Clerk Turrentine.

VI. APPROVAL OF MINUTES of October 17, 2018

Motion: Approve Minutes of October 17, 2018

Motion: Trustee Priest

Second: Trustee Hollingsworth

Vote: Yes – Vierheller, Moore, Heaton, Priest, and Hollingsworth

Motion carried.

VII. BILLS PAYABLE: November 7, 2018

Motion: Approve Bills Payable for November 7, 2018 in the amount of \$63,525.88

Motion: Trustee Moore

Second: Trustee Heaton

Vote: Yes – Vierheller, Moore, Heaton, Priest, and Hollingsworth

Motion carried.

VIII. EMPLOYEE REPORTS:

- A. Mayor ✓
- B. Trustees ✓
 - 1. Heaton
 - 2. Moore
- C. Town Manager ✓
- D. Recreation Director ✓
- E. Public Works Director ✓
- F. Town Clerk ✓
- G. Sheriff – None
- H. Building Official ✓

IX. CORRESPONDENCE RECEIVED: None

X. CITIZEN COMMUNICATION: None

XI. ADDITIONS TO AGENDA: - None

XII. ACTION ITEMS:

- A. Discussion and possible action to consider approval of appointment for Lake San Cristobal Water Activity Enterprise.

Board agreed to advertise a request for letters of interest for an appointment to the Lake San Cristobal Water Activity Enterprise. This position is a four-year term beginning January 1, 2019.

- B. Discussion and possible action to consider approval of appointment to the Planning and Zoning Commission to fill the remainder of Roger vonRiesen's term.

Board agreed to advertise a request for letters of interest for an appointment to the Town of Lake City Planning and Zoning Commission. This position is for six months to fulfill Mr. vonRiesen's spot. Successful appointee would reapply in June 2019.

- C. Discussion and possible action to consider approval of sewer line loan Ordinance 2018-04.

Motion: Approve sewer line loan Ordinance 2018-04

Motion: Trustee Hollingsworth

Second: Trustee Moore

Vote: Yes – Vierheller, Moore, Heaton, Priest, and Hollingsworth

Motion carried.

- D. Discussion and possible action to consider approval of posting a Public Notice for Special Event Liquor License for Friends of the John Wagner Public Library, Christmas Open House 12/06/2018, 206 Silver St., Lake City, Co. (Town Clerk)

Motion: Approve posting a Public Notice for Special Event Liquor License for Friends of the John Wagner Public Library, Christmas Open House 12/06/2018, 206 Silver St., Lake City, Co.

Motion: Trustee Priest
Second: Trustee Heaton
Vote: Yes – Vierheller, Moore, Heaton, Priest, and Hollingsworth
Motion carried.

E. Discussion and possible action to consider approval of renewal of Liquor License: Climb, LLC, dba Climb Elevated Eatery, Tavern (City), 800 Gunnison Ave, Unit B, Lake City, CO. No Violations. Exp 01/31/2019. (Town Clerk)

Motion: Approve

Motion: Trustee Heaton
Second: Trustee Hollingsworth
Vote: Yes – Vierheller, Moore, Heaton, Priest, and Hollingsworth
Motion carried.

XIII. ADJOURNMENT:

Mayor Vierheller move to adjourn at 8:13 p.m.

Mayor – Bruce Vierheller

ATTEST:

Town Clerk – Jamie L. Turrentine

4. Bills Payable November 21, 2018

Town of Lake City
Bills Payable & Payroll Report - November 21, 2018

Bills Payable

<u>Name</u>	<u>Description</u>		<u>Amount</u>
Ben Hake	Home depot	\$	90.96
"	Travel Halloween supplies	\$	111.18
Bruce Vierheller	Travel costs for grant	\$	394.61
Caselle	Contract Support	\$	617.00
CEBT	Health & Dental Insurance	\$	4,073.00
CenturyLink	300898145 Telemetry	\$	146.85
"	300933717 Town Hall	\$	439.05
Christian Hartman	Trail mix, sand, stuff	\$	300.00
City of Gunnison	Water Lab Fees oct 2018	\$	45.00
Colorado Municipal League	Annual Dues	\$	718.00
Dana Kepner Co.	Operating supplies	\$	446.60
"	R&M Services	\$	1,800.00
Gunnison County Electric	#2 pump	\$	1,055.54
"	#3 pump	\$	160.19
"	160 Spring St/Restroom Park	\$	79.20
"	230 Bluff	\$	288.97
"	230 Silver St - Park	\$	35.13
"	5th & Henson	\$	30.50
"	Sewer Plant	\$	2,041.98
"	Sewer Plant Meter House	\$	47.68
"	ski lift	\$	51.09
"	Substation Water Tank	\$	30.50
"	Water Tank Hill	\$	66.28
Guy Corder	Spread mulch on ski hill	\$	95.00
Hinsdale County	Fuel	\$	346.43
"	Parks Trash	\$	305.00
"	Public Works Trash	\$	95.00
IIMC	IIMC Membership JLT	\$	195.00
Lake City Auto	propane	\$	18.90

Masters & Viner, P.C.	Legal Services	\$	1,017.50
NAPA Auto Parts	supplies	\$	45.94
Quill Corp	OFFICE SUPPLIES	\$	61.97
Schmalz Construction	Professional Services	\$	602.25
Verizon	BOT iPads	\$	109.14
"	Employee cell phones	\$	159.90
Xerox Corp	COPIES USEAGE AND RENTAL	\$	225.41
		\$	16,346.75

Net Payroll November 21, 2018

\$ 8,535.54

Payroll Benefits & Taxes

IRS 941	\$	920.28
State WH	\$	272.00
PERA	\$	1,399.23

Total Payroll Benefits & Taxes November 21, 2018

\$ 2,591.51

Grand Total Bills Payable November 21, 2018

\$ 27,473.80

Report Criteria.

Detail report.

Invoices with totals above \$0.00 included.

Only paid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
100-217-400-000 Acc Insurance Payable								
406	CEBT	INV 0026463	Health & Dental Insurance	11/13/2018	4,073.00	4,073.00	11/19/2018	
Total 100-217-400-000 Acc Insurance Payable:					4,073.00	4,073.00		
100-411-100-370 Travel and Meetings - BOT								
322	Bruce Vierheller	11122018	Travel costs for grant	11/12/2018	394.61	394.61	11/19/2018	
Total 100-411-100-370 Travel and Meetings - BOT:					394.61	394.61		
100-411-100-495 Miscellaneous Expenses-BOT								
3020	Verizon	9817698278	BOT iPads	11/03/2018	109.14	109.14	11/19/2018	
Total 100-411-100-495 Miscellaneous Expenses-BOT:					109.14	109.14		
100-411-400-210 Office Supplies - Town Admin.								
2119	Quill Corp	2497552	OFFICE SUPPLIES	11/05/2018	61.97	61.97	11/19/2018	
Total 100-411-400-210 Office Supplies - Town Admin.:					61.97	61.97		
100-411-400-320 Printing and Copying								
2908	Xerox Corp	95020220	COPIES USEAGE AND RENTAL	11/01/2018	225.41	225.41	11/19/2018	
Total 100-411-400-320 Printing and Copying:					225.41	225.41		
100-411-400-330 Prof Dues, Subs, and Membershi								
625	Colorado Municipal League	11012018	Annual Dues	11/01/2018	718.00	718.00	11/19/2018	
1273	IIMC	11052018	IIMC Membership JLT	11/05/2018	195.00	195.00	11/19/2018	
Total 100-411-400-330 Prof Dues, Subs, and Membershi:					913.00	913.00		
100-411-400-345 Telephone - Town Hall								
421	CenturyLink	11082018A	300898145 Telemetry	11/08/2018	146.85	146.85	11/19/2018	
421	CenturyLink	11082018B	300933717 Town Hall	11/08/2018	439.05	439.05	11/19/2018	
Total 100-411-400-345 Telephone - Town Hall:					585.90	585.90		
100-411-400-346 Employee Cell Phone Stipend								
3020	Verizon	9817939873	Employee cell phones	11/07/2018	159.90	159.90	11/19/2018	
Total 100-411-400-346 Employee Cell Phone Stipend:					159.90	159.90		
100-411-400-347 Computers and Software R&M								
394	Casele	91422	Contract Support	11/01/2018	617.00	617.00	11/19/2018	
Total 100-411-400-347 Computers and Software R&M:					617.00	617.00		
100-411-400-352 Legal Services								
1738	Masters & Viner, P.C.	11052018	Legal Services	11/05/2018	1,017.50	1,017.50	11/19/2018	
Total 100-411-400-352 Legal Services:					1,017.50	1,017.50		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
100-419-400-220 Operating Supplies								
454	Christian Hartman	1395	Trail mix, sand, stuff	11/12/2018	300.00	300.00	11/19/2018	
Total 100-419-400-220 Operating Supplies:					300.00	300.00		
100-419-400-230 R & M Supplies-Comm Fac & Parks								
211	Ben Hake	11152018	Home depot	11/15/2018	90.98	90.96	11/19/2018	
Total 100-419-400-230 R & M Supplies-Comm Fac & Parks:					90.96	90.96		
100-419-400-341 Electricity - Comm Fac & Parks								
1135	Gunnison County Electric	11092018	180 Spring St/Restroom Park	11/09/2018	79.20	79.20	11/19/2018	
1135	Gunnison County Electric	11092018	230 Bluff	11/09/2018	288.97	288.97	11/19/2018	
1135	Gunnison County Electric	11092018	230 Silver St - Park	11/09/2018	35.13	35.13	11/19/2018	
Total 100-419-400-341 Electricity - Comm Fac & Parks:					403.30	403.30		
100-419-400-361 Trash Collection-CommFac&Parks								
1231	Hinsdale County	INV04343	Parks Trash	10/31/2018	305.00	305.00	11/19/2018	
Total 100-419-400-361 Trash Collection-CommFac&Parks:					305.00	305.00		
100-431-800-340 Electric-5th St Ped Bridge								
1135	Gunnison County Electric	11092018	5th & Henson	11/09/2018	30.50	30.50	11/19/2018	
Total 100-431-800-340 Electric-5th St Ped Bridge:					30.50	30.50		
100-451-100-224 Recreation Supplies - Rec.								
1513	Lake City Auto	10302018	propane	10/30/2018	18.90	18.90	11/19/2018	
Total 100-451-100-224 Recreation Supplies - Rec.:					18.90	18.90		
100-451-100-370 Travel, Training and Meetings								
211	Ben Hake	11022018	Travel Halloween supplies	11/02/2018	111.18	111.18	11/19/2018	
Total 100-451-100-370 Travel, Training and Meetings:					111.18	111.18		
100-451-200-341 Electricity - Ski Hill								
1135	Gunnison County Electric	11092018	ski lift	11/09/2018	51.09	51.09	11/19/2018	
Total 100-451-200-341 Electricity - Ski Hill:					51.09	51.09		
100-451-200-360 R & M Services - Ski Hill								
1150	Guy Corder	22505	Spread mulch on ski hill	11/12/2018	95.00	95.00	11/19/2018	
Total 100-451-200-360 R & M Services - Ski Hill:					95.00	95.00		
600-433-410-341 Electric Power/Propane-WW								
1135	Gunnison County Electric	11092018	#2 pump	11/09/2018	1,055.54	1,055.54	11/19/2018	
1135	Gunnison County Electric	11092018	#3 pump	11/09/2018	160.19	160.19	11/19/2018	
1135	Gunnison County Electric	11092018	Substation Water Tank	11/09/2018	30.50	30.50	11/19/2018	
1135	Gunnison County Electric	11092018	Water Tank Hill	11/09/2018	66.28	66.28	11/19/2018	
Total 600-433-410-341 Electric Power/Propane-WW:					1,312.51	1,312.51		
600-433-410-358 Tests - Water Wells								
493	City of Gunnison	19828	Water Lab Fees oct 2018	11/09/2018	45.00	45.00	11/19/2018	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 600-433-410-358 Tests - Water Wells:					45.00	45.00		
600-433-440-229 Operating Supplies- Water Dist								
748	Dana Kepner Co.	1484035-00	Operating supplies	11/13/2018	446.60	446.60	11/19/2018	
Total 600-433-440-229 Operating Supplies- Water Dist:					446.60	446.60		
600-433-440-360 R & M Services - Water Dist.								
748	Dana Kepner Co.	1484035-00	R&M Services	11/13/2018	1,800.00	1,800.00	11/19/2018	
Total 600-433-440-360 R & M Services - Water Dist.:					1,800.00	1,800.00		
600-433-530-341 Electric Power - WWTP								
1135	Gunnison County Electric	11092018	Sewer Plant	11/09/2018	2,041.98	2,041.98	11/19/2018	
1135	Gunnison County Electric	11092018	Sewer Plant Meter House	11/09/2018	47.68	47.68	11/19/2018	
Total 600-433-530-341 Electric Power - WWTP:					2,089.66	2,089.66		
600-433-530-359 Dump Charges - WWTP								
1231	Hinsdale County	INV04343	Public Works Trash	10/31/2018	95.00	95.00	11/19/2018	
Total 600-433-530-359 Dump Charges - WWTP:					95.00	95.00		
600-433-600-231 Fuel - W & S Admin								
1231	Hinsdale County	INV04308	Fuel	10/31/2018	346.43	346.43	11/19/2018	
Total 600-433-600-231 Fuel - W & S Admin:					346.43	346.43		
600-433-600-360 R&M Services - W & S Admin								
2296	Schmalz Construction	5249	Professional Services	11/07/2018	602.25	602.25	11/19/2018	
Total 600-433-600-360 R&M Services - W & S Admin:					602.25	602.25		
600-433-600-361 MV R&M Services - W & S Admin								
1873	NAPA Auto Parts	612911	supplies	10/11/2018	45.94	45.94	11/19/2018	
Total 600-433-600-361 MV R&M Services - W & S Admin:					45.94	45.94		
Grand Totals:					16,346.75	16,346.75		

Report Criteria:

Detail report.

Invoices with totals above \$0.00 included.

Only paid invoices included.

5. COMMITTEE REPORTS:

6. CORRESPONDENCE RECEIVED:

Turn Around Lake City
P. O. Box 518
Lake City, CO 81235
(970) 944-2512
Michelle Pierce, Registered Agent

November 19, 2018

Board of Trustees
Town of Lake City
P. O Box 544
Lake City, CO 81235

Re: The Path to Compromise

Dear Trustees,

We want to take this opportunity to address recent discussions regarding possible compromise on the issue of OHVs/ATVs in Lake City. In spite of the current divide on this issue, we do believe there is a path to compromise and that this path goes through you.

As you know, our group has submitted an initiative petition calling for adoption of an ordinance to repeal the Town's ordinance that authorizes the operation of OHVs/ATVs on town streets. Our proposed ordinance also prohibits the adoption of any future ordinance that authorizes their operation on town streets without that ordinance first being submitted to our voters for approval.

Our petition was submitted to the Town Office on November 7, 2018. It contains the signatures of 41 registered voters in the Town of Lake City and is further supported by many more. To the best of our knowledge, there is no statutory provision for withdrawing a petition once it's been submitted. Even if there were, none of us individually has been given authority by these 41 petitioners to do so.

As OHV problems began to garner more attention, you received seven letters from concerned community members and have been faced with large groups of angry citizens in two, if not three, public meetings. More than thirty letters on the topic from both sides have been published this summer and fall in the Silver World. You knew in September that we were in the process of drafting a petition. We made a back-channel contact attempting to open a door to discussions of a solution, but to no avail. Yet, it was just an hour before its official submission that we first heard mention in public session of a possible compromise from you and by then it was too late for us to turn back.

But it's not too late for you. We respectfully and sincerely request your serious consideration of the following:

1. Adopt our proposed ordinance. This will not only save the cost of an election, it will relieve the members of our group from their responsibility to relentlessly pursue the successful passage of our proposed ordinance at a special election.
2. Upon the adoption of our proposed ordinance, we pledge to immediately form a committee made up of individuals from our group who will diligently and honestly work with you to develop a compromise that is satisfactory to both sides.
3. Per the terms of our ordinance, such a compromise would have to be submitted to the voters of the Town of Lake City for approval. If we are able to develop a compromise that is satisfactory to both sides, we will work to inform the voters of the terms of this compromise in order to support its passage at a special election this spring.
4. If our proposed ordinance is not adopted and we are successful in getting it passed by the voters (as we believe we will), there will be very little time to develop and vote on a compromise before next summer's tourism season begins. Furthermore, all of us will have to bear the cost of two, rather than one, special elections.
5. By adopting our proposed ordinance, you will open up the possibility of bringing our community together on this issue by giving us all a chance to start over. With the wisdom of hindsight, and with a focus on our community's vision, mission and goals, we can identify a path forward that welcomes and accommodates all of those who wish to visit, and live in, our beautiful town.

We understand that you've got a difficult decision to make. We understand how hard it is to serve as an elected official in our tiny community and for that we thank you. We truly hope that you recognize the unique and exciting opportunity you now have to bring our community together over an issue that has divided us for decades. Thank you very much for your consideration.

Sincerely,

Turn Around Lake City

Communication to Lake City Town Trustees

Five Myths

1. Myth: Only 5% (or was it 3%) of the residents object to OHVs. Those 5% have loud voices and are always mad.

Truth: Just 3 years ago, fall 2015, 44% of the town residents voted against allowing OHVs on town streets. This after three prior elections where OHVs were disallowed. Opinion: Now that the town knows the full effect of OHVs, we are learning that many people strongly object to OHVs on the town streets. We are hearing even more numerous and vehement objections (yes, they are mad!) to OHVs on county roads and the highway; there are a lot of us. It is more than 5% who object.

2. Myth: Many or most nearby counties are opening their roads to OHV use.

Truth: Very few counties are opening all county roads to OHV. I have surveyed local counties and confirmed some information with our sheriff's office. Out of 8 sheriffs who responded only 3 have all county roads open to OHV; most have only a very few open to OHV. Several nearby towns told me in no uncertain terms that I could NOT come to their area and use my licensed OHV on county roads and state highways without being ticketed by both the local sheriff and the state patrol. I can provide detail evidence if desired.

3. Myth: Soon OHVs will be legal on all state highways.

Truth: There is apparently no plan in the state government to move this through the process and state transportation officials stated in one of our local meetings that OHVs "would never be legal on all state highways. Can you imagine those in Denver?" (Paraphrased as I did not listen to the recording.) And while CDOT does not create law, this was confirmed at the county's meeting in the armory in September.

4. Myth: Colorado 16 Trails in 2016 is mostly about motorized trails.

Truth: This is readily examined via the website and the governor's information about the website. Very few of those trails are allowing any motorized vehicles except maybe wheelchairs and handicap scooters! Opinion: I further get quite a jolt when I read representations that the Alpine Loop is multi-use. Let me challenge each of you to attempt traveling even a few miles of the loop on horseback, by bicycle or on foot in July---truly unimaginable. If even Dep. Casey can have a Mad Max encounter, what about the rest of us?

5. Myth: Revenues for the county and town are way up due to OHV access.

Truth: We don't know for sure. I can tell you that comparing 2014 to 2017 we easily see that county sales tax revenues are not up. I can tell you that from 2014 to 2017 state-wide sales tax revenues increased by more than 15% while combined town and county sales tax revenues appear to have increased by 7.4% for the same time period. Are the OHVs actually holding us back from creating the same increases in revenue as the rest of Colorado? I question you....does the OHVs presence improve the quality of life for the majority of residents?

1. Please take steps to reduce OHV traffic.
2. Please do not approve the CDOT pilot program for completing the loop by OHVs. Allowing OHVs on the highway undoubtedly increases traffic and might serve to empower those less respectful types of users.
3. We need infrastructure—parking, enforcement, trash and litter service.
4. We need a serious, comprehensive, professional and independent study of the cost/benefit of OHV presence. Wasn't this considered at a town meeting where the town manager asked to be given a chance to research this? Where are we on that?

Respectfully and hopefully

Viva Ashcroft, Advocate for a quiet community.

7. CITIZEN COMMUNICATION:

9. ACTION ITEMS:

LEASE AGREEMENT

This Lease Agreement made and entered into this ____ day of _____, 2019, by and between the Town of Lake City, Colorado of P.O. Box 544, Lake City, Colorado 81235, (hereinafter referred to as "Lessor") and the Lake Fork Valley Conservancy of P.O. Box 123, Lake City, Colorado 81235 (hereinafter referred to as "Lessee") is to witness:

WHEREAS, Lessor is the owner of Lots 1,2, 31, and 32, Block 21, Town of Lake City, Hinsdale County, Colorado; and

WHEREAS, Lessee has a history of doing work in the community garden located on the west forty-nine (49) feet of lots 1 and 2, Block 21, the east forty-nine (49) feet of lots 30 and 31, Block 21 and the alley right-of-way for lots 1, 2, 31, and 32, Block 21; and

WHEREAS, Lessee wishes to provide an opportunity for youth from the Lake City Community School to engage in gardening activities located on the above referenced lots; and

WHEREAS, citizens of the Town of Lake City, represented by Lessor, will benefit from Lessee's proposed project; and

WHEREAS, the parties have agreed to a short-term lease arrangement by which the Lessee's proposed project for youth to learn gardening skills can have an opportunity to be effectively realized;

NOW THEREFORE it is mutually agreed as follows:

1. Lessor hereby leases to Lessee, its successors and assigns, that portion of lots 1, 2, 30, and 31 generally described hereinabove; subject, however, to all easements, rights-of-way and reservations that had been previously made or that currently exist for public utility lines.

2. Term of this lease shall be one (1) year commencing on June 1, 2019. However, this lease may be terminated by either party upon written notice to the other party at least 45 days prior to the effective date of the termination.

3. All rights, privileges, terms and conditions of this agreement shall be deemed to run with Lessor's land in use by Lessee through a revocable permit of that portion of lots 1, 2, 31, and 32 generally described hereinabove.

4. Lessee agrees to hold harmless and to make no claim against Lessor, its agents or employees for any loss or damage which may be caused by acts or omissions of Lessor, its agents or employees, to improvements located upon the leased real property, unless such actions or omissions are the result of willful, malicious, wanton or reckless misconduct.

5. Lessee agrees to hold harmless and to defend and indemnify Lessor

against on account of any claim made or adjudged against the Lessor arising out of the use, improvement, and maintenance of the property by Lessee. Lessee agrees to clean the property as requested by the Town and maintain a safety standard conducive to youth and the public on the site. Lessee agrees to maintain the fence around the garden in a workable condition, free from fence posts and fencing falling down or breached.

6. Lessee agrees to compensate the Lessor (Town of Lake City) a fee of Twenty-five Dollars (\$25.00) per month for lease of the aforementioned property and payment of Forty Dollars (\$40.00) each month, billed every two months, for the water bill associated with the property.

7. For and in consideration of this lease, Lessee agrees to pay the total consideration of Eighteen Dollar (\$18.00) receipt and sufficiency of which is hereby acknowledged by Lessor for Hinsdale County Clerk recording fees.

8. Nothing in this lease shall be construed to relieve Lessee from compliance with building codes or other laws or ordinances of the Town of Lake City, Colorado presently in effect or hereafter adopted.

9. This agreement shall be binding upon the parties hereto and the successors and lawful assigns of each of them.

IN WITNESS WHEREOF, the parties hereto have executed two copies of this Lease Agreement to be effective the day and year first above written.

TOWN OF LAKE CITY, COLORADO,
Lessor

Bruce Vierheller, Mayor

LAKE FORK VALLEY CONSERVANCY,
Lessee

Camille Richard, Executive Director



P.O. Box 876, Lake City, CO 81235
970-944-2706
www.lakecityarts.org
THE CREATIVE COMMUNITY

November 8, 2018

The Board of Lake City Arts (LCA) is pleased to give its full support to Lake Fork Valley Conservancy in their conducting of a feasibility study on LCA's property at Pete's Lake. We grant permission to the appropriate personal for full access to the property as needed. The following is an excerpt from the minutes of the meeting of the Board of Lake City Arts' meeting on November 5, 2018:

Jim made a motion that we give permission to and support Lake Fork Valley Conservancy in their conducting of a feasibility study on LCA's property at Pete's Lake. David seconded. All approved.

A handwritten signature in black ink that reads "David M. Dayvault" with a stylized flourish at the end.

David M. Dayvault
Treasurer