

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, NOVEMBER 12, 2012 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:30 p.m. at the Town Hall, 1026 Park Avenue.

ROLL CALL
PRESENT:

Mayor Burke; Trustees Gasner, Lanzi, Lewis, Peterson, and Weydert; Town Manager Hook, Town Treasurer/Clerk Pro-Tem Dzinski, and Town Planner Biller.

ABSENT:

Mayor Burke announced that Trustee Ludwig was absent because of vacation. Trustee Peterson moved to excuse Trustee Ludwig's absence from the afternoon workshop and this evening's meeting. Trustee Lewis seconded the motion and all Trustees voted aye.

APPROVAL OF MINUTES

October 8, 2012:

Trustee Lanzi moved to approve the minutes of the October 8, 2012 regular meeting as written, seconded by Trustee Peterson. All Trustees voted aye except Trustee Lewis, who abstained.

October 22, 2012:

Trustee Weydert moved to approve the minutes of the October 22, 2012 regular meeting as written, seconded by Trustee Lewis. All Trustees voted aye except Trustee Peterson, who abstained.

ANNOUNCEMENTS:

Mayor Burke announced that it would be appreciated if cell phones were turned off during the meeting.

Mayor Burke announced that in observance of Veteran's Day, let us honor and remember those who have served and those who continue to serve our country.

Mayor Burke announced that the Town's Tree Lighting Ceremony will be held on Friday, November 23rd, with refreshments at 5:00 p.m. and the lighting at 5:30. Caroling will follow the ceremony.

Mayor Burke then announced that the Kauffman House will be hosting an "Open House", November 23rd & 24th, from 1 – 4 p.m.

CONFLICTS OF
INTEREST:

Mayor Burke stated that if there are any Trustees wishing to announce a conflict of interest with any items on this evening's agenda, they should do so at this time.

Trustees Gasner and Weydert announced that they had a conflict with the economic development assistance to the Terrace Inn and Trustee Lewis

announced that she had a conflict with the buy-down of 2012 accrued comp time.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR COLORADO NEW FRONTIER CORP., D/B/A MARROONED – Mayor Burke asked Town Treasurer/Clerk Pro-Tem Dzinski to present this matter to the Board. Dzinski reported that the fees have been paid; the renewal documents are in order and indicate no changes from the previous renewal. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department found no adverse information that would affect the status of the license. She concluded by saying that Doris Braun, Secretary, was present.

Trustee Peterson moved to approve the renewal of the Hotel and Restaurant Liquor License for Colorado New Frontier Corp., d/b/a Marrooned. Trustee Lewis seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF APPROVAL FOR A SPECIAL EVENTS PERMIT FOR THE TRINITY CHURCH IN THE PINES FOR A CONCERT FUNDRAISING EVENT FOR GRAND ANGELS - Mayor Burke asked Town Treasurer/Clerk Pro-Tem Dzinski to present this matter to the Board. Dzinski explained that an application for a Special Events Liquor Permit was received with the appropriate state fee, proof of possession, certificate of good corporate standing, and floor diagram, from the Trinity Church in the Pines. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for a concert fundraising event for Grand Angels. The requested date is Sunday, December 2, 2012 from 12:00 noon to 11:00 p.m. The proposed location is the Grand Lake Community House. Public notice was posted on the premises on October 26, 2012 and attested to by Grand County Sheriff Deputy Bell. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. The Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. A motion for approval should be made contingent upon approval of the Special Event Permit that will be considered later as New Business. Dzinski noted that Pat Grandquist was present representing the Grand Angels.

Trustee Peterson moved to approve the Special Events Liquor Permit for the Trinity Church in the Pines for a concert fundraising event for Grand Angels to be held on Sunday, December 2, 2012 from 12:00 noon to 11:00 p.m. contingent upon approval of the Special Event Permit that will be considered later as New Business. Trustee Weydert seconded the motion, and all Trustees voted aye.

OLD BUSINESS:

CONSIDERATION OF CONSIDERATION TO ACCEPT THE BUSINESS PLAN FOR THE GRAND ARTS COUNCIL LOCATED AT LOTS 9 – 12, BLOCK 9, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 913 PARK AVENUE – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Grand Arts Council (GAC) has submitted a business plan for the Board’s review and approval. The Board at its last regularly scheduled meeting on 10/22/12 tabled this consideration for the November 12th meeting agenda. The temporary occupancy for the building has been removed. As of 10/5/12 the GAC building has been posted with “do not occupy” signs. Resolution No. 6-2012 states:

“An acceptable Business Plan, addressing business goals, strategies to meet them, potential problems, as well as other key components to a well-developed Plan, shall be submitted and accepted by the Town...”

Resolution No. 6-2012, in referencing Resolution No. 40-2011, also provides insight on the review process of the business plan stating:

“the GAC Board of Directors will meet with the Town Board of Trustees... for discussion of the Plan...”

Staff sent Resolution Nos. 6-2012, 40-2011, and 25-2011 as requested by Andrea Cox on 10/22/12. The business plan does contain financial statements, a mission statement, an event schedule for 2013, business goals and an extensive background. The business plan does rely heavily on donations to relieve debt. The business plan does not clearly identify potential problems. The GAC indicated to the Board on 3/26/12 they had hired staff to conduct fundraising events and perform grant applications. From the business plan submitted it appears that the GAC has not hired any staff and the organization is still purely voluntary. Additionally, it is unclear if the MOU has expired. Staff assumes since the requirements of the MOU have not been satisfied expiration is irrelevant. The Board should discuss the business plan and determine if it is acceptable. The Board has several options to consider, including:

1. Accept the business plan as presented.
2. Deny acceptance of the business plan.

Suggested motions are to accept of the GAC business plan as presented or move to deny acceptance of the GAC business plan. Biller noted that Andrea Cox, President of the Grand Arts Council, was present.

Andrea Cox, 519 County Road 4632, was recognized from the audience. She said that she reviewed the memo from the last meeting to see what they needed to do complete the plan and the list of potential problems is what was missing from the discussion last time. She said that they did not hire anyone to conduct

fundraising events and perform grant applications as indicated on 3/26/12. Andrea explained that Toni Beckley volunteers for the Arts Council and that she was hoping to write a grant to help get herself paid to become a more permanent staff member. Since that hasn't happened yet and no grants have been applied for yet, no grants were included in the Business Plan. Although they rely heavily on donations to relieve their debt, they obtain most of their income from events. Andrea then noted that Cathy Walton-Smith was present from the Arts Council's Board. The others were either on vacation or unable to attend.

Mayor Burke said that it appears that the Grand Arts Council's Board doesn't take this matter very seriously.

Regarding their boardwalk, Andrea said that she talked to "Matt" and that Matt has promised to be there on Tuesday, November 13, 2012 at around 11:00 a.m. to scrape the ground off and then she said that she was going to try to get people out there during the weekend to put the boardwalk together.

Trustee Gasner asked how often the Arts Council's Board meets. Andrea responded by saying once a month. Trustee Gasner asked if they always have a quorum. Andrea said, "No, not always."

Trustee Peterson thanked Andrea for putting this together. Although it is better than what was submitted last time, it would not impress a bank for purposes of obtaining a loan.

Trustee Weydert made the comment that the Town asked for a Business Plan and the Arts Council submitted a Business Plan. He said that it is not what he would normally be looking for but technically they have submitted a Business Plan.

Trustee Peterson suggested that the Arts Council contact Patrick Brower with Grand Initiatives for assistance in developing a Business Plan. He noted that Patrick was at the afternoon workshop explaining that they mentor businesses. They were formerly just in the Granby area but now are expanding into the County.

Trustee Gasner then moved to accept the Business Plan for the Grand Arts Council located at Lots 9 – 12, Block 9, Town of Grand Lake; more commonly referred to as 913 Park Avenue. Trustee Lanzi seconded the motion and all Trustees voted aye.

During discussion, Mayor Burke made the comment that she did not feel that what was submitted was an acceptable Business Plan. She said that they need to develop a road map of how to get from one point to another.

Following discussion, all Trustees voted aye.

OLD BUSINESS:

PUBLIC HEARING - CONSIDERATION OF A PROPOSED BUDGET FOR THE TOWN OF GRAND LAKE FOR THE YEAR 2013 – Mayor Burke opened the Public Hearing and asked Town Treasurer/Clerk Pro-Tem Dzinski to present this matter to the Board. Dzinski explained that the proposed 2013 Budget for the Town of Grand Lake is hereby submitted to the Board of Trustees for consideration at the Public Hearing scheduled for November 12, 2012. Legal Notice No. 8478059A, Notice of Proposed Budget, setting the public hearing was published in the Middle Park Times on Thursday, October 18, 2012. The 2013 Budget must be adopted by the Board of Trustees no later than December 15, 2012. No changes have been made to the draft budget dated October 18, 2012 provided to the Trustees for the October 18 workshop pending receipt of additional information, including but not limited to 2013 benefit premiums. It should be noted that the draft budget being considered at the Public Hearing is subject to further change by the Board up until final adoption in December. The 2013 draft Budget has been made available to the public; however, there have not been any requests to review it.

Having no comments or questions from the public, Mayor Burke closed the Public Hearing at 8:07 p.m. There was no further discussion by the Board therefore Mayor Burke preceded to the next item on the agenda.

NEW BUSINESS:

CONSIDERATION OF A SPECIAL EVENT PERMIT REQUEST FROM THE TRINITY CHURCH IN THE PINES FOR A CONCERT FUNDRAISING EVENT FOR GRAND ANGELS – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that Trinity Church in the Pines has submitted a Special Event Permit Application for consideration. Trinity Church in the Pines proposes to use the Grand Lake Community House to hold a concert on December 2, 2012 to benefit Grand Angels, a nonprofit organization affiliated with the church. The concert is scheduled to begin at 7 PM. Pre-event preparations will begin about noon. Clean-up and lock-up of the facility is expected to be complete by 10 PM. According to the Town of Grand Lake Municipal Code, Chapter 11, Article 6, Section 3.A.3 - Special Event Permit Application Review and Approval:

The Mayor, or the Mayor's designee, will refer the matter to the Board of Trustees for approval if the event involves a Special Events Liquor Permit, the event is a first time event, or if the event has had known issues in the past. The Board of Trustees shall take the following factors into consideration:

- a. The predominant use of the primary facility being used; and
- b. The proposed event and the event hours; and
- c. Neighborhood compatibility; and
- d. Effect of the proposed event on the community; and
- e. The Town's anticipated cost in Staff time and equipment use; and
- f. Duplication of services or sales items; and
- g. Nature of the past event issues.

This Special Event Permit Application is being referred to the Board of Trustees because the fundraiser is a first time event and is associated with a Special Events Liquor Permit Application. Staff believes that this event is not in conflict with the consideration factors listed above. The Board should review and discuss the application, taking into consideration the factors listed above. Staff recommends approval and execution of the Special Event Permit as presented. Suggested motions are to authorize Mayor Burke to sign the Special Event Permit for the Trinity Church in the Pines event to benefit Grand Angels organization as described in the attached Special Event Permit Application, upon confirmation from staff that all other application requirements have been met and the permit is ready for signature, or to authorize Mayor Burke to sign the Special Event Permit for the Trinity Church in the Pines event to benefit Grand Angels organization as described in the attached Special Event Permit Applications, and with conditions, and upon confirmation from staff that all other application requirements have been met and the permit is ready for signature. Hook noted that Pat Grandquist was present representing the Grand Angels.

Trustee Lewis moved to approve a Special Event Permit request from the Trinity Church in the Pines for a concert fundraising event for Grand Angels on December 2, 2012. Trustee Lanzi seconded the motion and all Trustees voted aye.

At 8:14 p.m. Trustees Gasner and Weydert excused themselves and left the room.

NEW BUSINESS:

CONSIDERATION OF ECONOMIC DEVELOPMENT ASSISTANCE TO THE TERRACE INN – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that earlier this fall, Ray Blanchard, owner of the Terrace Inn, approached the Town regarding problems he has been experiencing with the sewer service line for the Terrace Inn. In response to that inquiry, staff investigated the issue and, based on the information known, concluded that the Town did not have responsibility to repair/fix the Terrace Inn sewer service line. Staff communicated this conclusion to Mr. Blanchard in a letter dated October 21, 2012. The Board was briefed on this letter at the afternoon workshop on October 22 as a late addition to that agenda. At that workshop, the possibility of extending a helping hand to Mr. Blanchard from an economic development perspective was discussed. Mr. Blanchard was out of town and not able to participate in the discussion that afternoon. Subsequent to that discussion, staff has coordinated internally between departments as well as with Mr. Blanchard directly in an attempt to develop a potential offer of assistance to Mr. Blanchard on this matter. Staff believes there is a reasonable position that the Town can take to craft a cooperative effort with Mr. Blanchard on this matter. Mr. Blanchard has stated that the lack of clean-outs inhibits his ability to adequately maintain the sewer service line and that the risk of sewer back-ups flooding the Terrace Inn is such that he may consider not being open for the

winter. With that in mind, staff has focused on developing a project that would install two clean-outs along the sewer service line for the Terrace Inn to improve his maintenance access and allow him to reduce the risk of flooding so that he can stay open for the winter. Building on the concept of economic development based assistance, and working with the reality that the Town has limited resources to bring to the table, staff proposes that the Town provide labor, equipment, road base and hot mix to excavate and backfill for the two clean-outs this fall as well as patch the pavement next spring. Staff believes that a minor reallocation of labor tasks will not adversely impact our existing work program and the only cash expenditure will be for road base and hot-mix, a very minor expense that our budget can accommodate. For Mr. Blanchard's part, staff proposes that he provide the labor and materials to install the clean-outs, keep the Terrace Inn open this winter utilizing the new clean-outs, improved maintenance access to minimize or eliminate the risk of flooding, continue to be responsible for all maintenance of the sewer service line, and hold the Town harmless regarding sewer service line installation or maintenance issues. In conversations with Mr. Blanchard regarding this proposed approach, he has indicated to staff that he is in agreement and willing to proceed. For the Board's review and comment, Hook said that he has attached a draft letter to Mr. Blanchard summarizing the concepts proposed above and noted that Mr. Blanchard is asked to return a signed copy of the letter to formally indicate his acceptance of the Town's assistance offer. The Board should discuss the concept of an economic development approach to Mr. Blanchard's dilemma and discuss the details of staff's draft offer letter to Mr. Blanchard. Staff recommends that the Board approve the assistance offer described in the attached draft letter as explained above. The Board should approve or deny economic development assistance to the Terrace Inn. Suggested motions are to authorize the Town Manager to send an offer of economic development assistance to the Terrace Inn in keeping with the attached draft letter and the above explanation and, upon acceptance of the Town's offer, that Town staff be authorized to proceed in keeping with that accepted offer or to authorize the Town Manager to send an offer of economic development assistance to the Terrace Inn in keeping with the attached draft letter, the above explanation, and any key points required by the Board, and, upon acceptance of the Town's offer, that Town staff be authorized to proceed in keeping with that accepted offer.

Following discussion, Trustee Lanzi moved to authorize the Town Manager to send an offer of economic development assistance to Ray Blanchard at the Terrace Inn in keeping with the attached draft letter and the above explanation and, upon acceptance of the Town's offer, that Town staff be authorized to proceed in keeping with that accepted offer. Trustee Lewis seconded the motion and all Trustees voted aye.

At 8:22 p.m. Trustees Gasner and Weydert resumed their seats.

NEW BUSINESS:

CONSIDERATION OF A VENUE FOR THE TOWN'S ANNUAL APPRECIATION DINNER – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that Town staff contacted the six local establishments listed below and invited them to propose on hosting the Town's annual appreciation dinner to be held on Saturday, December 8, 2012, cocktails at 6 PM; dinner at 7 PM. The four establishments marked with @@ after their name responded to the request. The information provided by the four respondents is attached for your reference.

- Daven Haven @@
- El Pacifico
- Pancho & Lefty's @@
- Rapids Restaurant @@
- Sagebrush BBQ & Grill @@
- Western Riviera Lakeside Event Center

As a reminder, the appreciation dinner was held at the following locations in recent years:

- 2011 – Pancho & Lefty's
- 2010 – Rapids Restaurant
- 2009 – Daven Haven

Staff believes that all four establishments will provide excellent food and service and that all our special guests will have a terrific evening. While the details of menu and costs differ from establishment to establishment, no one seems to stand out as super good deal or super bad deal. Cost varies between \$19 and \$28 per guest. Menus and costs seem proportional – you get a little more menu and/or ambiance for a proportional increase in cost. Appetizers are included in the Daven Haven and Sagebrush menus. Everyone offers multiple choices of entrée, sides, and desserts. Everyone has a prime rib option. Vegetarian substitutions are available at all the establishments. Buffet style is offered by Daven Haven, Pancho & Lefty's and Rapids. Plated style is offered by Daven Haven, Pancho & Lefty's and Sagebrush. Staff understands that the recent practice has been to move the venue to different establishments from year to year. With that in mind, it seems that Pancho & Lefty's is out of the running, and perhaps the Rapids and Daven Haven. It seems that only Sagebrush has not been a venue for this event. The Board should review and discuss the four proposals, taking into consideration menu options and related costs. In the interest of a rotating the venue and with an eye towards balancing menu and cost, staff recommends the Sagebrush BBQ & Grill with the prime rib option as one of the 2 meat choices. Hook said that he spoke with the Sagebrush Catering Manager, Kristen McGuan, and she said that the Town would have full use of the banquet room while the west side of the restaurant would be open to the public. The Town would also have use of the bar area. The Board should select one establishment to host the annual appreciation dinner. A suggested motion would be to select a venue to host the Town's annual appreciation dinner on Saturday, December 8, 2012.

Following discussion, Trustee Peterson moved to select the prime rib dinner at the Sagebrush as the first choice providing that they are willing to close the restaurant during the Town's dinner and the second choice would be plated prime rib, turkey roulade or tilapia but not upgrade the appetizer. Trustee Lewis seconded the motion and all Trustees voted aye except Trustee Weydert, who abstained because he will be out of Town that evening.

At 8:37 Trustee Lewis excused herself and left the room.

NEW BUSINESS:

CONSIDERATION TO BUY DOWN 2012 ACCRUED COMP TIME – Mayor Burke asked Town Treasurer/Clerk Pro-Tem Dzinski to present this matter to the Board. Dzinski explained that all employees earn compensation time (“comp time”) at the rate of 1.5 times hours worked in excess of 40 in a single work week. The current personnel guidelines allow comp time hours to be accrued up to a maximum of 480 hours for public works and water personnel and 240 hours for office staff. The guidelines also offer two options for reducing comp time liability: order an employee to take comp time off in order to keep the employee's accrued comp time within the allowable limit; or the Board may elect to buy down a portion of accrued comp time to a pre-determined level when it feels it would be fiscally responsible to do so. At this time, no employees have accrued the maximum comp time for their department classification. Nonetheless, in the past, the Board has elected to buy down comp time accrued by employees to a pre-determined level in order to reduce leave time liability. In those years when the buy-down has been authorized, the level has been set at 160 hours (20 days). She referred to a spreadsheet that she provided showing those employees who have accrued comp time in excess of 160 hours, and the cost to buy down the comp time for those employees. The spreadsheet also sets out the cost if the Board were to set a lower buy-down level, e.g. 25 or 30 days. The Board can, of course, set the buy-down at any level it chooses. The Board should discuss:

1. Whether to approve the buy-down of comp time for 2012.
2. If approved, the level to which comp time should be bought down, i.e., 20 days, 25 days, etc.

Staff has no recommendation regarding buying down comp time for 2012, but does advise that any buy down should be processed during the 2012 fiscal year.

Trustee Peterson moved to approve the comp time buy down to the 160 hour level and that the buy down be spread over the remaining pay periods in 2012. Trustee Weydert seconded the motion and all Trustees voted aye.

At 8:40 p.m. Trustee Lewis resumed her seat.

RECORD OF PROCEEDINGS

ACCOUNTS PAYABLE

October, 2012:

Trustee Peterson moved to examine the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye. Trustee Peterson then moved to approve the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye.

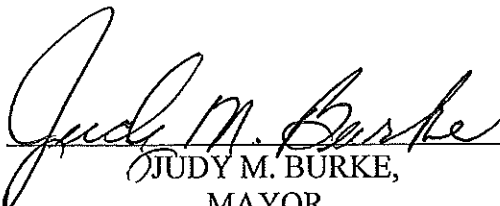
CITIZEN PARTICIPATION: Doris Braun, 700 Park Avenue, was recognized from the audience. She asked if the Town would release the \$1,000.00 that was budgeted and being held until the barge was moved away from the docks at the East Inlet to a place where it would be safely secured for the winter.

Trustee Gasner said that it can't hit the docks from where it currently is but that he does need to move it one more time to get it more secure against the shoreline before the ice forms and that will happen this week.


Town Manager Hook said that with that assurance from Mr. Gasner he has no problem with asking the Town Treasurer to release the funds.

ADJOURNMENT:

Trustee Peterson moved to adjourn, seconded by Trustee Lewis. All Trustees voted aye, and the meeting was adjourned at 8:45 p.m., November 12, 2012.



JUDY M. BURKE,
MAYOR

ATTEST: 

GAY DZINSKI,
TOWN TREASURER/CLERK PRO-TEM