

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, FEBRUARY 25, 2013 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, Ludwig, Peterson, and Weydert; Town Manager Hook, Town Clerk Kolinske, and Town Planner Biller.

ABSENT:

Mayor Burke announced that Trustee Weydert was absent from the afternoon workshop due to a work related obligation. Trustee Peterson moved to excuse Trustee Weydert's absence from the afternoon workshop. Trustee Lewis seconded the motion and all Trustees voted aye.

APPROVAL OF MINUTES

February 11, 2013:

Trustee Weydert moved to approve the minutes of the February 11, 2013 regular meeting as written, seconded by Trustee Lewis. All Trustees voted aye except Trustee Gasner, who abstained.

ANNOUNCEMENTS:

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

Mayor Burke announced that Grand Lake will host its 2nd Annual Catch and Release Ice Fishing Tournament March 2nd & 3rd. \$35 Adult Entry Fee, kids 14 and under fish free. Over \$9,000 in cash and prizes.

Mayor Burke announced that the 2nd Annual Pink Ribbon Snow Run Tour will be held March 8th & 9th at Winding River Resort. Their mission is to promote breast cancer awareness. Funds are raised for both men and women in need.

Mayor Burke then announced that the air date of the Grand Lake episode of Hotel Impossible, featuring the Western Riviera, will be on the Travel Channel, Monday, March 25th at 8:00 p.m. MST.

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.

Trustee Ludwig announced that he had a conflict with the Local Liquor Licensing issues as he holds a license for The Rapids Lodge and Restaurant. Trustees Lewis and Weydert both announced that they had a conflict with the last item under New Business, "Consideration of possible action as a result of executive session discussion."

RECORD OF PROCEEDINGS

REPORTS: SALES TAX
CASH FLOW REPORT
FOR FEBRUARY 2013:

Mayor Burke asked Town Clerk Kolinske to present the sales tax cash flow report. Kolinske reported that the amount of revenue received in February 2013 for the month of December 2012 is \$46,657. This amount is 3.77% below what was received through February 2012.

4TH QUARTER SALES
TAX COLLECTION BY
VENDOR AND TOTAL
YEAR BY VENDOR:

Town Clerk Kolinske noted that Town Treasurer/Clerk Pro-Tem Dzinski provided a report consisting of the 4th Quarter Sales Tax Collection by vendor and a report consisting of Total Year by vendor.

At 7:35 p.m. Trustee Ludwig excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF REGISTRATION OF A MANAGER
FOR GRAND LAKE BOWLING LANES, LLC, D/B/A GRAND LAKE
LANES – Mayor Burke asked Town Clerk Kolinske to present this matter to

the Board. Kolinske reported that the appropriate form to register a manager was received, with the appropriate fees, from Tom Tompkins, Manager of Grand Lake Bowling Lanes, LLC, d/b/a Grand Lake Lanes at 824 Grand Avenue. In the case of hotel and restaurant licenses, where the owner has not chosen to manage the premises personally, the Liquor Code contains special requirements that there be a registered “manager”. The manager must be registered with both the state and the local licensing authority. Staff recommends the Board make a motion to accept Johanna Tompkins as the registered manager for Grand Lake Lanes. Kolinske then noted that Johanna Tompkins was present.

Trustee Peterson moved to accept Johanna Tompkins as the registered manager for Grand Lake Lanes. Trustee Weydert seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND
RESTAURANT LIQUOR LICENSE FOR GRAND LAKE BOWLING
LANES, LLC, D/B/A GRAND LAKE LANES – Mayor Burke asked Town

Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid; all the renewal documents are in order and indicate no changes. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff’s Department found no adverse information which would affect the status of the license. She concluded by saying that Johanna Tompkins, Manager, was present.

Trustee Lewis moved to approve the renewal of the Hotel and Restaurant Liquor License for Grand Lake Bowling Lanes, LLC, d/b/a Grand Lake Lanes. Trustee Gasner seconded the motion and all Trustees voted aye.

At 7:39 p.m. Trustee Ludwig resumed his seat.

OLD BUSINESS:

None.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. XX-2013, A RESOLUTION ALLOWING THE BURNING OF SLASH PILES WITHIN THE SIMPKINS SUBDIVISION FOR THE 2013 SEASON – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received an open burning request for slash piles within the Simpkins Subdivision located at 1901 West Portal Road. The request is for approximately 8 piles of beetle kill slash with dimensions no larger than 6’x6’x6’ for a total volume of 1728 cubic feet. Municipal Code 7-1-28 Open Fires Prohibited cites:

“Open Fires (any outdoor fire) of any kind are prohibited, unless the prior written consent of the Board of Trustees is obtained. Barbeque and campfire pits or rings not exceeding sixteen (16) square feet is area and liquid or gas fueled stoves and grills and other devices either permanently constructed or purchased for the purpose of outdoor cooking are exempted from the provisions of this Section.”

Staff has also contacted the Grand Lake Fire Protection District regarding this request. Chief Long did not have any objections to the permit. The Town has allowed the burning of slash in similar circumstances. Staff recommends the following:

- 1) The burning is monitored at all times; and
- 2) Burning times are limited to: Monday – Friday; and
- 3) The maximum pile size is 6’x6’x6’; and
- 4) The maximum total volume burned is 65 cu.yds.; and
- 5) The fires must be “COMPLETELY EXTINGUISHED” outside of approved burning times;
- 6) The Grand Lake Fire Protection District and the Town of Grand Lake must be notified prior to each burn; and
- 7) The applicant obtains an Open Burn Permit from Grand County.

Staff recommends the Board adopt the resolution as presented thus allowing applicant to burn slash piles for the 2013 season.

The Board should discuss if the burning of slash is appropriate in this circumstance. The Board has several options to consider including:

1. Adopt Resolution No. xx-2013 as presented, thus granting the burning of slash; or
2. Adopt Resolution No. xx-2013 with conditions; or
3. Not adopt the resolution.

Jess Williams, 1013 Mountain Avenue, introduced himself as the contractor for the project. He said that he was granted permission last year to burn and

deemed it unsafe to burn the last 8 piles. This year he is requesting to burn the remaining 8 piles and said that, with help, he could complete the burning in one day.

Following brief discussion, Trustee Lewis moved to adopt Resolution No. 4-2013, a Resolution Allowing the Burning of Slash Piles Within the Simpkins Subdivision for the 2013 Season. Trustee Peterson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. XX-2013, AN ORDINANCE AMENDING THE LAYOUT AND FORMAT OF THE EXISTING MUNICIPAL CODE OF THE TOWN OF GRAND LAKE – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Municipal Code has been revised by staff, which the Board should review and then consider adopting an ordinance to update the Town Code. Specifically, staff has revised the layout, the format and fixed “typos” of the existing Municipal Code. Although, these issues are considered administrative tasks and do not technically need Board approval, the Town Attorney advised staff to take a conservative approach to this code alteration by obtaining Board approval by ordinance. Staff would like to emphasize that no changes to the content of the Municipal Code have been performed. The goal of these modifications is to enhance the usability of the existing code content. The following modifications have been conducted to attain one complete electronic document:

- Continuous and automated page numbering
- Accurate and automated tables of content
- Consistent and automated format of font, spacing, indents, headings and numbering
- Individual page references that include chapter and article titles
- Update of existing section references and incorporated the use of electronic cross references
- Cover page
- Layout page
- Reference pages

Staff is prepared to show specific examples of these modifications if the Board requests. Hard copies of both documents will be available at Town Hall. If the Board chooses to adopt the format proposed, staff will modify the town website to accommodate this document. Staff recommends the Board adopt the ordinance as presented, thus modifying the Town Code. The Board should discuss the formatting of the Municipal Code. The Board has several options to consider including:

1. Adopt ordinance xx-2013 as presented, thus amending the format of the Municipal Code; or
2. Adopt the ordinance with conditions; or
3. Not adopt the ordinance.

Trustee Weydert moved to adopt Ordinance No. 2-2013, an Ordinance Amending the Layout and Format of the Existing Municipal Code of the Town of Grand Lake. Trustee Peterson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF PENDING LEGISLATION BEFORE THE COLORADO GENERAL ASSEMBLY – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board needs to consider if other pending new legislation warrants further action. As discussed with the Board in prior meetings, the Town of Grand Lake (Town) has provided written comment opposing SB 13-025, collective bargaining, to State Senator Baumgardner and State Representative Levy. The Colorado State Senate has approved this bill. The Colorado House of Representatives has not yet voted on this bill. Governor Hickenlooper sent a letter to the Colorado General Assembly leadership on February 19, 2013 outlining his concerns with the bill as written. CML continues to encourage its members to contact their Senator, their Representative and Governor Hickenlooper. On February 18, 2013, CML issued their updated Statehouse Report via email. Hook said that on February 20, 2013, he, Mayor Burke and Mayor Pro-Tem Peterson attended CML's 2013 Legislative Workshop. On February 15, 2013, Colorado Association of Ski Towns issued an email update on pending water rights legislation involving USFS lands. Staff plans to coordinate with Mayor Burke in the near future to provide Governor Hickenlooper with their written comments opposing SB 13-025. Staff desires to know if the Board has any particular interest or concern with any current proposed legislation. Staff is prepared to assist with the follow-up on any legislation that the Board may feel warrants additional involvement on the part of the Town. The Board should discuss the latest information on pending legislation to determine if additional involvement on the part of the Town is warranted. Staff has no recommendations for the Board at this time. If there is specific pending legislation on which the Board desires to provide direction to staff, a motion to that effect should be made.

Since no action was taken Mayor Burke moved on to the next agenda item.

NEW BUSINESS:

CONSIDERATION OF PARTICIPATION IN THE UPDATE OF THE GRAND COUNTY ALL HAZARDS MITIGATION PLAN – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board needs to consider if the Town of Grand Lake (Town) will participate in the 2013 update of the Grand County All Hazards Mitigation Plan. He said that he and Town Planner Biller attended the kick-off meeting for the update of the Grand County All Hazards Mitigation Plan (Plan) on February 11, 2013. The Plan is required to be updated every five years and 2013 is the year to update. Grand County has completed an RFP process, selecting the firm of AMEC Environment and Infrastructure to develop the updated Plan. One important component of the updated Plan will be a sub-section that will contain specifics to each jurisdiction that participates in the

planning process. The updated Plan is scheduled for adoption in late 2013. Participation in FEMA mitigation programs is dependent upon the Town having our own plan or being a part of a regional plan such as Grand County's. Grand County Office of Emergency Management (GCOEM) has obtained a grant to fund the 2013 Plan update. The local match requirement for the grant is \$14,000. Grand County anticipates sharing the cost of the local match with jurisdictions who participate in the planning efforts. GCOEM has indicated verbally that the financial contribution for each participant will be in the range of \$1000 to \$2000, depending on how many jurisdictions elect to participate. GCOEM is seeking confirmation of the Town's willingness to participate in the planning effort, both financially and with local staff resources to attend meetings and liaise with the planning committee on local jurisdiction issues. Staff believes that it is important for the Town to be involved in the GCOEM planning process to take advantage of economies of scale. The Town could not develop our own plan for the paltry cost of \$1000 to \$2000. Staff recommends that the Board authorize participation in the Plan update with staff resources as determined appropriate by the Town Manager and with funding not to exceed \$2000. The Board should authorize or not authorize staff and financial participation in the 2013 update of the Grand County All Hazards Mitigation Plan.

Following brief discussion, Trustee Peterson moved to authorize Town Manager Hook to provide the Grand County Office of Emergency Management with a letter of intent confirming the Town's participation in the 2013 update of the Grand County All Hazards Mitigation Plan with staff resources as determined appropriate by Town Manager Hook and with funding not to exceed \$2000. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF AN AGREEMENT BETWEEN THE TOWN OF GRAND LAKE AND DOWNTOWN COLORADO, INC. FOR THE DOWNTOWN ASSESSMENT – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board needs to consider executing an agreement with Downtown Colorado, Inc. (DCI) to finalize participation of the Town of Grand Lake (Town) in the Downtown Assessment. As previously mentioned, the planning for the Town's Downtown Assessment on March 4 and 5, 2013 continues and an agreement with DCI was expected to be presented to the Board for consideration. DCI provided the Community Assessment Team Agreement (Agreement) earlier this week. The Agreement outlines the scope of services, tasks required of the Town and DCI, and the budget. The Town applied to DCI in late 2010 for a technical assistance grant for a DCI Downtown Assessment to be held in Grand Lake. The total cost for the Downtown Assessment is derived as follows: Downtown Assessment cost = DCI fee plus actual expenses (travel, lodging, meals) = \$8,100 + \$2,000 (max) = \$10,100 (max). In 2011, DCI obtained a \$3,500 grant from USDA Rural Development to fund part of the Downtown Assessment costs. In late 2013, staff was advised that an additional

\$3,000 in funding became available from Colorado Department of Local Affairs (DOLA) and Colorado Office of Economic Development and International Trade (OEDIT) for the Downtown Assessment. Given the updated Downtown Assessment budget and the additional new outside funding, the Town's share is now expected to be no more than \$3,600 (down from \$6,500 budgeted in recent years). Net costs to the Town are derived as follows: Downtown Assessment cost less DCI/USDA RD funding less DOLA/OEDIT funding = \$10,100 - \$3,500 - \$3,000 = \$3,600. The Town will be required to pay DCI \$4,600 on the last day of the Downtown Assessment. Shortly after the Downtown Assessment, DCI will bill the Town for actual expenses incurred. The Town will submit a reimbursement request to DOLA for the State funding shortly after the Downtown Assessment. Staff supports the concept of holding the Downtown Assessment as a part of the Town's economic development efforts. Staff believes that it is important for the Town to lead the community through the DCI process to generate support, enthusiasm, and a common vision for economic development in Grand Lake. Additionally, staff believes that it is important for the Town to lead the community into a shared responsibility process in the months and years after the Downtown Assessment. Implementation of the recommendations and action items from the Downtown Assessment must be shared between the business and commercial property owners, the Chamber and the Town for any economic development effort to be sustained and successful. Staff has reviewed the Agreement and finds that nothing unexpected is contained therein. Staff has sought input from Town Attorney Krob and expects to be able to share his feedback with you verbally at the Board meeting. Staff has requested that DCI provide a signed agreement prior to the Board meeting. The Board should discuss the information provided regarding the Downtown Assessment and the Agreement. Staff recommends that the Board authorize execution of the Agreement and expenditure of the Town's cost share, not-to-exceed, \$3,600.

Trustee Lanzi moved to authorize Town Manager Hook to sign the Community Assessment Team Agreement as presented and to authorize an expenditure of not-to-exceed \$3,600 for the Downtown Assessment. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF POSSIBLE ACTION AS A RESULT OF EXECUTIVE SESSION DISCUSSION – Mayor Burke noted that an Executive Session was held that afternoon and there was no formal action for the Board to consider this evening.

CITIZEN PARTICIPATION:

Mark McCutcheon, Colorado River District Ranger with Rocky Mountain National Park was recognized from the audience to explain how the potential sequestration may impact Rocky Mountain National Park (RMNP) and the Town of Grand Lake. He said that under sequestration, there will be no non-emergency overtime. RMNP will begin plowing the third week in April to open Trail Ridge Road. Once the road is open staff will not be able to respond

RECORD OF PROCEEDINGS

to a snow storm to keep the road open if it means overtime. The reductions would also limit the number of seasonal employees that they hire during the summer and would likely put a number of programs on ice. McCutcheon said that if the sequestration continued into fiscal year 2014, considerations will be made regarding the closing of park campgrounds and the way Trail Ridge Road will be managed.

Trustee Peterson stated that from the studies that he has read, even if the sequestration were to happen, they are still going to spend \$15 billion more that they did last year. If they just keep with last year's schedule, there wouldn't be any cuts. He said, "I don't understand."

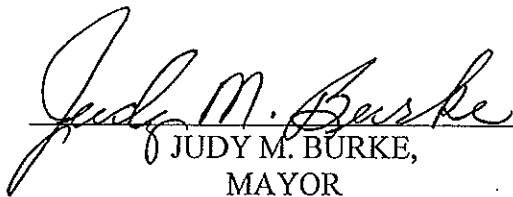
Trustee Ludwig asked Mr. McCutcheon if Estes Park is as dependent on Trail Ridge Road as Grand Lake is. McCutcheon responded by saying "no, the fact is we get about 22% of the visitors here in Grand Lake that comes through yearly and Estes Park gets the rest. A lot of the visitation hits the east side of the Park and whether Trail Ridge Road is open or not, Estes Park does not suffer as much as Grand Lake; and the Park recognizes that. They are very sensitized to the situation."

In conclusion, McCutcheon explained that they are being told that the amount to be sequestered is projected to be 5% of their budget and it will be up to them on how to manage to it.

The Board thanked Mr. McCutcheon for taking time to talk with the Board and to explain what could potentially happen.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Peterson. All Trustees voted aye, and the meeting was adjourned at 8:05 p.m., February 25, 2013.



JUDY M. BURKE,
MAYOR

ATTEST: 

RONDA KOLINSKE, CMC,
TOWN CLERK