

RECORD OF PROCEEDINGS

REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, MARCH 25, 2013 5:00 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 5:00 p.m. at the Town Hall, 1026 Park Avenue.

ROLL CALL  
PRESENT:

Mayor Burke; Trustees Lanzi, Lewis, and Peterson; Town Manager Hook, Town Clerk Kolinske, and Town Planner Biller.

ABSENT:

Mayor Burke announced that Trustee Gasner was absent due to Hotel Impossible related duties, Trustee Ludwig was on vacation, and Trustee Weydert was absent due to a work related obligation. Trustee Peterson moved to excuse Trustees Gasner, Ludwig and Weydert's absence from the afternoon workshop and this evening's meeting. Trustee Lanzi seconded the motion and all Trustees voted aye.

APPROVAL OF MINUTES

March 11, 2013:

Trustee Lewis moved to approve the minutes of the March 11, 2013 regular meeting as written. Trustee Peterson seconded the motion and all Trustees voted aye.

ANNOUNCEMENTS:

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

Mayor Burke announced that the Grand Lake episode of Hotel Impossible, featuring the Western Riviera, will be on the Travel Channel, TONIGHT at 8:00 p.m.

Mayor Burke then announced that the Grand Lake Fire Protection District will host an Easter Egg Hunt on Saturday, March 30, in the Town Park beginning at 11:00 a.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.

Trustee Lewis announced that she had a conflict with the third item under Local Liquor Licensing Authority, "Consideration to set a Show Cause Hearing regarding the Tavern Liquor License issued to Grumpy's Saloon, Inc., d/b/a Grumpy's Saloon."

REPORTS: SALES TAX  
CASH FLOW REPORT  
FOR MARCH, 2013:

Mayor Burke asked Town Clerk Kolinske to present the sales tax cash flow report. Kolinske reported that the amount of revenue received in March 2013 for the month of January is \$33,549. This amount is 2.22% below what was received through March 2012.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL

AND RESTAURANT LIQUOR LICENSE FOR PANCHO & LEFTY'S, INC., D/B/A PANCHO AND LEFTY'S – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid and the renewal documents are in order. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department sent a letter stating that there was an incident that occurred on December 31, 2011. Following review of the incident by Town Attorney Krob, he determined that there is no evidence that indicated the establishment violated the Liquor Code, therefore, his recommendation is that the matter not be set for a Show Cause Hearing. She then concluded by saying that Bob King, President, was present.

Trustee Lewis moved to approve the renewal of the Hotel and Restaurant Liquor License for Pancho & Lefty's, Inc., d/b/a Pancho and Lefty's. Trustee Peterson seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENTS PERMIT

APPLICATION FROM THE FRIENDS OF THE GRAND COUNTY LIBRARY FOR THE "TOPS OF THE ROCKIES" FUNDRAISING EVENT – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, permission for possession, certificate of good corporate standing, and floor diagram, from The Friends of the Grand County Library. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for the "Tops of the Rockies" fundraising event. The requested date is Saturday, June 29, 2013 from 5:30 to 8:00 p.m. The proposed location is the Grand Lake Yacht Club at 1128 Lake Avenue. It has been the most recent procedure of this Board to receive the application and then schedule consideration of approval of the permit as a regular item of business at the following meeting. Although a Public Hearing is not required by statute, the Board may choose to set one. The premises are required by statute to be posted for at least 10 days prior to approval of the permit. Approval of the requested permit may be scheduled for the April 8<sup>th</sup> regular Board meeting, as either a Public Hearing or regular item of business. Kolinske noted that Gayle Langley was present representing The Friends of the Grand County Library.

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Following brief discussion, Trustee Peterson moved to act on this request as a regular item of business at the April 8, 2013 Board meeting. Trustee Lewis seconded the motion, and all Trustees voted aye.

At 5:10 p.m. Trustee Lewis excused herself and left the room.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION TO SET A SHOW CAUSE HEARING REGARDING THE TAVERN LIQUOR LICENSE ISSUED TO GRUMPY'S SALOON, INC., D/B/A GRUMPY'S SALOON** – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that she included a memo from her in the Board packets regarding Cody Holt and him not being fingerprinted. She said that she received notice that Cody had been fingerprinted that morning. The Sheriff's Department will now run a background check on him and send a letter of findings. Kolinske said that once she receives the letter, she will bring a Registration of Manager before the Board for approval. As far as consideration of a Show Cause Hearing, Kolinske made a recommendation to continue the matter until the next regularly scheduled meeting to be held on April 8, 2013.

Following discussion, Trustee Peterson moved to continue consideration to set a Show Cause Hearing regarding the Tavern Liquor License issued to Grumpy's Saloon, Inc., d/b/a Grumpy's Saloon. Trustee Lanzi seconded the motion and all Trustees voted aye.

At 5:15 p.m. Trustee Lewis resumed her seat.

OLD BUSINESS: None.

NEW BUSINESS: **CONSIDERATION TO GRANT AN APPEAL TO A DENIED SIGN PERMIT APPLICATION FOR CY'S DELI LOCATED AT LOT 13, BLOCK 18, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 717 GRAND AVENUE** – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the applicant has requested that this matter be tabled until a later date.

Trustee Lewis moved to table consideration of this matter until the next regularly scheduled meeting to be held on April 8, 2013. Trustee Lanzi 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.
- CAST held their annual legislative meeting on March 14, 2013. Included on the agenda was consideration by the membership of CAST support for HB 13-1013, HJR 13-1004, SB 13-048, HB 13-1252, and potential new road improvement funding. Additionally, the membership received an update on pending legislation in response to Amendment 64, recreational marijuana. Hook said that he, Mayor Burke, Mayor Pro-Tem Peterson and Trustee Kathy Lewis attended that meeting.
- Hook said that he and Mayor Burke pursued the matter of a joint Grand Lake-Estes Park letter requesting Colorado General Assembly recognition and support of the 100<sup>th</sup> Anniversary of Rocky Mountain National Park with Estes Park Mayor Pinkham.

On March 18, 2013, CML issued their updated Statehouse Report via email. On March 19, 2013, NWCCOG/QQ issued their legislative update email. Staff plans to coordinate with Mayor Burke in the near future to provide Governor Hickenlooper with written comments opposing SB 13-025. Staff plans to coordinate with Mayor Burke and Mayor Pinkham in the near future on the joint letter requesting Colorado General Assembly recognition and support of the 100<sup>th</sup> Anniversary of Rocky Mountain National Park. Discussion at the CAST legislative meeting was interesting, insightful and spirited.

- Regarding HB 13-1013 and HJR 13-1004, ski area water rights, CAST membership approved providing a letter in support of the USFS following an appropriate public process. The membership did not take formal action to support/not support the proposed legislation.
- Regarding SB 13-048, use of HUTF funding for transit, the CAST membership approved supporting the proposed legislation and allowing CAST to be placed on a list of supporting organizations.
- Regarding HB 13-1252, allocating funds for Eisenhower Tunnel fire suppression improvements, CAST membership approved supporting the legislation.
- Regarding potential new road improvement funding, the focus of the discussion was on the possibility of a new, additional 0.7% sales tax to provide the revenue stream. This would involve a future ballot measure and future legislation. There was consensus among the

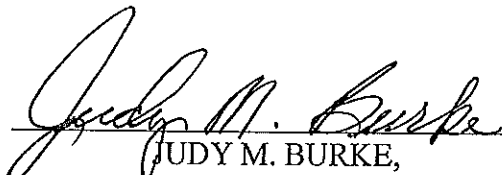
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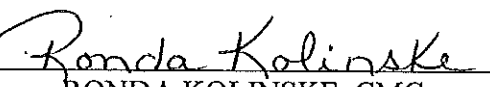
- CAST membership that CAST would continue to participate in the ongoing interagency discussions and keep the membership informed.
- o Regarding pending legislation in response to Amendment 64, recreational marijuana, the Colorado General Assembly is just beginning to work on legislation now that the Task Force Report is available. Legislation will need to be enacted this session and is expected to be voluminous to address all the issues. Options for local municipalities such as Grand Lake generally fall into three categories: opt-out now, before legislation is enacted; wait for the legislation to decide to opt-out; or, wait and opt-in via the adoption of local ordinances to complement state legislation to allow for the commercial growing and retail sale of marijuana. Action by Grand Lake to opt-out or opt-in is required by October 1, 2013. Hook said that he plans to invite Town Attorney Krob to a Board workshop in the near future to discuss Grand Lake's options further. Staff desires to know if the Board has any particular interest or concern with any other 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.

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

CITIZEN PARTICIPATION: None.

ADJOURNMENT: Trustee Lewis moved to adjourn, seconded by Trustee Peterson. All Trustees voted aye, and the meeting was adjourned at 5:20 p.m., March 25, 2013.

  
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JUDY M. BURKE,  
MAYOR

ATTEST:   
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RONDA KOLINSKE, CMC,  
TOWN CLERK