

RECORD OF PROCEEDINGS

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REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, APRIL 11, 2016 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.

PLEDGE OF ALLEGIANCE: Mayor Burke led everyone in reciting the Pledge of Allegiance.

ROLL CALL PRESENT: Mayor Burke; Trustees Gasner, Lanzi, Lewis, and Sabo; Town Manager White, Town Clerk Nicholls, Town Planner Biller and Town Code Administrator Rendon.

ABSENT: Mayor Burke announced that Trustee Jenkins was absent from both the afternoon workshop and the evening's meeting due to medical reasons.

Trustee Lewis moved to excuse Trustee Jenkins from the afternoon workshop and evening meeting. Trustee Gasner 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 a sign-in sheet is located by the door and to please sign in before leaving.

Mayor Burke then announced that a Grand Lake Job Fair will be held on Saturday, April 23rd at the Community House from 10 a.m. to 1 p.m. and 4 p.m. to 7 p.m.

Mayor Burke then announced that after many years a ruling passed that day from the Colorado Water Quality Control Commission agreeing to a stop gap measure to improve the quality of Grand Lake.

Trustee Lewis and all the Trustees thanked Mayor Burke for all her hard work on the water issue.

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.

Mayor Burke stated she had a conflict of interest with one of the liquor license items.

UNSCHEDULED

PUBLIC COMMENTS:

Mayor Burke announced that this time is reserved for members of the public to make a presentation to the Board on items or issues that are not scheduled on the agenda. The Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather, the Board will refer the items to staff for follow up. She then asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.

Jim Cervenka, 236 Lakeview Drive, was recognized by the Chair. Mr. Cervenka stated that he wanted to publically acknowledge and thank Mayor Burke for her decades of service to the Town of Grand Lake.

SCHEDULED

PRESENTATIONS/

DELEGATIONS:

There were no scheduled presentations.

CONSENT AGENDA:

Mayor Burke introduced the Consent Agenda which contained the following: Minutes from the March 28, 2016 Meeting and Accounts Payable for March 2016.

Trustee Lewis moved to approve the Consent Agenda as presented. Trustee Lanzi seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT

**LIQUOR PERMIT APPLICATION FROM THE GRAND LAKE AREA HISTORICAL SOCIETY FOR THEIR VINTAGE TIME TRAVELERS EVENT** – Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Grand Lake Area Historical Society. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their “Vintage Time Travelers Event” to be held Monday, August 29, 2016 from 5:30 to 9:00 p.m. The proposed location is the Smith Eslick Cottage Court at 729 Lake Avenue. Public notice was posted on the premises on April 1, 2016 and attested to by Grand Lake’s Code Administrator, Tony Rendon. The Grand County Sheriff’s Department reviewed the application and found no adverse information which would affect this permit. She stated that the Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of

the nature of location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. Nicholls then noted that Jim Cervenka, president, was present.

Jim Cervenka, President, Grand Lake Area Historical Society was recognized by the Chair. Mr. Cervenka stated that the event was more successful than expected and that they would like to have the event again.

Trustee Lewis moved to approve the Special Events Liquor Permit Application from the Grand Lake Area Historical Society for a Vintage Time Travelers Event to be held Monday, August 29, 2016 from 5:30 to 9:00 p.m. Trustee Gasner seconded the motion and all Trustees voted aye.

**LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A TRANSFER OF OWNERSHIP APPLICATION FOR THE RETAIL LIQUOR STORE LIQUOR LICENSE FROM JAKE'S SPIRITS, LLC, D/B/A GRAND LAKE WINE & SPIRITS TO LIMA ONE SPIRITS, LLC, D/B/A GRAND LAKE WINE & SPIRITS**

Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that The Town has received a Transfer of Ownership Application for the Retail Liquor Store Liquor License from Jakes Spirits, LLC, d/b/a Grand Lake Wine & Spirits at 900 Grand Avenue to Lima One Spirits, LLC, d/b/a Grand Lake Wine & Spirits. Grand Lake Wine & Spirits has been operating under a Temporary Transfer Permit issued by the Town Clerk. The fees have been paid and all the proper application documents have been completed. A letter has been received from the Grand County Sheriff's Department which states that they have found no adverse information that would affect the transfer of the license. Town Attorney Krob has reviewed the application documents and is satisfied. They have a private well and there is no water account for this property. Grand Lake Wine & Spirits has a current Business License and a Sales Tax License from the Town. Sales tax returns for Lima One Spirits, LLC are filed on a Monthly basis with the Department of Revenue. The latest return covered through January, and is therefore considered current. For a liquor license transfer, the Board may chose to hold a public hearing, or it may approve the transfer without a public hearing. If the Board chooses to hold a public hearing, notice of the hearing must be posted at least 10 days before the hearing. In that case, the Board's action this evening could be to set a public hearing for April 25, 2016. No publication of the notice of the public hearing is required by statute. In the most recent liquor license transfers the Board has chosen to approve the transfers without conducting public

hearings. She noted that Jeanette Lone, owner, was in the audience.

Trustee Lewis moved to approve the transfer of ownership for the Retail Liquor Store Liquor License from Jake's Spirits, LLC, d/b/a Grand Lake Wine & Spirits to Lima One Spirits, LLC, d/b/a Grand Lake Wine & Spirits. Trustee Sabo seconded the motion and all Trustees voted aye.

At 7:45 p.m. Mayor Burke excused herself and left the room.

**LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE RESORT COMPLEX LIQUOR LICENSE FOR GRAND LAKE VENTURES LLC, D/B/A GRAND LAKE LODGE** – Mayor Pro-Tem Lewis asked Town Clerk Nicholls to present this matter to the Board. Nicholls 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 reviewed their files and found no adverse information that would affect the status of the license. She then concluded by saying that Jeff Larson, General manager, was present.

Trustee Gasner moved to approve the renewal of the Resort Complex Liquor License owned by Grand lake Ventures, LLC, d/b/a Grand Lake Lodge. Trustee Lanzi seconded the motion and all Trustees voted aye.

Mayor Burke resumed her seat at 7:47 p.m.

**LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL & RESTAURANT LIQUOR LICENSE FOR LEGS INC, D/B/A EG'S** – Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls 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 reviewed their files and found no adverse information that would affect the status of the license. She then concluded by saying that a representative was unable to attend the meeting due to a death in the family and asked that the Board still consider the renewal.

Trustee Lewis moved to approve the renewal of the Hotel & Restaurant Liquor License owned by LEGS INC, d/b/a EG's Garden Grill. Trustee Gasner seconded the motion and all Trustees voted aye. Mayor Burke noted that normally a license would not be approved without someone present to represent them, however, they tried their best to get the renewal done and it

is in the Town's best interest to have the establishment open by Memorial Day Weekend.

OLD BUSINESS:

**CONSIDERATION OF THE APPROVAL OF RELEASE OF GRAND LAKE AREA CHAMBER OF COMMERCE FUNDS**

– Mayor Burke asked Town Manager White to present this matter to the Board. White stated that the Grand Lake Chamber is requesting the release of the first quarter funding from the Town. Samantha Miller, Executive Director, presented the report at the last meeting. Staff recommended the release of funds, as the report met the expectations of the annual agreements and was presented in a timely manner. The concerns regarding the readability and formatting have been identified and improvement is underway.

Trustee Lewis moved to release the first quarter funding to the Grand Lake Chamber based on successful reporting of the first quarter report by the Chamber as of March 28, 2016. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF SPECIAL EVENT PERMIT APPLICATION FROM THE GRAND ANGELS FOR A 5K FUN RUN/WALK**

– Mayor Burke asked Code Administrator Rendon to present the matter to the Board. Rendon reported a Special Event Permit Application was submitted by Grand Angels to conduct a 5K Fun Run and Walk. Grand Angels is a non-profit organization and is sponsored by the Trinity Church of the Pines which is a 501(c)(3) organization. All proceeds collected from this Event will be donated to the Grand Angels. The event will include the use of Lake Front Park, Grand Lake Center Parking Lot and Town streets. The event will take place on Saturday, July 2, 2016, starting at 8:00 a.m. and will finish at 11:00 a.m. Music will be played during this event, and clean-up will occur immediately after the event. Town Staff recommended approval and execution of the Special Event Permit as presented. He concluded by stating that Deb Gahan, representative of Grand Angels, was present.

Deb Gahan, 152 County Road 691, was recognized by the Chair. Ms. Gahan thanked the Town for the years of support of the Grand Angels. She then went on to read a letter from Kylie Kilfoy, the 15 year old girl who put together the event.

After a brief discussion about the holiday weekend and safety, Trustee Lanzi moved to authorize Mayor Burke to sign the Special Event Permit for a 5K Fun Run/Walk to be conducted by the Grand Angels as described in the attached application, and upon confirmation from Staff that all other Application requirements have been met and the Permit is ready for signature. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF SPECIAL EVENT PERMIT APPLICATION FROM THE EAST GRAND MIDDLE SCHOOL FOR DRAGON BOAT RACES TO BENEFIT GRAND COUNTY SHINING STARS FOUNDATION** – Mayor Burke asked Code Administrator Rendon to present the matter to the Board. Rendon reported a Special Event Permit Application was submitted by the East Grand Middle School to conduct Dragon Boat Races. All proceeds collected from this event will be donated to the Grand County Shining Stars Foundation. The event is proposed to be held at Lake Front Park with uses to include: the L-Dock, beach front, the public parking lot along Lake Avenue and the volleyball area if the nets are set up. Music will be played during the event and food will be served in the parking lot area next to Lake Front Park. The event will start at 5:00 p.m. and end at 10:00 p.m. on Saturday May 14, 2016. Clean-up will occur immediately after the event. He noted that the waters of Grand Lake are outside of the town limits, and, therefore, the town cannot and does not grant authority or accept responsibility or liability for any activities on Grand Lake itself. All participants, visitors, organizers and their volunteers are at their own risk. Town Staff recommended approval and execution of the Special Event Permit as presented. He concluded by stating that Abby Loberg, teacher, was present.

Abby Loberg, 22 Sage Court, Granby, and Cookie Ready, 449 N. 5<sup>th</sup> Street, were recognized by the Chair. Ms. Loberg described the event and stated that she is working with Scott Munn on logistics and the Grand Lake Fire Department will have a safety boat. There are 16 teams participating, and 90 kids helping out. There will also be food and music. She stated the original application included an outdoor movie after the event, but due to the weather and a conflict with Christopher Cox’s event they would be removing it. Ms. Loberg concluded by stating that the kids would be available to help with some general clean-up of the lakefront area.

Trustee Lewis moved to authorize Mayor Burke to sign the Special Event Permit for Dragon Boat Races to be conducted by East Grand Middle School as described in the attached application, and upon confirmation from Staff that all other Application requirements have been met and the Permit is ready for signature. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF SPECIAL EVENT PERMIT APPLICATION FROM THE GRAND LAKE AREA CHAMBER OF COMMERCE FOR FIRST SATURDAYS, MUSIC BY THE LAKE** - Mayor Burke asked Code Administrator Rendon to present the matter to the Board. Rendon noted that no

representative was present from the Grand Lake Area Chamber of Commerce. Trustee Gasner moved to table the issue until the April 25, 2016 meeting. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**RECOMMENDATION TO ACCEPT THE AUDITED FINANCIAL STATEMENTS** – Mayor Burke asked Town Manager White to present the matter to the Board. White stated the 2015 Management Letter and Financial Statements have been provided to the Board in the packet. Steve Dazzio attended the Afternoon Workshop and presented the audited financial statements.

Trustee Gasner moved to accept the audited financial statements for fiscal year 2015. Trustee Sabo seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF THE HILLY LAWN 2016 CONTRACT** – Trustee Lewis noted that no representative was present and moved to table the issue until the April 25, 2016 meeting. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF THE GRAND AREA HISTORICAL SOCIETY 2016 ADDITIONAL LEASE AGREEMENT**– Mayor Burke asked Town Manger White to present this matter to the Board. White reported the Grand Lake Area Historical Society has requested to lease an additional portion of the modular building located at the site of the Grand Lake Center. They would like occupancy to occur on May 1, 2016. Town Staff has initiated clean up of the facility and has removed all equipment left by the previous occupant, the Grand Lake Metropolitan Recreation District. He concluded by noting that Jim Cervenka, president, was present.

Trustee Lewis moved to approve the Additional Lease Agreement between the Town of Grand Lake and the Grand Lake Area Historical Society, with a prorated fee of \$400, from May 1, 2016, through December 31, 2016, which is commensurate with the current rate charged to other occupants. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

**CONSIDERATION OF DONATION TO THE GRAND FOUNDATION FOR THE GRAND GALA** – Mayor Burke stated this item was being added to the agenda following a presentation at the afternoon workshop to help keep the roads safe after the Grand Gala held by the Grand Foundation.

A discussion ensued regarding the event, who should receive the two tickets that come with the donation, and where in the budget the money would come from.

Trustee Gasner moved that the two tickets associated with the donation go to Mayor Burke and to bring the consideration back to the Board on April 25, 2016 to figure out where the money will come from the budget. Trustee Lewis seconded the motion and all Trustees voted aye, except Mayor Burke who abstained.

NEW BUSINESS:

**CONSIDERATION OF ORDINANCE NO. 05-2016, AN ORDINANCE REPEALING AND REPLACING CHAPTER 12: LAND USE REGULATIONS ARTICLE 2: ZONING REGULATIONS SECTION 28(B)4: PARKING REGULATIONS / REQUIREMENTS OF THE MUNICIPAL CODE OF THE TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS THE PARKING FEE; AND CONSIDERATION OF RESOLUTION NO. 06-2016, A RESOLUTION UPDATING THE PARKING FEE IN LIEU ON THE 2016 TOW OF GRAND LAKE FEE AND DEPOSIT SCHEDULE--** Mayor Burke asked Town Manager White to present this matter to the Board. White stated that Town Planner Biller presented the matter at the afternoon session to see how the Board would like to proceed with the matter.

Trustee Gasner stated that ample time was given to the Board to review the needed documents on the matter. Supporting the Staff is important as is supporting the Planning Commission and he would like to move forward.

Trustee Lewis stated she would like to table the issue until the next Board meeting as a public meeting. She raised issues regarding the fee amount, maintenance of the infrastructure, business development and parking needs of the Town.

Trustee Lanzi stated that the fee reduction was aimed specifically at the business community and people wanting to expand their businesses. A discussion ensued regarding the fee amount and parking needs.

Trustee Sabo stated that if the item was on the agenda as promised, the audience would be full and the public opinion would be known. The citizens have made their opinion known and delaying would not be representing them. Lowering the fee would help encourage businesses. A discussion ensued regarding the effect on businesses and costs of infrastructure.



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Mayor Burke stated that the Town is more interested in filling business already existing than developing. She raised issues increasing sales tax revenue and the costs of secondary streets maintenance. A discussion ensued regarding the fee, the history of the fee, costs of future infrastructure and parking needs.

Trustee Gasner moved to adopt the draft ordinance as presented and the draft resolution as presented. Trustee Sabo seconded the motion and Trustees Gasner, Lanzi and Sabo voted aye. Trustee Lewis and Mayor Burke voted nay.

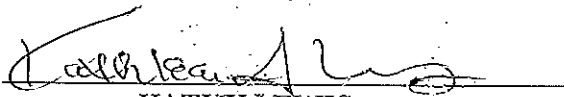
MAYOR'S REPORT  
AND COMMENT:

Mayor Burke presented Trustee Lanzi with a plaque for his 8 years of service to the Town serving on the Board of Trustees and Planning Commission. She also presented him with a gift card.

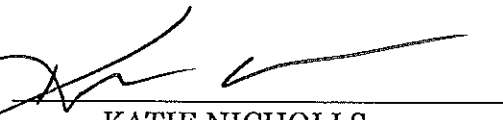
Trustee Lanzi thanked the Town stating that his service to the Town was one of the most rewarding things he has ever done.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Gasner. All Trustees voted aye, and the meeting was adjourned at 8:50 p.m., April 11, 2016.

  
KATHY LEWIS,  
MAYOR PRO-TEM

ATTEST:

  
KATIE NICHOLLS,  
TOWN CLERK