

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, MAY 11, 2015 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:32 p.m. at the Town Hall, 1026 Park Avenue.

ROLL CALL

PRESENT: Mayor Burke; Trustees Baird, Gasner, Jenkins, Lanzi, Lewis, and Sabo; Town Manager White, Town Planner Biller and Town Code Administrator Tony Rendon.

ABSENT: None.

ANNOUNCEMENTS: Mayor Burke announced that we would appreciate it if you would turn your cell phones off during the meeting.

Mayor Burke announced that the Town of Grand Lake Beautification Day will be Saturday, May 16 from 9 a.m. to noon with a Community BBQ to follow. Grand Lake Lodge will once again be providing the food for the BBQ. She said that the Town is very appreciative of Grand Lake Lodge and Jeff Larson for their contribution. A tree will then be planted in celebration of Arbor Day and will be held at the former Grand Lake Elementary School. Volunteers are needed, please call 627-3435 for information.

Mayor Burke announced that the Flowering of Grand Lake will host the 27th Annual Gardener's Exchange on Saturday, May 16 from noon to 4 p.m. in the Community House.

Mayor Burke then announced that there will be a ceremony on Sunday, May 24, at 11 a.m. in memory of Steve Cormey at Lakefront Park, Pioneer Gardens. A rock engraved with the words to the song by Steve, "Never Summer Forever Home", will be unveiled.

Mayor Burke then announced that the Memorial Day Parade and Observance will be held on Monday, May 25 beginning at 10 a.m.

Mayor Burke then announced that The Board of Trustees second May meeting will be held on Tuesday, May 26 due to the Memorial Day Holiday.

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.

RECORD OF PROCEEDINGS

Trustee Sabo announced that he had a conflict with the Local Liquor Licensing issues as he holds an interest in the license for Grand Lake Lanes.

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.

There were no unscheduled public comments.

SCHEDULED
PRESENTATIONS/
DELEGATIONS:

Mayor Burke noted that the Grand County Commissioners were not present, therefore, she went on to the next item on the agenda.

Town Manager White announced that the Town's Operator, Terry Humble, was recently given recognition for completing the Colorado Roads Scholar program and was awarded a plaque that White displayed to the Board. He noted that Humble was not present to accept the plaque but wanted to acknowledge his accomplishment.

Mayor Burke said that it is always nice to see Town employees taking courses that will help the community and that will also benefit themselves.

Mayor Burke then introduced Samantha Miller, Executive Director of the Grand Lake Area Chamber of Commerce. Miller summarized the 1st quarter of the Chamber and requested the release of their 1st quarter funds.

Trustee Gasner moved to release the check to the Chamber for their 1st quarter payment. Trustee Jenkins seconded the motion and all Trustees voted aye.

CONSENT AGENDA:

Mayor Burke introduced the Consent Agenda which contained the following: Minutes from the April 27, 2015 Meeting and Accounts Payable for April 2015.

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

At 7:48 p.m. Trustee Sabo excused himself and left the room.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR SLOOPY'S GRILL, LLC, D/B/A SLOOPY'S GRILL** - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller 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. He noted that the Grand County Sheriff's Department reviewed their files and found no adverse information that would affect the status of the license. He then concluded by saying that Richard Schliep, Member, was present.

Trustee Lewis moved to approve the renewal of the Hotel and Restaurant Liquor License for Sloopy's Grill, LLC, d/b/a Sloopy's Grill. Trustee Jenkins seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR BURNT BONE, INC., D/B/A SAGEBRUSH BARBECUE AND GRILL** - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller 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. He noted that the Grand County Sheriff's Department reviewed their files and found no adverse information that would affect the status of the license. He then concluded by saying that David Freeman, General Manager/Vice-President, was present.

Trustee Jenkins moved to approve the renewal of the Hotel and Restaurant Liquor License for Burnt Bone, Inc., d/b/a Sagebrush Barbecue and Grill. Trustee Lewis seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF APPROVAL OF A SPECIAL EVENTS PERMIT APPLICATION FROM THE FRIENDS OF THE GRAND COUNTY LIBRARY FOR THEIR "PROGRESSIVE DINNER"** - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller 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 Grand County Library for their after-dinner drink portion of their Progressive Dinner. The requested date is Wednesday, May 27, 2015 from 8:00 p.m. to 12:00 a.m. The proposed location is the Kauffman House Museum. Public notice was posted on the premises on April 30, 2015 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. 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. Biller noted that Yvonne Clark was present representing The Friends of Grand County Library.

Trustee Lewis moved to approve the Special Events Liquor Permit Application from the Friends of Grand County Library for their after-dinner drink portion of their Progressive Dinner to be held Wednesday, May 27, 2015 from 8:00 p.m. to 12:00 a.m. Trustee Lanzi seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENTS PERMIT APPLICATION FROM THE GRAND LAKE AREA CHAMBER OF COMMERCE FOR THE BUFFALO BARBECUE FUNDRAISING EVENT - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller 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 Grand Lake Area Chamber of Commerce. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for the 68th Annual Buffalo Barbeque Celebration. The requested dates are Saturday, July 18, 2015 from 12 – 5 p.m. and Sunday, July 19, 2015 from 12 – 4 p.m. The proposed location is Town Square. 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 May 26th regular Board meeting, as either a Public Hearing or regular item of business. Biller noted that Samantha Miller, Executive Director for the Chamber of Commerce was present.

Trustee Gasner moved to act on this request as a regular item of business at the May 26, 2015 Board Meeting. Trustee Jenkins seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENTS PERMIT APPLICATION FROM THE INDEPENDENT SPORTS CLUB, INC. FOR THE "32ND ANNUAL CHILI COOK OFF" FUNDRAISING EVENT - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that an application for a Special Events Liquor Permit has been received, with the appropriate fee, permission for possession, certificate of good corporate standing, and floor diagram, from the Independent Sports Club (ISC), Inc. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for the "32nd Annual Colorado State Chili Cook Off" fundraising event. The requested date is Saturday, June 20, 2015 from 9:00 a.m. to 9:00 p.m. In

the past, proceeds of this event went to the Grand Lake Fire Protection District's Scholarship Fund. Proceeds will now go the ISC. The proposed location is Town Square. 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 May 26th regular Board meeting, as either a Public Hearing or regular item of business. Biller noted that Mindy Nelson was present representing the independent Sports Club.

Following brief discussion, Trustee Jenkins moved to act on this request as a regular item of business at the May 26, 2015 Board Meeting. Trustee Gasner 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 Planner Biller to present this matter to the Board. Biller explained that an application for a Special Events Liquor Permit has been received, with the appropriate 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, July 11, 2015 from 8:00 a.m. to 10:00 p.m. The proposed location is the Grand Lake Yacht Club. 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 May 26th regular Board meeting, as either a Public Hearing or regular item of business. Biller noted that Yvonne Clark was present representing The Friends of the Grand County Library.

Trustee Lewis moved to act on this request as a regular item of business at the May 26, 2015 Board Meeting. Trustee Lanzi seconded the motion and all Trustees voted aye.

At 8:03 p.m. Trustee Sabo resumed his seat.

OLD BUSINESS:

None.

NEW BUSINESS:

PUBLIC HEARING - CONSIDERATION TO ADOPT ORDINANCE NO. XX-2015; AN ORDINANCE APPROVING THE 3RD AMENDMENT TO THE TONAHUTU RIDGE AT GRAND LAKE FINAL PLAT - Mayor Burke opened the Public Hearing and asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received a Land Use Application from Pat Spieles and Carol McMurry for the combining of Lots 17, 18, & 19 in the Tonahutu Ridge Planned Development. This will be the 3rd Amendment to the Final Plat. The Planning Commission has forwarded a favorable recommendation with conditions which requires Board review.

October 2001 – The Town approved the Tonahutu Ridge at Grand Lake Lodge Final Plat at Grand County reception #2001-013104

January 2002 – The Town recorded the Tonahutu Ridge at Grand Lake Lodge Final Plat at Grand County reception #2002-000353, which amended and replaced #2001-013104. (1st Amendment).

June 2008 – The Town recorded the Tonahutu Ridge at Grand Lake Lodge Building Envelope Amendments at Grand County Reception #2008-006334. (2nd Amendment). This modified the building envelopes for Lots 11, 12, 13 and Tract A.

Lot 18 is the only lot within the proposed combination with a single family home constructed on the parcel. The existing home has a footprint of 2400 sq.ft.

Municipal Code 12-9-7 [Land Use Regulations] Amendments to Land Use Developments states:

(D) Amendments to Final Development Plats

1. The Planning Commission may recommend to the Board of Trustees amendments ... A joint hearing of the two bodies is appropriate. All amendment Ordinances must be authorized using the following form and published immediately upon adoption and included in any subsequent sale of these Regulations to the general public.

Staff has contacted all property owners within 200' of the property and caused legal publication by ad #11107913A in the Middle Park Times for this Public Hearing. The Town received no written comments regarding the proposed amendment. An item of note, only 67% of the homeowner's approval is required for conveyance of common elements (13 of 19 in this case). The Consent of Owners document has exactly 13 owners.

Staff and the Town Attorney have reviewed the Final Plat submittal. Staff has a few minor clarifications on the plat.

RECORD OF PROCEEDINGS

- The Land Use Table is revised to state “Accessory Uses” = 4,000 sq.ft
- The “+/-“ is removed from the coverage table. (10,000 sq. ft. is the maximum)
- The areas for the existing structures are added to the plat. (residence, playhouse, porches, etc).

The applicant has satisfied all the requirements of the Planning Commission’s recommendations.

Staff recommends the Board adopt the ordinance as presented which contains the following conditions of approval:

1. The applicant revise the amended final plat to reflect the maximum primary and accessory use coverage’s allowed 6,000 sq. ft. and 4,000 sq. ft., respectively.
2. The applicant includes the existing areas of the structures on the amended final plat.

The Board should conduct the Public Hearing as follows:

1. Open the Public Hearing
2. Allow staff to present the matter
3. Allow the applicant to address the Board
4. Take public comment
5. Close the Public Hearing
6. Allow for Board discussion
7. Take action as appropriate

The Board has many options including:

1. Continue the Public Hearing, thus allowing the applicant to revise the application; or
2. Recommend granting the amendment by adopting the ordinance with or without revisions; or
3. Not adopt the ordinance, thus not granting the amendment.

Billier noted that Pat Spieles was present.

Mayor Burke asked for public comment. Having none she closed the Public Hearing and turned the matter over to the Board of Trustees.

Trustee Lewis moved to adopt Ordinance No. 7-2015; an Ordinance approving the 3rd Amendment to the Tonahutu Ridge at Grand Lake Lodge Final Plat, as presented. Trustee Lanzi seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF A SPECIAL EVENTS PERMIT REQUEST FROM THE GRAND LAKE AREA CHAMBER OF COMMERCE FOR THE SPIRIT LAKE BLUES AT GRAND LAKE - Mayor Burke

asked Code Administrator Rendon to present this matter to the Board. Rendon explained that staff is in possession of a Special Event Permit Application submitted by the Grand Lake Chamber of Commerce for the inaugural The Spirit Lake Blues at Grand Lake Event. The Chamber of Commerce is a non-profit organization. The event is proposed to take place at Lake Avenue from Hancock to the edge of Lakefront Park and at the Lakefront Park and Lake Avenue parking lots. The event will start at 11:00 a.m. and will end at 7:00 p.m. on Saturday, August 22, 2015. Because this is a first time event, action by the Board of Trustees is required.

According to the Town of Grand Lake Municipal Code, Chapter 11, Article 6, Section 3(C) Special Event Permit Application Review and Approval:

11-6-3(C)2(b) - Approval by Board of Trustees

If approval is not obtained by 11-6-3(C)2(a) Approval by the Mayor, the Board of Trustees shall review the SEP application.

11-6-3(C)1 - Review Considerations

The following factors shall be considered prior to approval of a SEP:

- (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) The benefit to non-profit from the event; and*
- (g) The benefit to local businesses from the event; and*
- (h) Duplication of services or sale items; and*
- (i) Nature of the past event issues or similar past event issues.*

The Board shall review and may approve the application based on 11-6-3(C)1 - Review Considerations. The Board, at its discretion, may require one or more of the following:

- 1. Require review of the SEP at a Public Hearing; and/or*
- 2. Permit all or only a portion of the SEP application; and/or*
- 3. Impose permit conditions on the event.*

Staff believes that this event is not in conflict with the consideration factors listed above and should be a successful event for the Town of Grand Lake and the Grand Lake Chamber of Commerce. Staff believes this event should not require a Public Hearing. Staff is aware that there will be a Liquor License Application submitted, for Board of Trustees approval, for this event. Town staff recommends approval and execution of the Special Event Permit as presented. The Board should review and discuss the application, taking into consideration the factors listed above as well as input from the Grand Lake Chamber of Commerce. The Board should approve, deny or table the Special Event Permit application. Rendon noted that Samantha Miller, Executive Director for the Chamber of Commerce was present.

Trustee Lanzi moved to authorize Mayor Burke to sign the Special Event Permit for the Grand Lake Chamber of Commerce known as The Spirit Lake Blues at Grand Lake, as described in the application, and upon confirmation from staff that all other application requirements have been met and the permit is ready for signature. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ENDORSE A REPRESENTATIVE TO THE LOCAL GOVERNMENT GAMING IMPACT PROGRAM ADVISORY COMMITTEE - Mayor Burke asked Town Manager White to present this matter to the Board. White explained that the Town of Grand Lake has the opportunity to cast a ballot for a representative to the Local Government Gaming Impact Program Advisory Committee. Two candidates placed their names in the running for the opportunity to serve on the committee: Mark Campbell, Kremmling Town Manager and Orly Lucero, City of Cortez.

Staff identifies the fact that the Kremmling Town Manager would be our local candidate from Grand County and familiar with our area needs. The Local Government Gaming Impact Program Advisory Committee reviews Energy Mineral Impact grants for the higher tier applications.

Following a vote, Trustee Gasner moved to endorse Mark Campbell, Kremmling Town Manager, as the Local Government Gaming Impact Program Advisory Committee selection from the Town of Grand Lake, CO and authorize the Mayor to fill in the ballot, sign it, and direct staff to return it to the Department of Local Affairs on or before the deadline of May 20, 2015. Trustee Baird seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN A PROCLAMATION RECOGNIZING MAY 16, 2015 AS ARBOR DAY IN GRAND LAKE - Mayor Burke asked Town Manager White to present this matter to the Board. White explained that the Town Board is requested to consider proclaiming Arbor Day in Grand Lake for its 25th consecutive year for May 16, 2015 to be celebrated at the Grand Lake Center, the former Grand Lake Elementary School. The draft Proclamation establishes Saturday, May 16, 2015 as Arbor Day in Grand Lake in tandem with our Annual Clean Up Day, our town-wide beautification effort. Clean Up Day will begin at 9 a.m. at the Heckert Pavilion in Town Square Park and is scheduled to last until about 11a.m. or so. Following the Clean Up, a barbeque, sponsored by the Grand Lake Lodge, will occur at the Heckert Pavilion in Town Square Park at about 11:15 on Saturday, May 16, 2015. After the barbeque, this year's Arbor Day tree planting will take place at the tentatively named "Grand Lake Center," a.k.a. the former Grand Lake Elementary School, a place

RECORD OF PROCEEDINGS

where education and community merge. White extended thanks to Paul Harrington Landscaping for its donation of a Colorado Blue Spruce tree. Staff urges support of this proclamation identifying the value of our trees and forests in Grand Lake and the surrounding area.

Trustee Gasner moved to authorize Mayor Burke to sign the proclamation establishing Saturday, May 16, 2015 as Arbor Day in Grand Lake, Colorado. Trustee Jenkins seconded the motion and all Trustees voted aye.

Added to the agenda was **CONSIDERATION TO EXTEND A FACILITY APPLICATION AND USE AGREEMENT OF THE GRAND LAKE CENTER TO THE PICKLEBALL GROUP.** Mayor Burke asked Town Manager White to present this matter to the Board. White explained that the Pickleball Group has had an agreement with East Grand School District prior to the transfer of ownership to the Town and that agreement was extended two weeks by the District. He further explained that the Town has its own Town of Grand Lake Facility Application and Use Agreement and recommended utilizing this form for the time being to enable the Pickleball Group to continue to have access to the facility under the Town's imminent ownership.

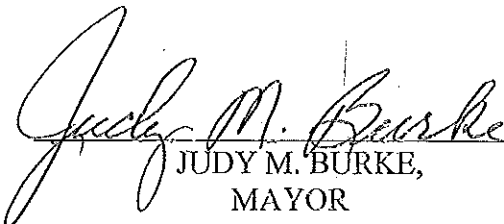
Trustee Gasner moved to allow staff to enter into a temporary Facility Application and Use Agreement with the Pickleball Group until July 1, 2015. Trustee Lanzi seconded the motion and all Trustees voted aye.

MAYOR'S REPORT
AND COMMENT:

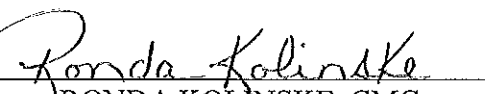
Mayor Burke noted that because of the efforts of our State Representative K. C. Becker and our State Senator Randy Baumgardner, the Legislator did pass the Rocky Mountain National Park's Centennial License Plate Bill, HB-1313. The official signing by the Governor has been delayed and has not taken place as of yet but is expected to take place in the near future.

ADJOURNMENT:

Trustee Gasner moved to adjourn, seconded by Trustee Baird. All Trustees voted aye, and the meeting was adjourned at 8:23 p.m., May 11, 2015.


JUDY M. BURKE,
MAYOR

ATTEST:


RONDA KOLINSKE, CMC,
TOWN CLERK