REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
TUESDAY, MAY 27, 2014 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 Hook, Town Clerk Kolinske, and Town Planner Biller.

ABSENT: None.

APPROVAL OF MINUTES March 24, 2014: Trustee Lewis moved to approve the minutes of the March 24, 2014 regular meeting as written, seconded by Trustee Gasner. All Trustees voted aye except Trustees Baird, Jenkins and Sabo, who abstained.

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

Mayor Burke announced that the Town of Grand Lake 2014 Drinking Water Consumer Confidence Report for Calendar Year 2013 is now available. Copies may be downloaded from the Town’s website, www.townofgrandlake.com or requested at Town Hall during business hours.

Mayor Burke announced that a Welcome Back Party for the Rocky Mountain Repertory Theatre will be held on Wednesday, June 4 from 5 – 7 p.m. at EG’s. A $10.00 donation is requested.

Trustee Lewis then announced that a fundraiser for Doris Braun will be held on Sunday, June 1st beginning at 2:00 p.m. at Pancho and Lefty’s. She then asked that anyone wishing to donate food, gifts or gift certificates to contact her at 627-8580.

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.

No Trustees had a conflict of interest with any items on the agenda.

REPORTS: SALES TAX CASH FLOW REPORT FOR MAY 2014: Mayor Burke asked Town Clerk Kolinske to present the sales tax cash flow report. Kolinske reported that the amount of revenue received in
May 2014 for the month of March is $37,017. This amount is nearly 21 ¾% above what was received through May 2013.

1ST QUARTER SALES TAX COLLECTION BY VENDOR:

Town Clerk Kolinske noted that Town Treasurer Ackerman provided a report consisting of the First Quarter Sales Tax Collection by Vendor report for January – March 2010-2014.

REPORTS: FINANCIAL REPORT FOR APRIL 2014:

Mayor Burke asked Financial Trustee Gasner to present the Financial Report for April 2014. Gasner reported that the General Fund expenditures through the end of April totaled $390,809.40 or 12% of budget. He said the Water Fund expenditures for the same period totaled $148,468.76 or 20.8% of budget, the Marina Fund expenditures totaled $47,166.58 or 16.7% of budget and the PAYT Fund expenditures totaled $5,744.95 or 27.5% of budget.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE RESORT COMPLEX WITH RELATED FACILITY PERMIT LIQUOR LICENSE FOR GRAND LAKE VENTURES, LLC, D/B/A GRAND LAKE LODGE – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid; 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 that would affect the status of the license. She concluded by saying that Jeff Larson, Manager, was present.

Trustee Lewis moved to approve the renewal of the Resort Complex with Related Facility Permit Liquor License for Grand Lake Ventures, LLC, d/b/a Grand Lake Lodge. Trustee Jenkins seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A CORPORATE REPORT OF CHANGES APPLICATION FROM BURNT BONE, INC., SAGEBRUSH BARBECUE & GRILL – Since there was not a representative present Trustee Gasner moved to table consideration of this matter until the next regularly scheduled meeting to be held June 9, 2014. Trustee Lewis 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 & GRILL - Since there was not a representative present Trustee Gasner moved to table consideration
of this matter until the next regularly scheduled meeting to be held June 9, 2014. Trustee Lewis seconded the motion and all Trustees voted aye.

OLD BUSINESS:

CONSIDERATION TO GRANT A SPECIAL EVENT PERMIT TO THE GRAND LAKE CHAMBER FOR BUFFALO BARBECUE – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received a Special Event Permit (SEP) Application from the Grand Lake Chamber for the use of Lakefront Park, Lake Avenue, Lake Avenue Parking Lot, Town Square Park, Town basketball court, Heckert Pavilion, Town right of ways and Town marqueses. The applicant is requesting a change in event location from the previous year and request for a liquor license requires Board review. The Chamber has conducted the Buffalo BBQ in the following locations for the past few years:

- 2009 Lakefront Park
- 2010 Lakefront Park
- 2011 Lakefront Park
- 2012 Town Square Park
- 2013 Town Square Park

The Chamber has submitted a separate Special Event Permit for the 5k run/walk. The race course is identical to last year and, therefore, the permit may be approved by Mayor considering the event is reoccurring. The Chamber has been in contact with the Town regarding a Special Event Liquor Permit.

Municipal Code 11-6-3 Special Event Permitting states:

(B)1(b) If the event is a first time event and proposed to be held for more than one (1) day, the application must be submitted at least ninety (90) days prior to the date(s) of the event.

(B)1(c) Any significant changes to the application must be made at least thirty (30) days prior to the proposed use unless caused by an emergency, as determined by Town Staff.

(C) Special Event Permit Application Review and Approval
I. 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.

2. Special Event Permit Approval
   (a) Approval by the Mayor

   The Mayor or the Mayor’s Designee may review and may approve the SEP based on 11-6-3(C)1. Review Considerations and the following additional criteria:
   1. This is a reoccurring event with no issues in the past; and
   2. The event does not involve a Special Events Liquor Permit.

   The Mayor or the Mayor’s Designee, for any reason, may defer review and approval of the SEP to the Board of Trustees.
   (b) Approval by Board of Trustees

   If approval is not obtained by Nature of the past event issues or similar past event issues.

   2. Special Event Permit Approval
       (a) Approval by the Mayor, the Board of Trustees shall review the SEP application.

The Board shall review and may approve the application based on 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.

The Chamber is requesting the use of Town facilities during the following dates and times:

Saturday, July 19th, 2014:
   • Buffalo Barbecue 5k - 7 am to 11 am (Town right of ways)
   • Festival/BBQ - 12pm to 4pm on Lake Ave/Lake Front Park/Lake Ave. Parking lot
   • Vendors & games - 10 am to 6 pm in Town Square Park

Sunday, July 20th, 2014
   • Cowboy Church in Heckert Pavilion 10 am
   • Lunch in Town Square Park from 11 am to 2 pm.
   • Vendors and games in Town Square Park from 10 am to 6 pm.
   • Parade at 1:00 p.m (Grand Ave., Lake Ave., and Haskel St.)

The Town Marina Manager has expressed the following three items of concern:
   • Closing of Lake Avenue
   • Securing of the portable tents
RECORD OF PROCEEDINGS

- Liquor sales and consumption adjacent to the marina

Staff has reviewed the application and believes the following can be addressed by Town Staff and Chamber Staff prior to formal signature by the Mayor.
  - A site plan (to clarify the use of Town Square Park, basketball court, Heckert Pavilion, and Gazebo
  - Insurance
  - Special Event Liquor License Permit

Staff recommends the Board grant the SEP understanding Town Staff will ensure the required information is complete prior to formal signature by the Mayor. The Board should discuss the use of Town facilities by the Chamber taking into consideration the following factors:
  (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 has the following options:
1. Grant the SEP as presented; or
2. Grant the SEP with revisions or conditions; or
3. Deny the SEP application.

Biller noted that Samantha Miller, Executive Director for the Grand Lake Chamber, was present.

Following brief discussion, Trustee Lanzl moved to grant the Special Event Permit to the Grand Lake Chamber for Buffalo BBQ, as presented. Trustee Baird seconded the motion and all Trustees voted aye except Trustees Gasner and Sabo, who voted nay.

OLD BUSINESS:

CONSIDERATION OF RESOLUTION NO. XX-2014, A RESOLUTION DESIGNATING INDIVIDUALS AUTHORIZED TO CONDUCT TRANSACTIONS WITH RESPECT TO THE TOWN OF GRAND LAKE’S CASH AND INVESTMENT ACCOUNTS – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that during the afternoon discussion there was consensus of the Board Members to change some of the language in the draft resolution being considered, therefore, he recommended that this matter be tabled until the next Board Meeting.
Trustee Gasner moved to table consideration of this matter until the next regularly scheduled meeting to be held June 9, 2014. Trustee Lewis seconded the motion and all Trustees voted aye.

**OLD BUSINESS:**

**CONSIDERATION TO AUTHORIZE THE TOWN MANAGER TO SIGN THE AMENDMENT TO THE 2012 AGREEMENT FOR LANDSCAPING AND GARDENING SERVICES WITH HILLY LAWN, THE AMENDMENT TO THE 2013 AGREEMENT FOR LANDSCAPING AND GARDENING SERVICES WITH HILLY LAWN, AND THE AMENDMENT TO THE 2014 AGREEMENT FOR LANDSCAPING AND GARDENING SERVICES WITH HILLY LAWN** - Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board of Trustees (Board) has the opportunity to correct an oversight regarding fuel allotments through modifying the 2012, 2013 and 2014 agreements with Hilly Lawn. The Town of Grand Lake (Town) has utilized the services of Carla Lawn and Carol Ann Thompson, d/b/a Hilly Lawn, for a number of years. In prior years, the agreement specified that “... the landscaper will be allotted one gallon of fuel for every day worked in which the landscaper’s personally owned vehicle is used, not to exceed five gallons per week.” This allotment equates to approximately 130 gallons for the season. This fuel in-lieu of cash represents part of the compensation the Town provides for the services Hilly Lawn provides. It was not until the 2014 Agreement had been approved by the Board on April 28, 2014 that staff became aware of two discrepancies regarding the approved fuel provision:

- Both Hilly Lawn and Public Works Director McGinn were working with the understanding that the allotment had been increased to 200 gallons for the season since Hilly Lawn was no longer using the Town water truck to haul water and was now using two personal vehicles instead of one
- Hilly Lawn had been provided 146.0 gallons of fuel in 2012 and 288.8 gallons of fuel in 2013

The 2014 Agreement has been fully executed and Hilly Lawn is already underway providing their services for this season. Apparently, for 2014, Hilly Lawn had requested an increase in fuel allotment along with their request for a fee increase and an allowance increase in flower plantings. However, the fuel component of their request was overlooked by staff during budget discussions with the Board. Records are not clear as to exactly how much fuel was provided to Hilly Lawn prior to 2012. Given that Hilly Lawn was using only one vehicle during those years, staff is comfortable that usage was below the approved allotment of one gallon per day or five gallons per week. To address the misunderstanding regarding the fuel allotment, staff has prepared amendments for 2012, 2013 and 2014 for the Board’s consideration. For the 2012 Amendment,
the italicized text in the Background Information section is amended and superseded by the following text:

For the 2012 season, the landscaper will be allotted 260 gallons of fuel for the season for the landscaper’s personally owned vehicles.

For the 2013 Amendment, the italicized text in the Background Information section above is amended and superseded by the following text:

For the 2013 season, the landscaper will be allotted 260 gallons of fuel for the season for the landscaper’s personally owned vehicles. Given that landscaper used 288.2 gallons of fuel in the 2013 season, Landscaper agrees to reimburse Town $89.45 for 28.2 gallons of fuel used in excess of the 260 gallons maximum allotment.

For the 2014 Amendment, the italicized text in the Background Information section above is amended and superseded by the following text:

...the landscaper will be allotted 260 gallons of fuel for the season for the landscaper’s personally owned vehicles.

The Town’s cost for the additional 130 gallons of fuel in 2013 and 130 gallons of fuel in 2014 has a value of approximately $420 each year for an approximate total of $840. The 2012, 2013, and 2014 Amendments have been signed by Ms. Lawn and Ms. Thompson. Should the Board decide to not approve the proposed amendments, staff will address two matters with Hilly Lawn:

- Reimbursement for fuel provided in excess of the approved contract allowances, approximately $51.75 for 2012 and approximately $501.83 for 2013
- Close monitoring of the dispensing of fuel in 2014 to not exceed the maximum allotment of one gallon per day or five gallons per week

The Board should discuss the merits of retroactively modifying the agreements for landscape services. Given the misunderstandings were unintentional, the change in vehicle usage and the successful and highly complemented services provided by Hilly Lawn, staff recommends the Board authorize the Town Manager to sign all amendments. The Board should authorize or not authorize execution of the amendments. Hook noted that Carol Ann Thompson and Carla Lawn were both present.

Following brief discussion, Trustee Gasner moved to authorize Town Manager Hook to sign the Amendment to the 2012, 2013 and 2014 Agreements for Landscaping and Gardening Services with Hilly Lawn with the following amendments, 260 gallons for 2012, 290 gallons for 2013 and 260 gallons for 2014. Trustee Lewis seconded the motion and all Trustees voted aye.
NEW BUSINESS:

PUBLIC HEARING – EVALUATION OF MOUNTAIN PARKS ELECTRIC’S PLANS FOR REPLACING OVERHEAD DISTRIBUTION LINES IN THE TOWN OF GRAND LAKE – Mayor Burke opened the Public Hearing and asked Town Planner Biller to present this matter to the Board. Biller explained that the Town received a rebuild plan submittal from Mountain Parks Electric (MPE) which depicts the replacement of approximately 1.7 miles of older overhead electric lines. The Board, at their 4/28/14 afternoon workshop, indicated to staff a desire to discuss the rebuild plan at a Public Hearing.

On 5/21/14, staff along with Public Works Director Bernie McGinn, walked the proposed rebuild area with MPE staff.

On 5/9/14, staff discussed the franchise agreement with Town Attorney Krob. Attorney Krob did not specifically state any objections to the plan. However, he did state the Town may want to review the National Electric Safety Code (NESC) for reassurance MPE has included the Town’s interests when developing their rebuild plan.

On 5/8/14, this Public Hearing appeared in the Middle Park Times by ad #10153830A.

Staff believes if the Town desires underground electrical lines this is the most opportune and ideal time to do so. Per the Franchise Agreement, the Town can request conversion to underground electrical lines, however, the Town would be responsible for the difference in the cost to do so.

<table>
<thead>
<tr>
<th>Very Preliminary Cost Guide:</th>
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<tbody>
<tr>
<td>Construction Type</td>
</tr>
<tr>
<td>Overhead Electrical Rebuild</td>
</tr>
<tr>
<td>Underground Electrical Conversion*</td>
</tr>
</tbody>
</table>

*MPE "guess-timate" = $0.9-1.3 million for primary line only. Individual service line conversions and land acquisitions are additional costs.

City of Steamboat Springs converted 800ft of “complex” services in an alleyway from overhead to underground for ≈$1 million.

Converting the entire 1.7 miles of existing overhead electric line may be cost prohibitive to the Town. The Board may want to consider requesting underground electrical line conversion for certain sections of this rebuild project.

The Town has not received detailed plans that would include pole heights, specific pole locations, and overhead line configurations. These details will be included with a future right-of-way permit application submittal. Town staff does have some concerns regarding the rebuild plan as presented but believes those details can be worked out by MPE and Town staff.
In general, the following is proposed in the current overhead rebuild plan:

- Increase in pole heights (+10 feet)
- Relocation of some poles
- Elimination of some poles
- Additional guy wires
- Reconfiguration of line attachments to poles

The Board should conduct the Public Hearing as follows:
1) Open the Public Hearing
2) Allow staff to present the matter
3) Allow MPE to address the Board
4) Allow public comment
5) After taking all public comment, close the Public Hearing
6) Allow for Board discussion
7) Take action as appropriate

Board action will depend on public input and Board discussion. However, possible Board actions include the following:

1. Allow Town staff to administer the right of way permit application, thus allowing MPE to continue moving forward with their overhead rebuild project; or
2. Continue the Public Hearing and direct staff to further investigate the possibility of underground electrical line conversion, thus requesting MPE to postpone their project for a finite period of time; or
3. Continue the Public Hearing for review of a right-of-way permit for the overhead rebuild project, which will contain more details regarding the project; or
4. Direct staff at the Board’s discretion.

Biller noted that Les Shankland and Chet Robbin, representatives of Mountain Parks Electric were present.

Les Shankland, Manager of Engineering for Mountain Parks Electric, 321 W. Agate Avenue, Granby, CO was recognized from the audience. He said that MPE has a construction work plan and they are looking at trying to catch up on rebuilding their power system and are focused on lines and poles that are over 50 years old. Many of the poles included in this project are 60 years old this year. Even though they may have a few years of remaining life left, their focus is safety for the public and their workers as well as reliable service for all of their consumers. He said that if the Town chooses to pursue the underground alternative they are there to help but it may end up to be a challenge financially. Typically underground in a simple rural setting is two to three times the cost of
overhead. In a congested town area, the commercial core, it will be even more than that.

Mayor Burke asked what the proposed begin date is. Mr. Shankland responded by saying that they are presently going out to bid. June 17, 2014 is the bid opening date, then they hope to award the contract at their Board of Directors Meeting on the 2nd Thursday in July. If the Town needs more time to evaluate an alternative, he asked that the Town let them know in writing before that July meeting date and specify the amount of time needed. If all goes as planned, construction would begin thirty days from the date the contract is awarded but they are asking the contractor to not start on the commercial core until after the Labor Day Holiday. Ideally, depending on the weather and subject to the Town’s authorization they will work through the winter.

Jackie Tompkins, 310 Lakeside Drive, was then recognized. As a business owner, she asked if MPE is going to work with all the businesses to make sure that their electricity will not be turned off and disrupt business. She said that last September was the busiest September that they have ever had and are hoping for an even better September this year.

Tracey Williams, 700 Grand Lake Lane, was the recognized. She asked if the big rock at the end of Town off of Hancock Street will be removed.

Jim Cervenka, a business owner at 1117 Grand Avenue, was recognized. He said that last year the disaster on the other side of the divide really killed business here in September and he said that the businesses don’t need something else hurting their September business. He then asked if the Town and MPE would come up with an estimate for what it would cost to underground at least three blocks of the commercial area; the 900, 1000 and 1100 blocks to see if it would be worthwhile.

Hayden Burke, 700 Grand Lake Lane, was then recognized. He said that it would most likely be a very expensive project to put the power underground and that the Town could do a lot of other things with that huge amount of money.

Trustee Gasner then moved to continue the Public Hearing to allow Board review of the right-of-way permit for replacing certain overhead electric distribution lines in the town until the next meeting to be held June 9, 2014. Trustee Lanzi seconded the motion and all Trustees voted aye.

NEW BUSINESS:

PUBLIC HEARING – CONSIDERATION TO GRANT A SPECIAL EVENT PERMIT TO TRIATHLETA PRODUCTIONS FOR THE INAUGURAL BEYOND THE HORIZON TRIATHLON
- Mayor Burke opened the Public Hearing and asked Town Planner Biller to present this matter to the Board. Biller explained that the Town received the Special Event Permit (SEP) Application for a triathlon which is a first time event and, therefore, requires Board review. The applicant is Caroline Rivers, Executive Director of Triathlon Productions. A triathlon is a race composed of three (3) segments; swimming, biking, and running.

08/12/13 — The Board had a delegation from Ms. Rivers regarding the initial proposal of the event.

08/26/13 — The Board discussed the proposed event at their afternoon workshop with Ms. Rivers.

03/24/14 — The Board adopted Ordinance 01-2014 which revised the SEP application to submittals for use of Town property by for-profit businesses. (Ms. Rivers attended this Public Hearing.)

04/14/14 — The Board directed staff to schedule a Public Hearing for review of this SEP application.

Staff caused publication of this Public Hearing in the Middle Park Times on May 8th, 2014. At the Board’s request, this Public Hearing was also posted at Town Hall, Juniper Library, and the Post Office. A brief history of the dates of these events is as follows:

<table>
<thead>
<tr>
<th>Event</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2014 SEP Application Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Triathlon</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Aug. 16</td>
<td>(3rd weekend) April 10</td>
</tr>
<tr>
<td>Hospice Swim</td>
<td>August 13 (2nd weekend)</td>
<td>August 11 (2nd weekend)</td>
<td>August 17 (3rd weekend)</td>
<td>August 16 (3rd weekend)</td>
<td>April 17</td>
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This triathlon event will have two (2) coordinated race events of differing distances happening simultaneously. The two (2) day event is proposed for Friday, August 15th and Saturday, August 16th.

- In general, the Applicant is requesting the following:
  - Use of a Town facility for the event expo on Friday and Saturday. (Lake Front Park, Town Square Park, or Triangle Park)
  - Use of Town roadways, including closure of one lane of W. Portal Rd on Saturday.
  - Closure of the East Inlet Boat Ramp and parking lot on Saturday.
  - Use of a Town facility for a concert on Saturday.

The Applicant, in coordination with Town staff, has been in contact with the following agencies, none of which have contacted the Town objecting to the proposed event.
• Rocky Mountain National Park (RMNP)
• Colorado State Patrol (CSP)
• Grand County Road and Bridge
• Arapahoe National Recreation Area (ANRA)
• Grand County Sheriff's Office
• Grand Lake Fire Department

The Town has also received three (3) other SEP applications from the following organizations for the same weekend as the proposed triathlon:
• Heart of the Mountain Hospice for the Grand Lake Open Water Swim Event
• Colorado Corvette Club Car Show
• Rotary Bingo

The applicant, in coordination with the Town, has contacted all three organizations in an effort to synchronize all events and activities. The Hospice Swim intends to conduct their event similar to last year by utilizing the volleyball court area at Lake Front Park for exiting the lake. This does not present any conflict with the triathlon or car show. Staff has the ability to approve the SEP administratively, but is withholding the application until the Board takes action on the triathlon SEP. The Rotary Club appears willing to work around the triathlon by not holding Bingo on the triathlon dates. The Car Show submitted an application to conduct their event similar to last year by utilizing the closure of Grand Avenue and Town Square Park. However, the Car Show has requested to change their event date from the 4th weekend in August to the 3rd weekend in August. Town staff has spoken with Vern Nelson, President of the Club for potential options regarding alternate locations for the Car Show. Mr. Nelson provided staff with the following preferred options:
1. The use of Grand Avenue and Heckert Pavilion
2. If any event is not allowed to use Grand Avenue, the club would request the use of Lake Avenue and Lake Front Park Pavilion
3. If the Town cannot accommodate either of the two (2) options, the Car Show will not be held.

Staff has the ability to approve the SEP administratively, but is withholding the application until the Board takes action on the triathlon SEP. The Applicant has provided the Town with several options for the expo, finish line and concert. The Applicant has provided site plans for the use of various Town facilities for flexibility in an attempt to gain Board approval. The Applicant is requesting the following preferred Town facilities:
1. The use of Lake Avenue and Lake Front Park.
2. The use of Grand Avenue and amenities of Town Square Park.
3. The use of Triangle Park and Haskel Street.

A conflict may exist for the use of Lake Avenue and Lake Front Park with the lake front business owners. A conflict may exist for the use of
Grand Avenue and Town Square Park with the Car Show. The SEP application for the triathlon is 90% complete. If the Board approves the SEP, Staff anticipates the applicant providing additional materials to complete the permit, mainly the traffic control plan for the event. Staff recommends the Board approve the Special Event Permit and select an appropriate site for the expo, finish line, and concert.

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) Allow public comment
5) After taking all public comment, close the Public Hearing
6) Allow for Board discussion
7) Take action as appropriate

Board has the following options:
1. Continue the Public Hearing to allow the Applicant to revise the application; or
2. Grant the SEP, thus allowing the event with staff oversight for completion of the permit; or
3. Not grant the SEP.

Caroline Rivers, Executive Director of Triathleta Productions, 785 Humboldt Street #1, Denver, CO, was recognized from the audience. During her presentation she thanked the Board for their time and consideration. She said that this idea is to allow the athletes to take advantage of this location and also to bring business and revenue to Grand Lake. She noted that in her site plan she included a way to share Grand Avenue with the Corvette Club and to also have the finish line be on Grand Avenue between Garfield and Pitkin.

Tracey Williams, 700 Grand Lake Lane, asked if this event is being advertised in Denver.

Caroline Rivers responded by saying that she began advertising last August in triathlon specific areas. She has placed it on Facebook and on her Twitter page, there is a web site set up that includes registration capabilities, she has advertised in magazines, press releases and on about 35 different triathlon related websites. She said that she has been trying to promote the event as a weekend family event. With this being a first time event, she said that it has been challenging to get people to sign up but noted that she has 45 people signed up so far.

Jim Cervenka, 236 Lakeview Drive, was recognized from the audience and said that this event is a great idea. It’s wonderful to be able to show off the entire frontier of Grand Lake to a new audience. He then asked if
Triathleta Productions plans to leave any funds with local organizations. Ms. Rivers mentioned that Trail River Ranch Education Center is their beneficiary this year.

Vern Nelson, representative of the Colorado Corvette Club, 6015 County Road 30, Heeney, CO, was then recognized from the audience. Since the Club plans to fill Grand Avenue between Garfield and Pitkin with 75 or more Corvettes he said that it will be hard to dump a finish line of athletes into a car show. The only thing that they need to use in the Town Square is the pavilion and plan to be out of there by 4:00. He noted that this will be their 4th year here in Grand Lake and haven’t had any negative feedback from any of the businesses along Grand Avenue.

Ms. Rivers responded by saying that she wasn’t aware of the fact that all of Grand Avenue, both sides between Garfield and Pitkin and the middle, will be used for the car show.

Mayor Burke stated that Mr. Nelson and Ms. Rivers need to work out the finish line dilemma amongst themselves. She noted that she would prefer Triangle Park for a finish line.

Having no other comments, Mayor Burke closed the Public Hearing and turned the matter over to the Board of Trustees.

Mayor Burke said that she asked Trustee Jenkins to do a survey of how many rooms might be available in Town on the night of August 16th and she came up with 20.

Town Manager Hook made the comment that Caroline Rivers has had her moments of frustration. She has had to change plans from Plan A to Plan B and now to Plan C and to her credit she has adapted. She wants to see this event happen here. There are still a lot of details to work out; one being a traffic control plan. He said that overall, this is a good proposal and for the benefit of the Town it seems to be more positive than negative from his stand point.

Trustee Gasner then moved to approve the Special Event Permit for Triathleta Productions and select Triangle Park as the site for the finish line and concert. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF A REQUEST FROM THE GRAND ARTS COUNCIL FOR ASSISTANCE – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board of Trustees (Board) has an opportunity to authorize staff to provide minor assistance to the Grand Arts Council (GAC) in their newest effort to achieve their vision for the Grand Arts Center. On February 5, 2014,
the GAC presented their proposed mixed-use facility and business plan to the Grand Lake Planning Commission for informal discussion. That discussion led to the Planning Commission issuing a letter of support. On May 20, 2014, staff met briefly with representatives of the GAC regarding their current dilemma regarding the Grand Arts Center debt and a desire to issue a press release kicking off a pledge campaign. Several topics were the subject of that conversation. Subsequently, staff received an email formerly requesting the Board’s consideration to assist the GAC. Staff has provided some feedback to the GAC on the proposed press release included in the email and has advised the GAC that staff could not take on the role of a neutral third party without Board authorization. As it relates to the GAC request to make the Grand Arts Center plans available for review, this can be readily accommodated. The information submitted for the Planning Commission discussion is public record and can be made available for review in the room just off the front entrance to Town Hall. Staff does have a concern about inquiries that the review might generate and would desire to not be in the position to speak on behalf of the project. We believe this can be reasonably achieved so long as there is someone to whom inquiries can be directed. As it relates to the GAC request to be a repository for the pledges that are expected to come in, this can also be readily accommodated so long as it does not involve more than filing and safekeeping the hardcopy pledges that arrive at Town Hall. As it relates to the possible future fiduciary roll subject to a future request and future Board action, staff is uncertain if this can be done within our governmental structure. However, staff is willing to explore this possibility if the Board is receptive. Aside from the legal aspects of this role, our main concern is the amount of time that could be involved in handling and accounting for the donations. The Board should discuss the merits of assisting the GAC as requested in their email. Staff recommends the Board approve requests #1 and #2 as presented and with the limitations suggested by staff. The Board should authorize or not authorize staff to assist the GAC as requested. Hook noted that Andrea Cox, Kathy Knight and Jim Cervenka were all present representing the GAC.

Andrea Cox, 519 County Road 4632, was recognized by the Chair. She said that if they receive enough pledges to actually begin collecting money, the Grand Foundation has a program where they set up an account and manage the donations.

Trustee Jenkins asked Ms. Cox, for clarification, if the Arts Council is asking the Town to collect pledges.

Ms. Cox responded by saying, “Yes, just written pledges, not money.”
Trustee Gasner expressed concern about the Town being able to legally do this. He suggested obtaining a legal opinion from the Town’s Attorney.

Mayor Burke stated that this would be a huge drain on Town staff. She said if the Grand Foundation would be willing to accept pledges and donations the Town would be willing to provide an area for the public to review the plans but Town staff cannot be expected to answer questions.

Following discussion, Trustee Lanzi moved to authorize staff to provide an area to display plans related to the Grand Arts Center project for public review with the understanding that Town staff will not be accepting pledges nor will Town staff be expected to answer any questions about the project. Trustee Gasner seconded the motion and all Trustees voted aye.

**NEW BUSINESS:**

**APPEAL HEARING – CONSIDERATION TO GRANT AN APPEAL TO A DENIED GREENWAY APPLICATION FOR LOT 11, BLOCK 3, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 1117 GRAND AVENUE (A/K/A GRAND LAKE ART GALLERY) -** Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that Town staff denied a greenway application submitted by Jim Cervenka. The applicant has appealed the denial made by staff which requires the Boards review.

Municipal Code 11-4-10 (C) Obstruction Density states:

2. For every four (4) linear feet, the business will be allotted one square foot of approved obstructions. Regardless of linear frontage, no business will be restricted to less than fifteen square feet.

Staff has denied the installation of the greenway obstructions because the proposed items will exceed the maximum area allowed which is 15 sq.ft. The Board should discuss the denied greenway application.

The Board has several options to consider including:

1. Grant the appeal, thus approving the greenway application as presented; or
2. Grant the appeal with conditions; or
3. Deny the appeal.

Jim Cervenka, owner of the Grand Lake Art Gallery, was recognized from the audience. He explained that in keeping with the 20 ingredients of an Outstanding Destination he is requesting to enhance the greenbelt area in front of their building. At the present time there is a bench and two old wooden barrels. Roughly 14 square feet or 3% of the greenbelt is currently enhanced. He noted that Town Planner Biller considers
these items to be greenbelt obstructions but he objects to the idea that flowers are an obstruction. What they would like to do is place an umbrella over the bench because they are on the sunny side of the boardwalk and it gets too hot for people to sit on the bench. He said that they would also like to request an angled platform, approximately 3 feet by 4 feet, in the shape of a painter's palette with individual pots of single color plants representing the paint splatters on the palette. The pots will be 4 +/- inches in diameter and will be inserted into holes in the palette. The umbrella and the color palette would add an additional 3% enhancement to the greenbelt.

Trustee Lewis said that she would really like to see Mr. Cervenka plant flowers in the lamp post garden and not just in a pot. Mr. Cervenka noted that it is still early in the season but said that there would be more flowers to come.

Trustee Lanzi said that the greenway area is public property and was probably never intended to be used commercially. He said that he likes the planters but they represent the logo of the Art Gallery. There is continuity that has to happen in the greenway that is consistent and continuous throughout Town.

Following a lengthy discussion, Trustee Gasner moved to grant the appeal for the greenway application for certain obstructions located adjacent to Lot 11, Block 3, Town of Grand Lake; more commonly referred to as 1117 Grand Avenue with the following conditions:

1. The shade umbrella is not an approved obstruction; and
2. The wooden planter is approved with a revised design which does not include a “business type logo.”

Trustee Lanzi seconded the motion and the motion carried when Trustees Gasner, Lanzi, Sabo and Mayor Burke voted aye. Trustees Baird, Jenkins and Lewis voted nay.

NEW BUSINESS:

CONSIDERATION TO AWARD A BID FOR THE REMOVAL OF REFUSE AND RUBBISH IN ORDER TO ABATE A NUISANCE VIOLATION LOCATED AT LOT 6, BLOCK 35, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 308 GRAND AVENUE - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that Town staff has executed the extent of their authority for a nuisance violation located at Lot 6, Block 35, Town of Grand Lake as allowed under Municipal Code 1-1-11 Administrative Enforcement. The owner of the property is Martha Zick.

Applicable History:
06/22/11 – A written complaint was received from a neighbor of the property.
07/14/11 – Previous Town staff was able to talk with the owner Bill Zick, who stated he would take action regarding the complaint.

08/22/11 – The Board reviewed the complaint and declared the property a nuisance violation.

01/09/12 – The Board directed staff to begin code enforcement for Lots 7-8.

01/11/12 – Code Enforcement process begins for Lots 7-8 (warning, 1st, 2nd, 3rd citations).

06/25/12 – The Board discussed the code enforcement process at their afternoon workshop.

08/03/12 – The sale date of the foreclosed property.

10/10/12 – The Board discussed the code enforcement process at their afternoon workshop.

02/22/13 – Lots 7-8, Block 35, Town of Grand Lake (the house) was purchased by a new owner.

09/10/13 – The Board discussed the code enforcement process at their afternoon workshop addressing the Lot 6.


01/27/14 - The Board discussed the code enforcement process at their afternoon workshop regarding obtaining bids for property clean up.

05/01/14 – A legal notice was published in the Middle Park Times notify the owner of possible Town action.

05/08/14 – A legal notice advertising for bids was published in the Middle Park Times.

Municipal Code cites:

1-1-11D Authority

4. After a third administration enforcement citation is issued for a violation, the Town of Grand Lake may take whatever action is necessary to correct the violation.

Staff has made efforts to contact the owner by mail, those certified and regular mailings have been returned to the Town “undeliverable, no forwarding address”. The mailing address is consistent with the Grand County Assessor’s Office. The property has been posted for all citations and the property is currently still posted.

The Town obtained the following bids:

<table>
<thead>
<tr>
<th>Bid Received Date</th>
<th>Name of Bidder</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 14, 2014</td>
<td>Harms and Sons Excavating</td>
<td>$3,950</td>
</tr>
<tr>
<td>May 19, 2014</td>
<td>Cautrell &amp; Sons Excavating</td>
<td>$5,575</td>
</tr>
<tr>
<td>May 21, 2014 @ 11:30 a.m.</td>
<td>Lakeside Landscaping</td>
<td>$5,000</td>
</tr>
</tbody>
</table>
The Board should be aware of the following:
- The Town will certify a lien with Grand County that will be considered a “super priority”.
- The Grand County Treasurer Department reports multiple years of delinquent taxes.
- The original complainant has been contacted by Town staff and was invited to attend this meeting.
- The Town attorney has been consulted on this matter. The Board should be aware that he may have a conflict of interest with the current owner.
- The 2014 Town budget does not contain a specific line item for this expenditure. However, budgeted monies are available in the Code and Public Safety section of the budget.

The low bidder to abate this violation is Harms and Sons Excavating. Staff recommends the Board award the bid to the low bidder to abate the nuisance violation.

The Board has many options to discuss including:
1. Abating the nuisance on behalf of the property owner and assess the property for Town incurred costs; or
2. Continue code enforcement citations; or
3. Take no further action.

The Board has the following options:
1. Abate the nuisance violation by awarding the bid to Harms and Sons Excavating; or
2. Not award the bid.

Following brief discussion, Trustee Lewis moved to award the bid for the removal of refuse and rubbish in order to abate a nuisance violation located at Lot 6, Block 35, Town of Grand Lake; more commonly referred to as 308 Grand Avenue to Harms and Sons Excavating who is the low bidder. Trustee Baird seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN AN ADMINISTRATIVE GRANT REQUEST LETTER FOR DOLA – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that the Board of Trustees (Board) has the opportunity to authorize submittal of a grant request letter to the Colorado Department of Local Affairs (DOLA) for the Grand Avenue Streetscape Project. The Grand Avenue Streetscape Project has its roots in the Downtown Assessment process as well as from general concerns about the declining condition of our downtown boardwalks, the poor condition of our greenways along Grand Avenue, and the lack of pedestrian and bicycle facilities in some portions of Grand Avenue. At
the Board retreat in late February, staff and the Board discussed strategies and possible courses of action for several significant capital improvements projects. During those discussions, the facilitator, Greg Winkler, DOLA Regional Manager, shared many insights about funding strategies, including some related to grant funds awarded by DOLA. Additionally, some of the discussion included how the 2014 budget could be adapted to fit the new project strategies. This project is one that was specifically discussed at the Board retreat. In concept, it would address boardwalks and other interrelated improvements along the Grand Avenue corridor. One critical component was the Town’s responsibility at Town Square Park while another component was the remainder of the Grand Avenue corridor – boardwalks, greenways, etc. Mr. Winkler shared that the planning and design of this project would be an excellent candidate for a DOLA Administrative Grant. He also shared that since construction would follow after completion of the design, construction would be an excellent candidate for a separate DOLA Tier 1 grant. He further explained that the Administrative Grant has a $25,000 maximum value, requires at least a 1:1 match with local funds, has no specific grant cycle calendar, its review and approval takes only about two weeks, and that the application process was extremely simple – a letter from the Town, signed by an elected official. Based on the strategies discussed at the retreat, staff has recently issued a Request for Proposals to solicit proposals from qualified design professionals to assist the Town in the development of a Grand Avenue Streetscape Master Plan. Based on direction from the Board at its May 12 meeting, that project no longer includes the design of the boardwalks at Town Square Park. The proposals are due on May 30. Staff expects to present a recommendation on the selection of a design professional to the Board at the June 9 meeting. Additionally, staff expects to have a contract ready for the Board’s approval at the June 23 meeting. The 2014 Town budget has a specific line item of $50,000 for project planning. The concept was to obtain a $25,000 grant and match it with $25,000 of Town funds. Now is the appropriate time to submit our grant request letter to DOLA. Staff proposes to use the Project Planning line item in the 2014 budget for this effort. This line item was established last fall with the snowmobile bridge over Little Columbine Creek in mind as the highest of priorities. While this may have been true last fall, the discussion at the Board retreat realigned priorities. The downtown boardwalks and wayfinding were the two highest priorities coming out of the retreat discussions and both had early action items associated with them. One action item was securing this DOLA Administrative Grant. If the Board is inclined to not submit this grant request letter, then clearly the priorities discussed at the retreat have changed and it is not likely that a construction project in 2015 to address downtown boardwalks will happen. The current streetscape RFP process should be suspended and we should schedule a new discussion at the Board’s earliest convenience to revisit strategies. The Board should discuss the merits of applying for this grant and
proceeding with the strategies and priorities discussed at the retreat. Staff recommends that the Board authorize Mayor Burke to sign the grant request letter as presented and direct staff to utilize the Project Planning line item in the 2014 budget to fund our required local match. The Board should authorize or not authorize Mayor Burke to sign the grant request letter, as presented or with modifications. Additionally, if the Board is inclined to authorize submittal of the grant request letter, you should provide direction to staff on how to fund our local match.

Following brief discussion, Trustee Lewis moved to authorize Mayor Burke to sign the grant request letter to Colorado Department of Local Affairs requesting up to $25,000 for the Grand Avenue Streetscape Project, and to authorize staff to use the Project Planning line item of the 2014 budget to fund the Town’s match. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AWARD THE TOWN SQUARE BOARDWALK BID – Mayor Burke asked Town Manager Hook to present this matter to the Board. Hook explained that based on Board direction at the May 12 meeting to pursue an expedited bid process, staff has put this project out to bid without full design plans. Staff began developing the Bid Document on Tuesday the 13th. The project was advertised in the Sky Hi News and the Bid Document was issued on Friday the 16th. Addendum #1 was issued on Monday the 19th. A mandatory pre-bid meeting was held the morning of Tuesday the 20th with a total of seven firms in attendance. Addendum #2 was issued later on Tuesday the 20th. Addendum #3 was issued on Wednesday the 21st. Bids were opened at 2:00 p.m., Friday the 23rd. Two bids were received. The 2014 Town budget has a specific line item of $105,000 for this project. Based on the strategies discussed at the Board retreat in late February, the concept was to complete this project with only Town funds and to not seek grant funds. The Base Bid is the minimum work that staff hopes will be awarded. This work represents the worst of the boardwalks in Town Square Park. It would be ideal if the Base Bid and Alternate Bids #2, #3, and #4 could be awarded. This represents reconstructing nearly the entire boardwalk in Town Square Park. In case the Base Bid turned out to be a budget buster, Alternate Bid #1 was expected to be a fallback position. This represents a band-aid approach of replacing only the walking surface boards in the worst of the worst areas. Staff has reviewed the two bids submitted late Friday. One bid appears to exceed the budget by a considerable amount with all components of the Bid Schedule. The apparent low bidder, Big Valley Construction, is slightly over our budget with their Base Bid. Adding in any or all of the Alternate Bids #2 through #4 will take the bid amount farther beyond budget. Alternate Bid #2 is well below budget. The Board should discuss the bids received and, taking into account the budget, determine the best course of action that meets the goals of the
Town in order to protect the health safety and welfare of Grand Lake. All bids may be rejected for any reason. If a bid is awarded, the Board should also consider authorizing the Town Manager to administer the project. If the Board is not inclined to spend much more than the budget, staff recommends that the Base Bid be awarded to Big Valley Construction, LLC in the amount of $105,142.00. This will get the worst sections of the Town Square Park boardwalk fully reconstructed. An allowance for potential change orders should be anticipated. The remaining sections can be programmed for reconstruction as future projects. If the Board feels that the boardwalks section included in Alternate #2, #3 and/or #4 present significant and immediate safety concerns, then staff recommends that funds in the 2014 budget be reallocated and the additional work be awarded to Big Valley Construction, LLC. Additionally, staff recommends that the Board authorize the Town Manager to administer the project. Administration of the project includes executing an Agreement for Services with the selected bidder, ensuring the proper bonding requirements are met, insurance requirements are fulfilled, the contractor is licensed to conduct business in Town, and processing Change Orders as outlined in the Agreement for Services. Staff recommends that the Change Order allowance not to exceed 20% the awarded contract value. The Board has several options to consider, including:

- Awarding the Base Bid
- Awarding some combination of Base Bid and Alternate Bids #2, #3, and/or #4
- Awarding Alternate Bid #1 instead of the Base Bid
- Not awarding any work at all
- If the Board is inclined to award the work and move forward with the project, the Board should authorize the Town Manager to administer the project

Following discussion, Trustee Gasner moved to award the Base Bid to Big Valley Construction, LLC in the amount of $105,142.00; and authorize the Town Manager, with a Board Member's approval, to administer the project, including change orders not to exceed 20% of the contract value. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO GRANT A SPECIAL EVENT PERMIT TO THE GRAND LAKE CHAMBER TO HOST ARTS AND CRAFTS FAIRS – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received a Special Event Permit (SEP) Application from the Grand Lake Chamber for the use of Town Square Park, the Gazebo, Town right of ways for signage and parking and Town marquees. The application is requesting to change the event dates from previous years and adding one additional date. Staff believes Board review is appropriate. The Chamber has
conducted one (1) Arts and Crafts Fair in the following months in recent years:
- June
- July (with BBQ)
- August
- September

Staff has reviewed the application and the proposed Arts and Crafts fairs are similar to those held in the past. Here is a summary of the Arts and Crafts Fairs anticipated:
- June 13-15
- July 11-13
- July 19th (Buffalo BBQ)
- August 1-3
- September 13-14 (Colorado Events) non-profit event

Staff recommends the Board grant the SEP understanding Town staff will ensure the required information is complete prior to the Mayor signing. The Board should discuss the use of Town facilities by the Chamber taking into consideration the follow factors:

(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 has the following options:
1. Grant the SEP as presented; or
2. Grant the SEP with revisions or conditions; or
3. Deny the SEP application.

Biller noted that Samantha Miller, Executive Director for the Grand Lake Area Chamber of Commerce was present.

Following brief discussion with Ms. Miller, Trustee Lewis moved to grant the Special Event Permit to the Grand Lake Chamber to host Arts and Crafts Fairs, as presented. Trustee Jenkins seconded the motion and all Trustees voted aye except Mayor Burke, who voted nay.

NEW BUSINESS:

Added to the agenda was CONSIDERATION TO SEND LETTERS TO THE LIBRARY DISTRICT – Mayor Burke explained that the Town has been in constant contact with the Library District about the
Closing of the Juniper Library on Friday's as well as other hours during the week and it was felt, especially after the last letter the Town received, that the Town should continue to send letters to them encouraging them to try to do what they can to open our library.

Trustee Gasner moved to authorize the Mayor to sign letters to the Grand County Library District from the Town of Grand Lake. Trustee Lewis seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: Laura Trezoglou, 74 Lyons Homestead, asked when the Board will be discussing the purchase of the Grand Lake Elementary School. Mayor Burke responded by saying that a date has been set for June 23, 2014 from 5:30 - 7:30 p.m. in the Community House.

ADJOURNMENT: Trustee Gasner moved to adjourn, seconded by Trustee Lewis. All Trustees voted aye, and the meeting was adjourned at 9:51 p.m., May 27, 2014.

JUDY M. BURKE, MAYOR

ATTEST: RONDA KOLINSKE, CMC,
TOWN CLERK