REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JUNE 9, 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 7:31 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 Kofinske, and Town Planner Biller.

ABSENT: None.

APPROVAL OF MINUTES: Not available.

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

Mayor Burke announced that the Grand Lake Area Historical Society will present Master Plans for the Smith Eslick Cottage Camp at its Annual Meeting on June 11th in the Community House at 7 p.m. Music and treats will be provided.

Mayor Burke announced that an Arts and Crafts Fair, sponsored by the Grand Lake Area Chamber of Commerce, will be held June 14th & 15th in Town Square.

Mayor Burke announced that the Rocky Mountain Repertory Theatre will open its 2014 Summer Season with “Les Misérables” on June 13th and with “Hands on a Hardbody” on June 20th.

Mayor Burke announced that Dust Control will be applied to Town Streets on June 18th & 19th.

Mayor Burke announced that the 31st Annual “Colorado State Chili Cook Off” will be held Saturday, June 21st in Town Square. Proceeds will benefit the Independent Sports Club.

Mayor Burke then announced that there will be a Wildfire Preparedness Community Meeting will be held on June 14th at the Grand Lake Fire Station. Representatives from Grand Lake Fire Department, Colorado Division of Fire Prevention and control, Grand County Office of Emergency Management, ReadySetGo.org, and other agencies will talk about the upcoming 2014 fire season and what residents can do to protect their family, home, and property from wildfire.
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.

Trustees Baird and Lewis both announced that they had a conflict with the renewal of the Daven Haven Lodge's liquor license due to the fact that they are both employed there.

Trustee Lanzi announced that he had a conflict with the fourth item under New Business; consideration to grant a Special Event Permit to Kathleen Brown to host an Independence Day Block Party on Elk Lane due to the fact that he lives on Elk Lane.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A CORPORATE REPORT OF CHANGES APPLICATION FROM BURNT BONE, INC., D/B/A SAGEBRUSH BARBECUE & GRILL – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the Town has received a Corporate Report of Changes Application from Burnt Bone, Inc., d/b/a Sagebrush Barbecue & Grill at 1101 Grand Avenue in Grand Lake. In December, 2005, David Freeman sold his stock to his parents, Robert and Jennifer Freeman. In January, 2013 Robert and Jennifer granted 5% stock to David and in January 2014 the Freeman’s granted an additional 5% to David which triggers the Corporate Report of Changes. David was also given the Title of Vice President. The Grand County Sheriff’s Department reports that they have reviewed their files and found no adverse information which would affect this change. Staff would recommend that a motion be made to approve the Corporate Report of Changes Application for Burnt Bone, Inc., d/b/a Sagebrush Barbeque & Grill. She noted that David Freeman, Vice-President, was present.

Trustee Lewis moved to approve the Corporate Report of Changes Application for Burnt Bone, Inc., d/b/a Sagebrush Barbeque & Grill.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR BURNT BONE, INC., D/B/A SAGEBRUSH BARBECUE & GRILL – 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. The Grand County Sheriff’s Department reports that they have reviewed their files and found no adverse information that would affect the status of the license. She noted that David Freeman, Vice-President, was present.

Trustee Lewis moved to approve the renewal of the Hotel and Restaurant Liquor License for Burnt Bone, Inc., d/b/a Sagebrush Barbecue & Grill. Trustee Lanzi seconded the motion and all Trustees voted aye.
LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE TAVERN LICOR LICENSE FOR GATEWAY INN, INC., D/B/A GATEWAY INN – Since a representative of the Gateway Inn could not be present, Trustee Lewis moved to table consideration of this matter until the next regularly scheduled meeting to be held June 23, 2014. Trustee Gasner seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE BEER AND WINE LICOR LICENSE FOR CYSDELI, LLC, D/B/A CY’S DELI – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid and the renewal documents are in order. The water, business license, and sales tax accounts are all current. The Grand County Sheriff’s Department found no adverse information that would affect the status of the license. She then concluded by saying that Brittany Petitt, Manager, was present.

Trustee Jenkins then moved to approve the renewal of the Beer and Wine Liquor License for CySdeli, LLC, d/b/a Cy’s Deli. Trustee Lewis seconded the motion and all Trustees voted aye.

At 7:42 p.m. Trustees Baird and Lewis excused themselves and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LICOR LICENSE FOR CAREY AND GREGORY BARNES, D/B/A DHHW INVESTMENTS, DAVEN HAVEN 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 Carey Barnes, Owner, was present.

Trustee Jenkins then moved to approve the renewal of the Hotel and Restaurant Liquor License for Carey and Gregory Barnes, d/b/a DHWW Investments, Daven Haven Lodge. Trustee Gasner seconded the motion and all Trustees voted aye.

At 7:45 p.m. Trustees Baird and Lewis resumed their seats.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENTS PERMIT APPLICATION FROM THE GRAND LAKE CHAMBER OF COMMERCE FOR “BUFFALO BARBECUE” – Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that this request is from the Grand Lake Chamber of Commerce for the 67th Annual Buffalo Barbeque Celebration to be held on Saturday, July 19, 2014 from 11:30 a.m. to 4:30 p.m. The proposed location is Lakefront Park. The application documents are in order and complete. The premises are required
by statute to be posted for at least 10 days prior to approval of the permit. She
suggested action at the June 23rd Board Meeting as a regular item of business
or as a Public Hearing. Kolinske noted that Hayden Burke, President of the
Chamber Board, was present.

Following brief discussion, Trustee Lanzi moved to act on this request as a
regular item of business at the June 23, 2014 Board Meeting. Trustee Gasner
seconded the motion, and all Trustees voted aye.

OLD BUSINESS:

CONSIDERATION OF RESOLUTION NO. 8-2014, 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
this matter was tabled at the May 27th meeting so Section 4 and 5 of the draft
resolution could be altered to require the Town Manager and a Trustee or the
Town Treasurer and a Trustee make the investment decisions. These changes
have been made and if the Board is satisfied with the changes, staff
recommends the Board adopt the resolution.

Trustee Gasner moved to adopt Resolution No. 8-2014, a Resolution
Designating Individuals Authorized to Conduct Transactions with Respect to
the Town of Grand Lake’s Cash and Investment Accounts.

OLD BUSINESS:

CONTINUATION OF A PUBLIC HEARING – REVIEW OF A RIGHT-
OF-WAY PERMIT APPLICATION FOR REPLACING OVERHEAD
ELECTRIC 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 continued this Public Hearing on 5/27/14 to review a right of
way permit application for the proposed project. On 4/28/14, the Board at their
afternoon workshop indicated to staff a desire to discuss the rebuild plan at a
Public Hearing. 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 that MPE has included the Town’s
interests when developing their rebuild plan. On 5/21/14, staff along with
Public Works Director Bernie McGinn walked the proposed rebuild area with
MPE staff. On 5/26/14, the Board evaluated the project at a Public Hearing,
discussion included the possibility of converting overhead lines to underground
facilities. 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. On 6/3/14, Town staff participated in a
mandatory MPE pre-bid meeting with potential contractors of this project.
Municipal Code 11-2-2(C) [Municipal Property] Permit and Regulations states:

8. Unless by emergency, no work will be permitted to start on a Friday, nor continue through the weekend.
9. Applications must be submitted, and approved by Town Staff. No permits shall be issued without permission of the Town.
10. Generally, applications should not be submitted between October 8th and April 25th and all construction should be completed by October 15th.
   a. Permits may be issued, pending weather, on a case-by-case basis, between October 15th and May 1st.

Staff believes if the Town desires underground electrical lines this is the most opportune and ideal time to do so. Staff understands 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. 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

In staff's opinion, the Board should focus on the following areas of the rebuild plan:

1. Increase pole height along Hancock St., Broadway St., and the alley of Block 4, 5, 11, 12, & 19.
2. The pole and guy wire configuration in the alley adjacent to Lot 1-2, Block 4, Town of Grand Lake (vacant lot at the corner of Hancock and alley).
3. The overhead line profile configuration adjacent to the Williams Lake Cabin Sub. (484 Pitkin St).
4. The new overhead electrical line relocation at the intersection of Lake Ave & Ellsworth St.
5. The reconfiguration of poles at the intersection of Cairns Ave & Lake Ave.
6. Existing poles used currently by MPE containing Comcast and Century Link services that will be “retired” by MPE however may not be physically removed do to Comcast and Century Link services remaining on the pole.
<table>
<thead>
<tr>
<th>Town Staff Concern</th>
<th>MPE Detailed Plans (page#)</th>
<th>Concerns</th>
<th>Alternatives</th>
</tr>
</thead>
</table>
| 1                 | 2, 3, 5-7, 9-11 (See photo #1) (See photo #3) | • Increase visibility of poles and lines  
• Increased height would not accommodate the maximum building height allowed by Town Code | • Underground conversion  
• Alley arm construction (See photo #2) |
|                   | 7 (See photo #4)            | • Addition of guy wire interfere with current alley traffic pattern  
• Effects adjacent property owner | • Underground conversion  
• Engineered free standing pole |
|                   | 7 (See photo #5)            | • Increase visibility of poles and lines  
• Effects adjacent property owner | • Underground conversion  
• Increased pole heights  
• Alley arm construction |
| 4                 | 3, 5 (See photo #6)         | • New line construction for reroute  
• Additional poles and lines | • Underground conversion  
• Increase in pole heights |
| 5                 | 14 (See photo #7)           | • Increase of guy wires and poles | • Underground conversion |
| 6                 | Various Locations (See photo #8) | • Multiple poles in one location | • Require Comcast and Century Link to relocate to all new 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) Allow for Board discussion
6) Take action as appropriate

Board action will depend on public input and Board discussion. However possible Board actions include the following:
1. Close the Public Hearing and allow Town staff to administer the right of way permit accordingly; or
2. Continue the Public Hearing for Board review after modifications to the plan are made by MPE; or
3. Continue the Public Hearing and/or direct Staff at the Board’s discretion.

Hayden Burke, 700 Grand Lake Lane, was recognized from the audience. He said he was representing Bob King, owner of Pancho & Lefty’s located at 1120 Grand Avenue, who could not be present. He then read the following which was a copy of an email that was given to the Board Members as a table setting:

“Joe, after physically looking at the placement location of a pole (pole #33) between Lots 1 and 2, I feel that access through Lot 1 to the alley will be greatly hindered and even dangerous. Also, any future development of Lots 1 and 2 will be adversely affected. At some point the Town should consider reestablishing the alley by removing a portion of the rock. Thank you, Bob”

Les Shankland, Manager of Engineering for Mountain Parks Electric, 321 W. Agate Avenue, Granby, CO, was then recognized from the audience. He said
that MPE is a member owned cooperative and said that they were there to work with their member owners. They are trying to replace obsolete infrastructure that is nearing the end of life and are trying to do so in a way that complies with the franchise agreement with the Town as well as meet the safety code. They are in business to provide service and do so in a safe and reliable manner. He said they will try to work with the Town where they can, within their budget limits and MPE’s policies.

Chet Robbin, representative of MPE, 505 E. Fur Drive, Granby, CO, was then recognized. He said that station 34 is currently sustaining all the tension for the wire heading west toward the bank. They have increased the wire size and don’t feel that a guy into the bank across the road will be adequate to hold that wire up so they have inserted a pole, pole #33, to take the full tension and slack over to station 34. He then told Hayden Burke that for this particular design, pole #33 is absolutely necessary.

Mr. Burke said that because of that pole and a portion of the big rock access to the alley is across a portion of Lot 1 of Bob King’s property. If the Town doesn’t care about affecting the value of that lot so severely, perhaps the Town should consider purchasing it.

Mr. Shankland made the comment that they have consulted with Town staff regarding options to that design and there is a self supporting laminated wood pole that they would consider as an alternative to adding an additional pole and guy wire. It would be a change order from what went out to bid but said they have verbally agreed that they would provide it.

Mayor Burke asked if burying the line in that location is an option. Mr. Shankland explained that the difference in cost to bury the line would be the Town’s. He said that it is a very difficult corner even buried. He estimated that it would be quite expensive as they would have to add a switch gear, dead end the overhead conductors that go east west as well as the conductors that go north south. He said that if that is something that the Town would want to pursue, they would be open to providing the Town with a cost estimation.

Trustee Gasner asked if the Town would have to pay for a self supporting laminated wood pole.
Mr. Shankland replied by saying no that MPE would absorb the cost.

Trustee Lewis asked if the laminated wood pole would solve the trespass issue over Lot 1.

Town Planner Biller explained that the laminated wood pole would be placed within the Town’s right-of-way, which MPE has the ability to do, without removing any of the big rock but a portion of it would have to be removed to solve the trespass issue. He further explained that the trespass issue has nothing to do with this rebuild plan and should be addressed separately.
Robert Canon, 516 Park Avenue, was then recognized from the audience. He spoke in support of underground lines, recognizing the additional expense involved, for the reasons of safety and aesthetics.

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

Trustee Lanzi said that he believes that MPE is replacing obsolescence with obsolescence as far as the overhead lines are concerned. MPE needs to help the Town bury the lines in the interest of public health and safety as well as aesthetics.

During discussion, Trustee Lanzi asked if this project can be postponed.

Mr. Shankland said yes it can be postponed if the Town wanted to seriously look at an underground alternative. He mentioned that Town Planner Biller came up with a ball park estimate of about $2,000,000 to do this project underground and MPE’s estimate of the overhead is just under $500,000. The other challenge would be for the Town to acquire easements on private property for them to locate transformers and other equipment and there’s not a lot of real estate in that alley behind Grand Avenue. He added that MPE would be happy to work with the Town on either option the Town decides to go with. He stated that the existing poles are not in imminent danger of failing but asked that the Town be specific about how much time it needed. He would not want to leave it open ended.

Trustee Lanzi asked if MPE would give the Town 2 years.

Mr. Shankland responded by saying that he was thinking of 1 year but they could probably consider 2.

Following further discussion, Trustee Lanzi moved to continue this Public Hearing until such time that the Town can acquire information regarding grants, design and review. Trustee Lewis seconded the motion and the motion failed when Trustees Lanzi and Lewis voted aye and Trustees Baird, Gasner, Jenkins, Sabo and Mayor Burke voted nay.

Trustee Gasner then moved to direct staff to administer the right of way permit accordingly for replacing certain overhead electric distribution lines in the Town with the laminated wood pole alternative for pole #33. Trustee Sabo seconded the motion and the motion carried when all Trustees voted aye except Trustees Lanzi and Lewis who voted nay.

**NEW BUSINESS:**

**PUBLIC HEARING - CONSIDERATION OF RESOLUTION NO. XX-2014; A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR A SEASONAL NURSERY LOCATED AT LOT 15, BLOCK 21, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 625 GRAND**
AVENUE – 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 special use application for a seasonal garden center which requires Board review. The request is for a secondary business not incidental to the primary use of an existing business for temporary use. Cold Springs Greenhouse is the applicant and secondary business. The primary business is Delish Bodyworks and Steve Kudron is the applicant’s representative. The Planning Commission has forwarded a favorable recommendation by Resolution No. 08-2014.

Municipal Code 12-2-31(A) General SUP states:

2. A [SUP] permit is required for the temporary use (six months or less) of private property.

   (b) For Commercial/Mixed Use, the permit shall be utilized for the approval of proposed accessory uses, not incidental to the primary use of the property, or when there are two or more business present, with at least one business that is proposed to be located in a non-fixed structure, or a temporary facility....

   (d) 1. Applications must be made at least ninety (90) days prior to the date(s) of the proposed use.

   (i) 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.

3. At a Public Hearing, after receiving comment and testimony, the Commission shall make recommendation to the Board of Trustees in the form of a resolution. Nothing in this section shall preclude the Commission from tabling or continuing the Public Hearing to another time and place. If the Resolution is to approve the request, it shall contain the following findings:

   (i) That the proposed location of the use is in accord with the purposes of this Chapter and the purposes of the district in which the SUP site is located.

   (ii) That the proposed location of the Special Use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, nor will the proposed use be materially injurious to nearby land uses, properties, or improvements.

   (iii) That the proposed use will comply with all of the applicable provisions of the Code of Ordinances.

   (iv) That the applicant shall comply with such terms and conditions as the Commission determines are necessary to carry out the letter and intent of the Special Use Permit process.

   (v) That the SUP shall be valid for a specific duration of time, citing specific dates.

In the case of reoccurring applications, the Planning Commission may make recommendation to the Town Board
of Trustees for the Board’s approval of an annually-reoccurring Special Use Permit not to exceed three years.

Municipal Code 12-2-28(B) Parking Requirements states:

1. General Retail: 1 space/350 S.F. of Total Floor Area
2. Industrial Storage/Production: 1 space/1,000 S.F. of Total Floor Area
3. Greenhouses and Nurseries: 1 space/1,000 S.F. of Total Outdoor Floor Area

2. (a) The total number of required parking spaces shall be calculated based on the table from part 1. A fraction shall be rounded up to the next whole number.

2. After allowing for the on-street parking credit...structures shall be required to satisfy seventy-five (75%) percent of the resulting number of required parking spaces off street, unless a variance is obtained by the Town.

3. On-Street Parking Credits in Determining Required Parking Spaces
(b) The amount of parking spaces required as determined elsewhere in this section shall be reduced by the number of available on-street parking spaces on a one-to-one basis.

Staff contacted all surrounding property owners of this Public Hearing and received no comments regarding the SUP. Staff caused publication of this Public Hearing in the Middle Park Times by ad #10180588A.

Staff has reviewed the application and in general the applicant has proposed the following:
- A 1,000 sq.ft. seasonal nursery
- Hours 8am – 7pm

Staff is in support of an existing business finding a new location and supports a new business within the Town of Grand Lake. However, the Commission should be aware the application was not received 90 days in advance of the proposed dates, as required and both businesses appear to be currently operating.

Staff recommends the Board adopt the resolution as presented which contains the following recommended conditions for approval:

1. The Special Use Permit is valid for two (2) seasons.
   June 10, 2014 – November 1, 2014
   April 1, 2015 – November 1, 2015
2. Normal operating hours are daily between 8am to 7pm.
3. The signage for both businesses shall comply with Municipal Code Sign Chapter 6, Article 2.
4. The applicant obtains all applicable permits, including but not limited to, a building permit, a sign permits, and/or an electrical permit.
5. Any changes to this Special Use Permit shall be reviewed and approved by the Planning Commission and Board of Trustees.
6. Review of this Special Use Permit may be warranted by the Planning Commission and Board of Trustees, if two (2) or more written complaints are received by the Town in any twelve (12) month period.
7. The applicant complies with all other federal, state, and local regulations.
8. Failure to adhere to these conditions shall be cause for Town staff to either suspend or revoke the SUP without notice or hearing.

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. Allow for Board discussion.
6. Take action as appropriate.

The Board has the following options:
1. Adopt the resolution as presented, thus grant the SUP.
2. Adopt the resolution with revised conditions.
3. Continue the Public Hearing.
4. Not adopt the resolution, thus not grant the SUP.

Biller noted that the applicant’s representative, Steve Kudron, was present.

Steve Kudron, 408 Park Avenue, was recognized from the audience. He said that when they were approached by Cold Springs Greenhouse they immediately felt that it would be a great opportunity for the community since they lost the space that they’d been operating from for the past 13 years. It would do a lot aesthetically for the west side business district and provides Delish Bodyworks the opportunity to have regular customers of the greenhouse. He concluded by saying that he looks forward to a favorable decision from the Board.

Brittany Petitt, 717 Grand Avenue #4, was then recognized from the audience. She spoke in favor of this application saying that having new business especially aesthetically pleasing ones that bring more people to that end of Town is great.

Hayden Burke, 700 Grand Lake Lane, was then recognized. He also spoke in favor of this application saying that Cold Springs Greenhouse does a good business they have been around for a long time and will only help their new business and bring more people to the west end of Town.

Paul Harrington, owner of Harrington Landscapes, 680 County Road 405, Granby, CO was then recognized. He said that Cold Spring Greenhouse is a great operation. They are somewhat of a competitor of his but everybody
should be in favor of anything that can happen to help make Grand Lake a prettier place.

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

Following brief discussion, Trustee Lewis moved to adopt Resolution No. 9-2014; a Resolution Granting a Special Use Permit for a Seasonal Nursery Located at Lot 15, Block 21, Town of Grand Lake; More Commonly Referred to as 625 Grand Avenue (d/b/a Delish Bodyworks), as presented. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION XX-2014; A RESOLUTION GRANTING A NIGHTLY RENTAL LICENSE IN A RESIDENTIAL NEIGHBORHOOD LOCATED AT LOT 17, SHORELINE LANDING 1ST FILING; MORE COMMONLY REFERRED TO AS 7 SHORELINE WAY – Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town received a Nightly Rental License application from Brain Howard. During the application process, the Town received a written objection which requires the Board’s review. The Planning Commission has forwarded a favorable recommendation by Resolution 10-2014.

Municipal Code 12-2-31(B)4 Nightly Rental Conditional Use Permits states:

(a)1(i) Town Action:
1. If Town Staff determines that the application satisfies the requirements of Section 12-2-31(B)4, whichever includes the largest number of properties, will be notified in writing by the Town of the applicants proposed use. All notified property owners will be given fifteen (15) days to object to the proposed use in writing.
2. If one (1) or more notified property owners object to the proposed use in writing, the application shall be treated as a conditional use as outlined in Section 12-2-31(B)3. The owner of the subject property shall be given a copy of all written complaints. In consideration of the proposed use, the Planning Commission may hold a Public Meeting to determine its recommendation to the Board of Trustees. The Board of Trustees may hold a Public Hearing on the proposed use to decide whether to approve, modify, or disapprove the Planning Commission’s recommendation.

Staff contacted all surrounding property owners within 100’ and received one (1) written objection from Shoreline Landing II Homeowners Association President, John Mulligan. Mr. Mulligan states the following reasons for objection to the license:

- Over-occupied units
- Parking problems
Traffic problems

Staff recommends the Board adopt the resolution as presented which contains no conditions for granting the license. If the Nightly Rental License is issued, the Applicant would be subject to all the provisions for Nightly Rental License renewal, which includes written complaints in the previous 12 month period. The Board should first determine if a Public Hearing is necessary. If the Board determines a Public Hearing is not necessary, they should discuss the Nightly Rental License Application, the written objection received and the recommendation of the Planning Commission.

The Board has the following options:
1. Require a review of the Nightly Rental License Application at a Public Hearing; or
2. Grant the Nightly Rental License by adopting the resolution; or
3. Grant the license with conditions; or
4. Not grant the license.

Biller noted that Brian Howard was present.

Following discussion with Mr. Howard, Trustee Lewis moved to adopt Resolution No. 10-2014; A Resolution Granting a Nightly Rental License in a Residential Neighborhood Located at Lot 17, Shoreline Landing 1st Filing; More Commonly Referred to as 7 Shoreline Way, as presented. Trustee Lanzi seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION XX-2014; A RESOLUTION GRANTING A VARIANCE TO THE 30’ SHORELINE SETBACK LOCATED AT LOT A, BLOCK 1, GRAND LAKE ESTATES 1ST FILING; MORE COMMONLY REFERRED TO AS 729 SHADOW MOUNTAIN LANE - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town has received a variance request for improvements located within the 30’ setback of Grand Lake which requires Board review. The request is to construct a patio, fire pit, landscaping, and shoreline stabilization. The property is owned by Amy Blair and Bernard Dvorak, who is represented by Paul Harrington of Harrington Landscapes. The Planning Commission has forwarded a favorable recommendation by Resolution 09-2014.

Municipal Code 12-2-29 Shoreline and Surface Water Regulations states:

(A) Stream and Lake Setbacks
1. In order to help preserve the environmental quality of the water in the Grand Lake, a thirty (30) foot stream and lake setback from the mean identifiable high water mark shall be maintained for buildings, parking, snow storage areas and other improvements to a site. The setback applies to a stream, creek, river, irrigation ditch (dry or wet), lake, pond, wetland, or any other body of water.
2. When activities are proposed within the 30’ setback, a variance may be requested by an Applicant. As scheduled by Town Staff and based on agenda availability, The Planning Commission shall review the request at a Public Hearing and make a recommendation to the Town Board of Trustees, who shall make the final determination... The Town Board of Trustees may opt to hold a Public Hearing. [Additional Code]

4. The first five (5) feet of this setback shall be a non-disturbance zone, except in the cases of bridges, irrigation structures, flood control devices, boathouses, commercial marinas, boat rentals, boat repair and maintenance facilities and walkways and stairways less than four feet in width leading directly from the shoreline to the principal structure.

The applicant has already received approval of the shoreline restoration from the Army Corps of Engineers. The approval is contingent on compliance with local regulations. Staff has been in contact with Paul Harrington and staff is satisfied with the erosion control efforts to protect the lake during site disturbance. Staff has also discussed the shoreline restoration with Geoff Elliott of Grand Environmental Services and believes the proposed filter strip located within the 5’ no disturbance setback is in the best interest of protecting the lake long term. The filter strip application has been recommended by the Army Corps of Engineers. Staff recommends the Board adopt the resolution which contains the following conditions for approval:

1. The Applicant constructs the flagstone patio and fire pit a minimum of 6.5 feet from the high water mark as shown in Exhibit A.
2. The Applicant has one (1) year to complete the improvements depicted in attached Exhibit A. Failure to complete the improvements shall nullify this resolution and the granted variance.
3. The Applicant is obligated to reasonably maintain the improvements. Failure of the Applicant to reasonably maintain the improvements, the Town, at its sole discretion, may take whatever action is required to protect the waters of Grand Lake, including but is not limited, to removal of the improvements.
4. The Applicant complies with all other federal, state, and local regulations.
5. The granting of this variance does not set precedence for any future variance requests nor obligate the Town to grant similar variance requests in the future.

The Board should first determine if a Public Hearing is necessary. If the Board determines a Public Hearing is not necessary, the Board should discuss the proposed improvements located in the shoreline setback.

The Board has the following options:
1. Continue review at a Public Hearing; or
2. Adopt the resolution, thus grant the variance request; or
3. Adopt the resolution with revised conditions; or
4. Not adopt the resolution, thus not grant the variance request.

Biller noted that Paul Harrington, representative, was present.

Following brief discussion with Mr. Harrington, Trustee Lewis moved to adopt Resolution No. 11-2014; A Resolution Granting a Variance to the 30’ Shoreline Setback located at Lot A, Block 1, Grand Lake Estates 1st Filing; More Commonly Referred to as 729 Shadow Mountain Lane. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO GRANT A SPECIAL EVENT PERMIT TO KATHLEEN BROWN TO HOST AN INDEPENDENCE DAY BLOCK PARTY ON ELK LANE — 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 Kathleen Brown for the closure of Elk Lane on July 4th, 2014. This is first time application which requires Board review.

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

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.

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.

Staff has reviewed the SEP and believes this type of permit does not exactly fit within the Town’s typical issued SEP’s for the following reasons:

- The applicant is a person and not an organization
- The applicant is not proposing to retain insurance naming the Town additionally insured
- The event will not benefit a non-profit organization

In general, the applicant is proposing the following:
- Closure of Elk Lane from 9am to 9pm on July 4th
- A bike parade on the street
- A “block party” for the neighborhood

Staff suggested to Ms. Brown to involve the Grand Lake Estates Homeowners Association. Staff believes if the HOA were involved insurance and non-profit factors may resolve some technical issues.

Staff recommends the Board deny the Special Event Permit as presented.

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 there was not a representative present.

Following brief discussion, Trustee Jenkins moved to deny the Special Event Permit application as presented. Trustee Gasner seconded the motion and all Trustees voted aye except Trustee Lanzi, who abstained.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION XX-2014; A RESOLUTION TERMINATION AN ENCROACHMENT LICENSE GRANTED BY RESOLUTION 03-2004 AND TERMINATING A PARKING COVENANT GRANTED FOR THE USE OF PUBLIC RIGHT-OF-WAY LOCATED ADJACENT TO PORTIONS OF LOTS 9-13, BLOCK 35, TOWN OF GRAND LAKE; MORE COMMONLY REFERENCE TO AS 1374 W. PORTAL ROAD (FORMALLY SPIRIT LAKE POLARIS) -

Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Town granted an encroachment license granted to High Country Land, LLC for the use of Town property. The Town has the ability to terminate the license and require the property owner to restore the Town right of way.

In 2004, the Board granted the use of Town property by Resolution 03-2004 which contains the following pertinent information:

- The improvements being permitted by this Resolution are a 3 rail cedar split rail fence and associated gates and posts as depicted on attached Exhibit "A". The improvements are considered temporary.
- This license shall remain in full force and effect for the benefit of the Grantee, their heirs, successors and assigns, until such time as the Town, in its sole determination, determines that this license should end. At such time, within 45 days of the Town providing notice to the Grantee, Grantee shall remove the improvements and restore the Town right of way to preexisting condition or better at Grantee's expense.
- This Resolution is adopted with the consideration, among others, that these improvements are designed to protect against the theft of property from this business. Granting of this license shall not be considered a precedent for any future encroachments.

In 2007, The Board granted a parking covenant for the property conditional upon a building permit approval. A building permit has not been issued therefore the parking covenant has yet to be executed. The Board discussed the right of way uses granted to the property at their afternoon workshop on 5/26/14. Staff has contacted the Public Works Director who recommends the encroachments be removed considering the need for such encroachments per the license are no longer required.
Staff recommends the Board adopt the resolution as presented which contains the following:

- The Board is executing Section 4 of Resolution 03-2004 requiring the Grantee to “remove the improvements and restore the Town right of way to preexisting condition or better at Grantee’s expense.”; and,
- In the event the Grantee does not comply with Section 4 of Resolution 03-2004, the Board deems the encroaching improvements a violation of Municipal Code 7-3-4 Obstruction of Right-Of-Way.

The Board should discuss the termination of the Encroachment License and Parking Covenant granted to the property.

The Board has the following options:

1. Adopt the resolution as presented, thus terminating the use of Town right-of-way; or
2. Adopt the resolution with conditions; or
3. Not adopt the resolution, thus allowing the use of Town right-of-way, as previously permitted.

Biller noted that the property owner had not been contacted therefore a representative was not present.

Trustee Gasner moved to adopt Resolution No. 12-2014; A Resolution Terminating an Encroachment License Granted by Resolution No. 03-2004 and Terminating a Parking Covenant Granted for the Use of Public Right-Of-Way Located Adjacent to Portions of Lots 9-13, Block 35, Town of Grand Lake; More Commonly Referred to as 1374 W. Portal Road, formally Spirit Lake Polaris, as presented. Trustee Baird seconded the motion and all Trustees voted aye.

**NEW BUSINESS:**

**CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN A SPECIAL USE PERMIT ISSUED BY THE BUREAU OF RECLAMATION FOR THE CONTINUED OPERATION AND MAINTENANCE OF THE EAST INLET BOAT RAMP** - Mayor Burke asked Town Planner Biller to present this matter to the Board. Biller explained that the Bureau of Reclamation has issued a Special Use Permit (SUP) for the East Inlet Boat Ramp which requires execution by the Town. The East Inlet Boat Ramp is located on property owned by the Bureau of Reclamation. The Town entered into a 25 year license agreement to operate the East Inlet Boat Ramp in 1999. The agreement expired February 3, 2014. The Town applied for a Colorado Parks & Wildlife (CPW) grant for improvements to the East Inlet. However, this grant requires a minimum of 25 year control of the facility. Staff has reviewed the SUP and believes the permit will serve the Town’s immediate needs. The permit contains the following pertinent items:

- 5 year term (expires Jan. 31, 2019)
RECORD OF PROCEEDINGS

- Expands the Town’s operations and maintenance area to include the existing picnic area located near the Adam’s Tunnel and the shoreline area south of the boat ramp.
- Defines that Town operations can include events.
- Allows Northern Colorado Water Conservancy District to close the boat ramp for tunnel trash rack work.

Staff is still coordinating with the Bureau of Reclamation to establish a management agreement that would allow the Town long term (>25 years) control of the East Inlet Boat Ramp area. Staff recommends the Board authorize the Mayor to execute the SUP. The Board should discuss the SUP and ensure the conditions of the permit meet Town expectations.

The Board has the following options:
   1. Authorize the Mayor’s signature; or
   2. Not authorize the Mayor’s signature.

Trustee Lanzi moved to authorize the Mayor to sign a Special Use Permit issued by the Bureau of Reclamation for the continued operation and maintenance of the East Inlet Boat Ramp, as presented. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO SELECT CONSULTANTS FOR CONTRACT NEGOTIATIONS FOR THE GRAND AVENUE STREETSCAPE MASTER PLAN PROJECT AND WAYFINDING MASTER PLAN PROJECT – 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 select one or two consultants with whom to negotiate a contract for the planning and design for the Grand Avenue Streetscape Master Plan Project and the Wayfinding Master Plan Project. Based on the Town’s strategy discussion at the recent Board retreat, the planning and design of these two projects were given priority for implementation. The Town of Grand Lake Municipal Code outlines the process for procuring professional services. The professional services procurement process includes publicizing the opportunity, evaluating qualifications and selecting the highest qualified service provider with whom to negotiate a contract. A separate Request for Proposals (RFP) was prepared for each of the projects to solicit qualifications, experience, and preliminary information on proposed scope, schedule and budget from planning and design professionals for the preparation of both master plans. Both RFPs were advertised in the Middle Park Times on Thursday, May 8. Both RFPs were advertised in the Sky Hi News on Friday, May 9. A mandatory pre-proposal meeting was held Thursday the 15th with four firms in attendance. Addendum #1 and Addendum #2 were both issued Tuesday the 27th. Three firms submitted a proposal for each project by the May 30 deadline. The wayfinding master plan project was anticipated to proceed utilizing Town funds instead of waiting on, and depending on, grant funds. The planning and design services for the wayfinding master plan are
expected to address planning considerations for components of a comprehensive, town-wide wayfinding program. Final design and installation of wayfinding signage will be a part of future project phases utilizing funding that may include Town funds, grants (DOLA, etc.) and/or debt funding (business improvement district, general obligation bonds, etc.) The streetscape master plan project was anticipated to proceed utilizing Town funds and a 1st priority DOLA administrative grant. The administrative grant has a $25,000 maximum award value and requires the Town match to equal or exceed the awarded grant value. The planning and design services for the streetscape master plan are expected to address planning considerations for components of the ultimate cross-section of Grand Avenue (roadway, greenway and boardwalks). Detailed design and construction of all streetscape improvements will be a part of future project phases utilizing funding that may include Town funds, grants (DOLA, etc.) and/or debt funding (business improvement district, general obligation bonds, etc.). Per the Board’s direction at the May 12 meeting, staff has pursued an expedited bid process for the Town Square Park boardwalk reconstruction. Thus, the boardwalk design at Town Square Park has been removed from the RFP scope of work. The 2014 Town budget has specific line items of $10,000 for wayfinding and $50,000 for project planning. The full $50,000 is available as soon as the DOLA Administrative Grant is approved – a function of when, not if. The request letter for the DOLA Administrative Grant that was authorized by the Board at your May 27 meeting has been submitted to Greg Winkler, DOLA Regional Manager. He is ready to process the letter with his superiors as soon as the final costs are identified. As for the wayfinding budget, about $8,900 of that has been spent because the phase 1 sign installation did not happen soon enough to be paid from the $10,000 line item in the 2013 budget as originally anticipated. The Design Committee has reviewed the proposals for both projects and has developed a recommendation for the Board’s consideration. As it relates to professional services, in general and per our Municipal Code, consultant selection is very different than construction project bidding. Construction contracts are typically awarded based solely on a comparison of price because the bid documents establish a fixed project scope and schedule, leaving price as the only variable between bidding contractors. With professional services, an RFP typically provides a general outline of project scope, goals and criteria to which the consultants respond with a description of their qualification, experience and approach to completing the project. The comparison of competing proposals must evaluate the details provided on qualifications, experience, proposed scope, proposed schedule and proposed budget to determine the best qualified firm for the project. Final contract negotiations then refine and establish the final scope, schedule and cost. Staff issued separate RFPs for each project anticipating the possibility that different firms might be interested in each of the projects. Since the same three firms proposed on both projects and since all three firms successfully demonstrated they are qualified for each project, staff believes that the work for both projects can be successfully accomplished by one firm. While contracting with two separate firms is also a possibility, all three firms indicated that there is some
economy of scale in awarding the work to one consultant. Staff has reviewed
the proposals for both projects. Both the Design Committee and staff had the
observation that the description of scope, schedule, and budget varied between
consultants on each project. This is a typical outcome for the consulting
services RFP process and allows for the identification of strengths and
weaknesses for each of the submitting firms. The following are a few general
observations of staff for the Board’s consideration:

- Overall, for all three firms
  - All proposals were well written and presented
  - All are qualified to complete the work on either project; no one was
    found to be unqualified or needed to be disqualified
  - All indicated a flexibility to adapt their scope, schedule and budget
during final contract negotiations
  - All provided suitable references; none have been contacted yet, but
    follow-up will be done for the selected firm during final contract
    negotiations

- Preliminary scope
  - studioINSITE – did not provide a narrative regarding specific tasks,
    but had great general ideas and concepts for both projects
  - Munn Architecture – did not provide a narrative regarding specific
tasks, but did identify public outreach during two high volume
weekends in July; identified a need for a structural engineer to
evaluate putting new signage on existing lamp posts
  - Norris Design – provided the best detail on work phases and
    specific tasks within each phase

- Preliminary schedule
  - studioINSITE – did not provide any details on their proposed
    schedule
  - Munn Architecture – used the target date identified by staff (end of
    the year); flexible to refinements
  - Norris Design – provided a graphic that highlighted the start, finish
    and overlap between the work phases

- Preliminary budget
  - studioINSITE – provided best detail in the streetscape proposal;
    anticipated being awarded both projects, thus awarding one project
    would likely increase fees for that project or require scope
    reduction; unlikely that the fee can be reduced sufficiently to fit the
    precise available budget balance for both projects (approximately
    $51,000)
  - Munn Architecture – anticipated being awarded only one project;
    awarding both projects may result in some fee reduction for the
    same scope; final fee for both projects can be reasonably
    anticipated to be within the precise available budget balance for
    both projects (approximately $51,000)
  - Norris Design – provided preliminary fees for both scenarios, one
    or both projects; not the lowest cost; unlikely that the fee can be
reduced sufficiently to fit the precise available budget balance for both projects (approximately $51,000)

- Western slope experience
  - studioINSITE – one key team member has roots in Grand County; while based in Denver, they have some western slope experience, but their examples were mostly in more urban environments; appears to rely heavily on ArtHouse for the wayfinding project
  - Munn Architecture – based and rooted in Grand County; most familiar with Grand Lake; most of their experience is in small, rural mountain communities; does not have a landscape architect on staff and thus appears to rely heavily on Terracina for the streetscape project; that said, the two firms appear to have teamed on many projects
  - Norris Design – based in Frisco with a great deal of experience in small, rural mountain communities; had the best list of other projects that seemed to have specific relevance to both projects

It may be possible to utilize some of the DOLA Administrative Grant funds for the wayfinding master plan. Staff has talked with DOLA and the Town can utilize some of the administrative grant for one or both projects; still limited by the $25,000 cap. The Town would need to modify the request letter and some of the follow up documentation in providing the final cost figures to Mr. Winkler. Should the Board decide to proceed with one or both projects, staff expects to return to the Board at its June 23 meeting with a final contract for consideration. The final contract will include a specific final scope, schedule and budget for the awarded work. The Board should discuss the merits of proceeding with one or both projects. If the Board is inclined to proceed, the Board should discuss the merits of each of the proposals to determine which firm is the most qualified and with whom contract negotiations should continue. Any and all proposals may be rejected for any reason. If one or both projects are awarded, the Board should also consider providing staff with feedback on key issues that should be taken into consideration during final contract negotiations. If the Board is not inclined to proceed with one or both projects, staff recommends that direction be provided so the RFP process can be terminated. If the Board is inclined to proceed with one or both projects, staff recommends that the Board provide direction so the contracting process can continue. If the Board is inclined to proceed with both projects, staff recommends that one firm be awarded both projects. Additionally, staff recommends that the project budget not be limited by the precise available budget balance for both projects of approximately $51,000, instead utilizing the approach that the Project Planning line item be overspent by as much as $10,000 given that other line items in the capital budget will not be spent at all or in full so that the overall capital budget will end the year well below budget. To the extent that our Municipal Code requires that the most qualified firm be selected for final contract negotiations, staff recommends that the Board select Norris Design for either or both projects. Staff believes that their proposals were the most responsive in describing their qualifications, experience, and
proposed scope/schedule/budget for the planning and design of each project. Should negotiations be unsuccessful with Norris Design, staff recommends that Munn Architecture be selected at the second most qualified firm and studioINSITE as third. Regardless of the order of selection by the Board, staff further recommends that the Board provide staff with feedback on key issues involving scope, schedule and budget that can be taken into consideration during final contract negotiations.

The Board has many options to consider, including:

- Provide direction to staff on any number of key issues involving scope, schedule and budget for the purposes of negotiating the final contract for future Board approval
- Award the work for both the wayfinding project or the streetscape project to one or two firms
- Award the work for only the streetscape project, terminating the wayfinding project RFP processes immediately and redirecting staff as appropriate
- Award the work for only the wayfinding project, terminating the streetscape project RFP process immediately and redirecting staff as appropriate
- Not award the work for both the wayfinding project and the streetscape project, terminating both RFP processes immediately and redirecting staff as appropriate
- Continue this matter to a future meeting

Hook concluded by saying that he did not ask or require any of the firms to be present although Scott Munn of Munn Architecture was seated in the audience.

Since member of the Design Committee were present, Mayor Burke asked if anyone of them would like to comment.

Jim Kroepfl, 133 Alpine Circle, was the first to be recognized. He said that the committee has worked on this for quite some time. The Committee Members have reviewed the RFP’s and have decided that the best course of action would be to award both projects to one firm. The decision between Norris Design and Munn Architecture was very close.

Elwin Crabtree, 252 County Road 442, was then recognized. He said that the committee was very happy to have three RFP’s and all of which were outstanding. The committee will work cooperatively with whomever the Board should select.

Scott Munn, Principal and Founder of Munn Architecture, 427 Trail Ridge Drive, Grand Lake, CO. He gave a very brief presentation about his firm then explained that he was on one of Grand Lake’s Master Plan Committees, he was on one of the committees that helped write the Town of Grand Lake’s Design guidelines. One thing he wanted to clarify was that it was determined that the
fees charged by Norris Design was in the middle and based upon his calculations, both Norris and INSITE were the highest and Munn happens to be the lowest. He said that he has been in this area for awhile and feels that he understands Grand Lake pretty well. He concluded by saying that he would love the opportunity to work with the Town. Being local he said that he can attend meetings on a short notice.

Following discussion, Trustee Lanzi moved to award both the Wayfinding Master Plan Project and the Grand Avenue Streetscape Master Plan Project to a single firm, to direct staff to negotiate a final contract with the firms in this priority order: (1) Munn Architecture, (2) Norris Design, and (3) studioINSITE. Trustee Gasner seconded the motion and amended it by adding "and to direct staff as follows: to work with a single firm and report costs for the design to the Board and present options for grants and different loan options to be presented at a future Public Hearing to be scheduled after the Master Plan is completed." Trustee Jenkins seconded the amendment and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE MAYOR BURKE TO SIGN A MEMORANDUM OF AGREEMENT FOR CYANOTOXIN SAMPLING

- 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 consider entering into a multi-agency agreement regarding cyanotoxin sampling in Grand Lake, Shadow Mountain Reservoir, and Willow Creek Reservoir. For the past six years, the Town has participated in a joint effort with Grand County, Three Lakes Watershed Association, Northern Colorado Water Conservancy District, and the Colorado River Water Conservation District to monitor the presence of cyanotoxins in Grand Lake, Shadow Mountain Reservoir, Granby Reservoir, and Willow Creek Reservoir. Granby Reservoir was dropped for the 2013 season and is again not included in the program for 2014. In 2009 through 2013, no detectable concentration of cyanotoxin was found. In 2008, only a trace amount was detected. It is very similar to prior years. It indentifies that GCWIN will perform the sampling and lab coordination. Most of the west slope storage facilities of the Colorado-Big Thompson Project (Grand Lake, Shadow Mountain Reservoir, and Willow Creek Reservoir) are in the program. One change in the 2014 program involves the sampling protocol. This change has been discussed by the scientists involved in the program and seems reasonable given the non-detect history and the desire to minimize expenses without sacrificing reliability. Another noteworthy change in the 2014 program involves the distribution of costs. Because the Bureau of Reclamation feels strongly enough that the program should not continue, they withdrew from participation in the program. Their former cost-share has been distributed to the remaining participants in accordance with the relative allocation proportions previously used. The value of Grand Lake's contribution for the 2014 season is $1,261.76. This value is less than the $1,500 allocated in the adopted 2014 budget for cyanotoxin sampling. Grand County is coordinating the effort to collect signatures from
all those involved and will forward a fully executed copy to us for our file. Around the first of the year, some of the program participants were questioning the need to continue the program in 2014. At a Board workshop in January, staff discussed with the Board the merits of continuing the program in 2014. The feeling of the Board was that, in the interest of public safety, we were not yet ready to drop the program. Based on input from the Town and other participants, there was consensus that the program could continue for at least another year. As mentioned, the Bureau of Reclamation has withdrawn from the program. The Board should discuss the merits of continuing the program for 2014 as well as the schedule, scope and budget for the 2014 program outline in the agreement. Staff recommends the Board authorize Mayor Burke to sign the Memorandum of Agreement. The Board should authorize or not authorize execution of the agreement.

Trustee Gasner moved to authorize Mayor Burke to sign the Memorandum of Agreement for cyanotoxin sampling. Trustee Lewis seconded the motion and all Trustees voted aye.

ACCOUNTS PAYABLE
May, 2014:

Trustee Lewis moved to examine the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Lanzi seconded the motion and all Trustees voted aye. Trustee Lewis then moved to approve the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Gasner seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: None.

ADJOURNMENT: Trustee Lewis moved to adjourn, seconded by Trustee Gasner. All Trustees voted aye, and the meeting was adjourned at 9:41 p.m., June 9, 2014.

JUDY M. BURKE, MAYOR

ATTEST: RONDA KOLINSKE, CMC, TOWN CLERK

06/09/14 Town of Grand Lake -- Board of Trustees