



## Town of Grand Lake Board of Trustees Workshop & Meeting

The Town of Grand Lake upholds the Six Pillars of Character: Citizenship, Trustworthiness, Respect, Responsibility, Fairness and Caring

### 9-13-2021 Board of Trustee Workshop & Evening Meeting LIVE in the Town Hall Board Room – 1026 Park Avenue

(Anyone wanting to speak during the Public Comments can do so in person at the Evening Meeting. If you cannot attend in person, please email your comment to Town Clerk, Jenn Thompson, at [jthompson@toglco.com](mailto:jthompson@toglco.com) **NO LATER THAN 3 PM Monday, September 13<sup>th</sup>**. This option (Public Comments) is not available for live streaming.

Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/JennThompson/board-of-trustee-workshop--evening-meeting>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 402-177-053

#### **Monday September 13, 2021 – Work Session 4:30 PM**

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1. Call to Order
2. Roll Call
3. Conflicts of Interest
4. Three Lakes Watershed Association Report
5. Town Marshall Discussion

#### **Monday September 13, 2021 – Evening Meeting 6:00 PM**

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- A. Call to Order
- B. Pledge of Allegiance
- C. Announcements
- D. Roll Call
- E. Conflicts of Interest
- F. Manager's Report
- G. Streetscape Update
- H. Public Comments (limited to 3 minutes)
- I. Consideration to Approve Meeting Minutes dated July 12, 2021 **(Pg E2)**
- J. Financial – Consideration to approve Accounts Payable for September 2021 **(Pg E8)** Account Balances review **(Pg E17)** Sales Tax reporting **(Pg E57)**
- K. Presentation of Budget Calendar **(Pg E71)**
- L. Consideration of Resolution 27-2021, a Resolution to Appoint Election Judges **(Pg E72)**
- M. Consideration of a United Companies Change Order **(Pg E74)**
- N. Consideration of Resolution 28-2021, a Resolution Waiving Certain Fees for the Grand Arts Council **(Pg E79)**
- O. Trustee Bruton report on communications with Trinidad Finance Director
- P. Mayors Report
- Q. Future Items for Consideration
- R. Adjourn meeting

Statement of Purpose: Workshops are held in the afternoon prior to each Board of Trustee meeting. Workshops are conducted:

- 1) To ensure that the Board Members have adequate information and background to make informed decisions on various items.
- 2) To provide the Trustees with a forum to frame emerging issues and to discuss potential alternatives to address these issues.
- 3) To learn about important events affecting the Town and to provide a chance for citizens to bring "for your information" items to the Trustees.
- 4) To make efficient and effective use of citizens time at Board meetings but allow citizens time to make their comments known in a recorded meeting.

September 13, 2021

## Proposal for a Town Marshal in Grand Lake

The Town of Grand Lake has been exploring the option of introducing a town marshal to help enforce laws and regulations, as well as help the Grand County Sheriff's office. This requires the town to analyze town and state code to comply with regulations and will result in a town meeting during which concerns, and citizens input may be heard.

### How Would This Affect the Town of Grand Lake?

- Town of Grand Lake municipal code last updated its police and marshal policy in October of 2009. This code states "There is hereby created a Police Department for the Town of Grand Lake which shall consist of one Town Marshall and as many policemen deputies as may from time to time be deemed necessary for the safety and good order of the Town.". This means that there is no need to have a town meeting to create these departments, however there will most likely need to be one to determine if policemen are needed and what number are required as well.
- A town marshal in Grand Lake would provide the town with a law enforcement presence it currently does not have. The town code lays out the role and expectations of a town marshal, listed below.
  - Execute and return, by himself or by any member of the police force, all writs and processes directed to him by the Mayor or the Municipal Judge in any case arising under the Town Code. In criminal cases, quasi-criminal cases, or cases in violation of the Town Code, he may serve the same in any part of the County in which such town is situated.
  - Suppress all riots, disturbances, and breaches of the peace, shall apprehend all disorderly persons in the Town, and shall pursue and arrest any person fleeing from justice in any part of the State.
  - Apprehend any person in the act of committing any offense against the laws of the State or the Code of the Town, and forthwith and without any warrant, bring such person before a Municipal Judge, County Judge, or other competent authority for examination and trial pursuant to law.
  - Take charge of the Town Jail and all prisoners confined therein, and all those who are sentenced to labor on the streets or public works of the Town and see that orders and sentences with reference to such are fully executed and complied with.
  - Render such accounts of the Police Department, his duties, and receipts as may be required by the Board, and keep the records of his office open to inspection by the Board at any time.
  - Upon assuming the duties of such office, the Town Marshal shall take and subscribe to 54 CHAPTER 2: ADMINISTRATION ARTICLE 12: POLICE

DEPARTMENT an oath that he will support the Constitution and laws of the State of Colorado, Constitution of the United States and Ordinances of the Town of Grand Lake, and that he will faithfully perform the duties of the office upon which he is about to enter. He shall furnish a bond to be approved by the Board, in the amount of not less than Five Thousand Dollars (\$5,000.00), conditioned upon the faithful discharge of the duties of his office.

### What Regulatory and Training Steps Would be Needed?

- As stated above, the town of Grand Lake municipal code clearly outlines the expectation and regulations town marshals should adhere to. Unless the town decides that these regulations need to be updated, the only town regulations which would be required would be to decide if an extra police force to back up the marshal is needed, what compensation a marshal would have, and what supplies and facilities are required.
- The state of Colorado also has some regulatory steps required which would need to be met to have a town marshal. These are wide ranging and would most likely have to be done in another town or city such as Denver. The required trainings and regulations are listed below. Upon completion of these trainings, officials are labeled P.O.S.T. certified, which stands for peace officer standards and training. This is required for all state marshals, as well as any police force which may or may not be hired in the future. The overall link can be found below.

<https://post.colorado.gov/training/mandated-training>

- *Rule 28 In-Service Training:* This is a twelve-hour annual training required for all peace officers and varies in content year to year. It can include any sort of skill training that the P.O.S.T certification would include, and includes both new training, and updated training for past training regulations. The link with the mission statement and all information is found below.

<https://post.colorado.gov/sites/post/files/documents/Rule%2028.pdf>

- *C.R.S. 24-31-315 Mandated Training (Formerly known as 1287):* This is a required training for all P.O.S.T. officers which happens at a minimum of once every five years. The house bill referred to here requires that all certified peace officers are trained every five years in Proper Holds and Restraints, Anti-Bias training, Community Policing / Community Partnership training and De-Escalation training. The link below outlines all the extra information including timetables and locations where this training can be found.

<https://post.colorado.gov/training/crs-24-31-315-training-resource-guide>

- *DNA Online Training*: Part of the C.R.S. act mentioned above also requires online DNA evidence collection and retention training effective 2009. This is a course which can be taken online and is linked below. <https://post.colorado.gov/training/mandated-training/dna-evidence-collection-and-retention-course>
- *Colorado Dog Protection Act*: This is no longer P.O.S.T. required, however provides huge benefits for both officers and town citizens. As the online training is no longer available, the town would have to reach out to different agencies to find a training which would comply with state regulations for this. The state of Colorado's website recommends visiting C.R.S. 29-5-112 for recommendations and direction finding such agencies.
- *Mandatory Reporting of Abuse or Exploitation of Elders Training for Law Enforcement*: This training is required by the P.O.S.T. board, however, is not required for each officer. The mandate requires that at least one town sheriff or peace officers to have this training, however there is no specification for renewal of training, meaning that this is a one-off training to my knowledge. This training is also not linked on the Colorado state website, and thus more research will need to be completed to determine whether this training needs to be done in house or through another agency. I would also recommend seeing if we can blanket this training under the Grand County sheriff's department as if someone there has this training it may not be necessary for a town marshal to also complete it.
- *Basic School Resource Officer Training Curriculum*: Like the above training, this training is required for only one sheriff, marshal, or peace officer to have, and thus I believe it is worth seeing if the Grand County sheriff department have this and if it can apply to the proposed Grand Lake marshal. Course description and scheduling can be found at the link below if this cannot be blanketed under the Grand County sheriffs. <https://www.nasro.org/index.php>

### **What is the Difference Between a Town Marshal Versus a Police Department?**

- As a town marshal in the state of Colorado there are a few discrepancies in the power which these peace officers have. It is important to note that a town marshal does not have the power of a federally appointed US marshal, and typically requires much less training.
  - Town marshals have the power to enforce the law as any peace officer would, while they also typically have the power to appoint an assistant marshal or police officers should they require the extra help. This is

something which would need to be addressed in a town meeting to make sure that the public and town board are ok leaving that person to do that his or herself.

- Town marshals in smaller population towns like Grand Lake also typically don't have their own police station, typically working out of a town hall or smaller office.
- Finally, many town marshals typically have an agreement wherein they receive 5% of the income the town would generate from citations, tickets, and other fines which they would be required to implement. This is another topic worth bringing up to the board, as it may affect the salary which the town would otherwise offer a town marshal.

### **Liabilities of Implementing a Town Marshal in the Town of Grand Lake**

- In general, there should be no liabilities to the town of Grand Lake under the assumption that the right person is hired. The town marshal would most likely be reporting directly to town hall or to the Grand County sheriff's department, so all actions would most likely be done under the direction or awareness of one of those two departments. A short google however, shows that this is something which does need to be monitored just due to the reputation that other marshal departments (both at a town and federal level) have given themselves across the country. Town marshals have a reputation nationwide for being too violent, and generally not very popular among the citizens of the districts, towns, and cities in which they work. I would recommend a system where the town marshal and deputy's (should they be required) are required to report to either the Grand County sheriff's department or the Grand Lake town hall and by extension the board of trustees. The one advantage that the town of Grand Lake has is our biweekly town meetings, during which the town marshal could be required to show up and give a report which can be heard by town citizens to make sure that accountability is present.

### **Sample Budgets and Codes for Town Marshals from Other Colorado Towns**

- When reporting the budgets for town marshals and their activities towns varied in how the reported information, with some reporting the overall budget, while others broke down the budget for wages and benefits versus operations. The Colorado average wage for a town marshal I have found ranges between

100,000-130,000 a year plus benefits typically found in government jobs. Descriptions and links to budgets can be found below.

- *Telluride*: As Telluride is a significantly larger town than Grand Lake, their budget includes financing for many peace officers beyond the town marshal, and they do not have a set operations budget for their law enforcement. They do have salaries listed for both their town marshal, and deputy town marshal which sit range from \$103,123-\$149,528 for the town marshal and \$58,395-\$84,673 for the deputy town marshal. Based on analysis of other town budgets which are significantly higher, this budget does not include any operating costs, or the benefits which a marshal would receive from the town. The town budget link can be found below, while the town marshal budget numbers can be found on page 61.  
<https://www.telluride-co.gov/DocumentCenter/View/8315/TellurideCO>
- *Crested Butte*: As mentioned above, many town budgets do not have individual breakdowns for what is included in the town marshals' budget, including Crested Butte. The town of Crested Butte in their official budget sets aside \$1,070,702, however does not specify what is broken down within this amount. Based on my analysis of other budgets I would say that this includes the operating costs, salaries, and benefits of the marshal's office, which may or may not include a deputy marshal as well. The town budget link can be found below, while the town marshal budget can be found in the operating expenses section on page 9.  
[https://www.crestedbutte-co.gov/vertical/sites/%7B6058FFBB-CB06-4864-B42F-B476F794BE07%7D/uploads/2021\\_Budget.pdf](https://www.crestedbutte-co.gov/vertical/sites/%7B6058FFBB-CB06-4864-B42F-B476F794BE07%7D/uploads/2021_Budget.pdf)
- *Bayfield*: The town of Bayfield has the most in depth and broken-down budget, especially regarding the town marshal. They have broken it down into the budget required to have a town marshal on board, and separately have outlined the operating costs which a town marshal would require separately. Town marshal wages and benefits total \$881,147, and operating costs total \$192,239 which the document breaks down further. The town budget link can be found below, with the marshal budget found on page 28 of the document.  
[https://townofbayfield.colorado.gov/sites/townofbayfield/files/documents/budget\\_2021\\_Final.pdf](https://townofbayfield.colorado.gov/sites/townofbayfield/files/documents/budget_2021_Final.pdf)