

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, NOVEMBER 9, 2015 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:31 p.m. at the Town Hall, 1026 Park Avenue.

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

ROLL CALL PRESENT: Mayor Burke; Trustees Baird, Gasner, Jenkins, Lanzi, and Lewis; Town Manager White, Town Clerk Nicholls and Town Treasurer Ackerman.

ABSENT: Mayor Burke announced that Trustee Sabo was absent from both the afternoon workshop and this evening's meeting due to weather complications keeping him out of state.

Trustee Lewis moved to excuse Trustee Sabo from the afternoon workshop and the evening meeting. The motion was seconded by Trustee Baird and all Trustees voted aye.

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

Mayor Burke announced that in observance of Veteran's Day, let us honor and remember those who have served and those who continue to serve our country.

Mayor Burke then announced that Sagebrush BBQ & Grill is having a Veterans Day free spaghetti buffet dinner from 5PM – 11PM on Wednesday, November 11th for all active-duty and military veterans who provide proof of service.

Mayor Burke announced that an open house to celebrate the progress made at the Grand Lake Center as well as the possibilities for future uses has been scheduled for 5:30-7:30 p.m. on Monday, November 16th at the Center, which was formerly the Grand Lake Elementary School.

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.

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Mayor Burke stated that there was an outstanding possible conflict of interest regarding Trustee Jenkins and topics pertaining to the Chamber of Commerce. She stated that during the afternoon workshop it was essentially agreed upon by the Board that no such conflict of interest exists.

Trustee Gasner moved that no conflict of interest exists regarding Trustee Jenkins and the Chamber of Commerce with topics discussed this afternoon, evening or in the future. The motion was seconded by Trustee Lewis and all Trustees voted aye.

Trustee Jenkins announced that she had a conflict with the Local Liquor Licensing issues, as well as the selection of venue for the Annual Appreciation Dinner as her family holds an interest in the license for the Gateway Inn.

Trustee Baird announced that she had a conflict with the request for an extension of the change of residency outside city limits as it pertains directly to her.

UNSCHEDULED PUBLIC COMMENTS:

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

Ann Romshek, County Road 49, was recognized by the chair. She stated that she has been on the committee for the Grand Lake Center for the last 8 months. She is disappointed that she missed the committee's presentation due to communication issues.

Mayor Burke said that a presentation was provided for the Board this afternoon and they would get her a copy of the presentation. Additionally, the open house at the Grand Lake Center was announced.

Jim Kroepfl, 133 Alpine Circle, was recognized by the chair. He stated that he wanted to extend his gratitude to Judy Burke, Stephanie Kroepfl, Bonnie Severson, and Jean Cross for all their work in getting the libraries open after the reduction in hours.

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SCHEDULED
PRESENTATIONS/
DELEGATIONS:

None.

CONSENT AGENDA:

Mayor Burke introduced the Consent Agenda which contained the following: Minutes from the October 12, 2015 Meeting and Accounts Payable for October, 2015.

Trustee Lewis moved to approve the Consent Agenda as presented. Trustee Jenkins seconded the motion and all Trustees voted aye, except Trustee Gasner who abstained.

REPORTS: SALES TAX
CASH FLOW REPORT
FOR OCTOBER 2014:

Mayor Burke asked Town Clerk Nicholls to present the sales tax cash flow report. Nicholls reported that the amount of revenue received in October 2015 for the month of August was \$216,174. This amount is over 7.8% above what was received through October 2014.

REPORTS: FINANCIAL
REPORT FOR
SEPTEMBER 2015:

Mayor Burke asked Town Clerk Nicholls to present the Financial Report for September 2015. Nicholls reported that the General Fund expenditures through the end of September totaled \$123,458.60 or 32.3% of budget. She said the Water Fund expenditures for the same period totaled \$43,242.90 or 44.5% of budget, the Marina Fund expenditures totaled \$66,977.52 or 45% of budget and the PAYT Fund expenditures totaled \$1,922.06 or 58.9% of budget.

At 7:43 p.m. Trustee Jenkins excused herself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF APPROVAL OF RENEWAL OF THE HOTEL & RESTAURANT LIQUOR LICENSE FOR M & S WHEATLEY ENTERPRISES LLC, D/B/A THE TERRACE INN - Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that the fees have been paid and the renewal documents are in order. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department reviewed their files and found no adverse information that would affect the status of the license. She then concluded by saying that Mike Wheatley, Member, was present.

Trustee Gasner moved to approve the renewal of the Hotel and Restaurant Liquor License for M&S Wheatley Enterprises, LLC,

d/b/a The Terrace Inn. Trustee Lewis seconded the motion and all Trustees voted aye

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF APPROVAL OF RENEWAL OF THE TAVERN LIQUOR LICENSE FOR GRUMPY'S SALOON, INC, D/B/A GRUMPY'S SALOON - Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported that the fees have been paid and the renewal documents are in order. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department reviewed their files and found no adverse information that would affect the status of the license. She then concluded by saying that Dustin Barnes, President, was present.

Trustee Lewis moved to approve the renewal of the Tavern Liquor License for Grumpy's Saloon, Inc, d/b/a Grumpy's Saloon. Trustee Baird seconded the motion and all Trustees voted aye

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF APPROVAL OF A SPECIAL EVENTS LIQUOR PERMIT APPLICATION FOR THE ROTARY CLUB OF GRAND LAKE FOR A HOLIDAY FUNDRAISING EVENT - Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls explained that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Rotary Club of Grand Lake. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for a holiday fundraising event to be held Saturday, December 5, 2015 from 5:00 to 10:00 p.m. The proposed location is the Grand Lake Community House at 1025 Grand Avenue. She said that the application was received on October 8, 2015. Per State Statute, an applicant must file for a special event permit with the local licensing authority at least 30 days prior to the date of the event. However, for "good cause shown", the local licensing authority may waive this 30-day requirement. Although the application was received 30 days prior to the date of the event there was not enough time for this matter to be brought before the local licensing authority twice, therefore, this is being presented for approval. Public notice was posted on the premises on October 30, 2015 and attested to by Grand Lake's Town Planner, Joe Biller. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. She stated that the Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in

compliance with applicable laws and regulations. Nicholls then noted that Michael Long, representative, was present.

Following brief discussion, Trustee Lewis moved to approve the Special Events Liquor Permit Application from the Rotary Club of Grand Lake for a holiday fundraising event. The requested date is Saturday, December 5, 2015 from 5:00 to 10:00 p.m. Trustee Baird seconded the motion and all Trustees voted aye

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENTS LIQUOR PERMIT APPLICATION FOR THE GRAND LAKE AREA HISTORICAL SOCIETY FOR THEIR "HISTORICAL HOLIDAY CELEBRATION" - Mayor Burke asked Town Clerk Nicholls to present this matter to the Board. Nicholls explained that an application for a Special Events Liquor Permit has been received, with the appropriate state fee, certificate of good corporate standing, and floor diagram, from the Grand Lake Area Historical Society. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their "Historical Holiday Celebration" to be held Saturday, December 26, 2015 from 6:00 to 9:00 p.m. The proposed location is the Kauffman House at 407 Pitkin Street. It has been the most recent procedure of this Board to receive the application and then schedule consideration of approval of the permit as a regular item of business at the following meeting. Although a Public Hearing is not required by statute, the Board may choose to set one. Approval of the requested permit may be scheduled for the November 23rd regular Board meeting, as either a Public Hearing or regular item of business. Nicholls noted that Elin Capps was present representing the Historical Society.

Trustee Lewis moved to act on the request as a regular business item at the November 23, 2015 Board Meeting. Trustee Gasner seconded the motion and all Trustees voted aye.

Trustee Jenkins resumed her seat at 7:53 p.m.

OLD BUSINESS:

PUBLIC HEARING - CONSIDERATION OF A PROPOSED BUDGET FOR THE TOWN OF GRAND LAKE FOR THE YEAR 2015 – Mayor Burke asked Town Treasurer Ackerman to present this matter to the Board. Ackerman explained the proposed 2016 Budget for the Town of Grand Lake is hereby submitted to the Board of Trustees for consideration at the Public Hearing scheduled for November 9, 2015. Legal Notice No. 11611204A, Notice of Proposed Budget, setting the public hearing was published in the Middle Park Times on Thursday, October 22, 2015. The 2016 Budget must be adopted by the Board of Trustees no later than December 15, 2015. The most recent updates have

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been made to the draft budget. It should be noted that the draft budget being considered at the Public Hearing is subject to further change by the Board up until final adoption in December. After hearing the public comment portion of the Public Hearing, Staff recommends the Board close the Public Hearing and proceed to the next item on the agenda.

Mayor Burke opened the Public Hearing and asked for comments.

Jim Kroepfl, 133 Alpine Circle, representing the Grand Lake Design Committee was recognized by the chair. He briefly explained the history of the design committee and the Streetscape and Wayfinding Masterplans of Grand Lake. The design committee has developed as a first phase towards implementing these plans. He stated they are requesting \$30,000 towards Streetscape to install water connections with existing waterlines below the greenbelt, add professional decorative lighting and rework the landscaping at the Grand Lake entrance under the marquee sign, and begin the survey and engineering required to implement additional streetscape elements such as widen boardwalks, bump outs and seating areas. The committee would be applying for a matching DOLA grant with this money. He continued to state that they are requesting \$20,000 towards Wayfinding for landmark signs to historic and rustic districts, and directional signs to the lake, public restrooms and parking. They also requested \$8,000 towards the Community Enhancement Grant Program. He concluded by stating that they think this is the smallest yet most highly visible step towards bringing these masterplans to fruition.

Steve Kudron, 408 Park Avenue, was recognized by the chair. He stated that he had reviewed the budget as a business owner, Chamber member and citizen. He commended the Budget Committee and Staff for their work on the budget. He stated that as a business owner it is important to him that his marketing budget is supported by the Town and believes that the monies provided to the Grand Lake Chamber of Commerce should not be decreased. If the marketing dollars shrink there is a possibility that the grant money will also shrink. Additionally, the Visitor Center operates cheaply, continued marketing is extremely important. He proposed that to maintain the funding for the Chamber, reductions could be made by eliminating the stipend for Trustees and reductions in organizational contributions. He concluded by stating that the Grand Lake Rotary would grant the Town of Grand Lake the proceeds from the Rubber Duck Derby towards streetscaping. They hope that this will inspire the Town to get the project going.

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Samantha Miller, 64 Balsam Drive, Winter Park, Executive Director of the Grand Lake Chamber of Commerce, was recognized by the chair. She requested no funds be cut from the Chamber. The funds cut equate to hours which equates to people. The 700 hours that would be lost due to the reduction of funds equates to a loss of an employee. The \$3,000 lost from the business licenses is a \$3,000 reduction of events, which will have to be examined if there is a loss.

Stephanie Kroepfl, 133 Alpine Circle, was recognized by the chair. She stated that the Visitor Center is the entrance of Grand Lake and if it is closed people will assume the Town is closed. The people in the Visitor's Center convince many visitors to come into the Town of Grand Lake. She stated that it would be terrible if the little bit of money would keep so many people from coming into the Town. Maintaining the funding for the Visitor's Center would make a huge difference towards the Town.

Having no other comments, Mayor Burke closed the Public Hearing and moved on to the next item on the agenda.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE TOWN MANAGER TO SIGN A MULTI-YEAR LEASE AGREEMENT BETWEEN THE TOWN OF GRAND LAKE AND MOUNTAIN PADDLERS, LLC, D/B/A MOUNTAIN PADDLERS FOR A BUILDING LEASE AND KAYAK SLIP RENTALS – Mayor Burke asked Town Manager White to present this matter to the Board. White explained that in September 2015, he and Andy Murphy reviewed the lease agreement for Mountain Paddlers, LLC and brought the recommended changes forward to the Town Board. The primary change is to recommend a 5 year, multi-year extension of the lease. They also discussed maintaining the current rates, which were increased prior to the 2015 season, following the Kayak Shack's first four years. It is proposed these new rates remain in place through 2017. Prior to the 2018 season, another rate increase will be proposed for the final three years through the 2020 season. Staff supports this extended lease with Mountain Paddlers, LLC. The relationship with Mountain Paddlers is cooperative and the service is beneficial in attracting guests to our community and to our marina. Support from the former director and current Marina Director has been received. At the September 28, 2015 Town Board Work Session, commentary was supportive for this proposal. A copy of the revised lease agreement has been provided for Board review.

Andy Murphy, owner of Mountain Paddlers, LLC, was recognized by the chair. He discussed the history of his business and general information previously provided at the afternoon workshop in

September. He stated that he has a reliable business with no complaints thus far. A multi-year lease would provide a sense of security and the ability to grow and prosper with the purchase of new equipment. He further stated that there is turnover at the Town on a staff as well as Trustee level, and a longer lease would provide continuity and peace of mind.

After a brief discussion Trustee Jenkins moved to extend the contract with Mountain Paddlers, LLC through 2020 as presented. Trustee Lewis seconded the motion and all Trustees voted aye, except for Trustee Gasner who voted nay.

NEW BUSINESS:

CONSIDERATION OF A BUY-DOWN OF 2015 ACCRUED COMP TIME – Mayor Burke asked Town Treasurer Ackerman to present the matter to the Board. Ackerman explained most employees earn compensation time (“comp time”) at the rate of 1.5 times hours worked in excess of 40 hours in a single work week. The current personnel guidelines allow comp time hours to be accrued up to a maximum of 480 hours for public works and water personnel and 240 hours for office staff. The guidelines offer two options for reducing comp time liability: order an employee to take comp time off in order to keep the employee’s accrued comp time within the allowable limit; or the Board may elect to buy-down a portion of accrued comp time to a pre-determined level when the Board feels it would be fiscally responsible to do so. At this time, no employees have accrued the maximum comp time for their department classification. In the past, the Board has elected to buy-down comp time accrued to a pre-determined level in order to reduce leave time liability. In those years when the buy-down has been authorized, the level has been set at 160 hours (20 days). A spreadsheet showing those employees who have accrued comp time in excess of 160 hours, and the cost (as of October 31, 2015) to buy-down the comp time for those employees is provided. The Board can, of course, set the buy-down at any level it chooses; accordingly, the cost to buy-down to 200 hours (25 days) and 240 hours (30 days) is also provided. There are two employees, not included on the spreadsheet, who have elected to use their time before the end of the year instead of having it paid out.

Trustee Baird moved to approve the comp time buy-down to the 160 hour level and to spread the disbursement over the last four pay periods, which begin November 15, 2015. Trustee Gasner seconded the motion and all employees voted aye, except Trustee Lewis who abstained.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 27-2015 AND AUTHORIZE THE MAYOR TO SIGN THE AUTHORIZED

USER MASTER LIST IN CONNECTION WITH THE REISSUANCE OF THE TOWN'S CREDIT CARD WITH THE CREDIT UNION OF COLORADO - Mayor Burke asked Town Treasurer Ackerman to present the matter to the Board. Ackerman explained Resolution No. 27-2015 and the Authorized User Master List in connection with the annual reissuance of the Town's two credit cards with Credit Union of Colorado. The credit limit on each card is \$2,000, for a total of \$4,000 liability. James J. White, Town Manager, and Martha Lund, Administrative Assistant, are currently the authorized users.

Trustee Gasner moved that the Town adopt Resolution No. 27-2015 and authorize the Mayor to sign the Authorized User Master List in connection with the reissuance of the Town's credit card with the Credit Union of Colorado. Trustee Baird seconded the motion and all Trustees voted aye.

Trustee Baird excused herself and left the room at 8:28 p.m.

NEW BUSINESS:

CONSIDERATION TO ALLOW AN EXTENSION OF THE CHANGE OF RESIDENCY GRANTED TO TRUSTEE BAIRD TO LIVE OUTSIDE TOWN LIMITS – Mayor Burke asked Town Manager White to present the matter to the Board. White explained that on August 8, 2014 the Board authorized Trustee Baird to reside outside town limits for a period not to exceed 13 months. The period authorized expired September 30, 2015. Another extension was granted on September 28, 2015 expiring November 9, 2015. This decision was based upon Town of Grand Lake Municipal Code 2-3-6 Removal of Officer, which reads: When any officer ceases to reside within the limits of the town, he may be removed. No other code or statute requires a Trustee to reside within the Town limits after election. Trustee Baird has postponed her move outside the county until February 2016 and would like to remain on the Board until such time. Her term expires 2018. The Board vacancy can be filled by appointment at any time. However, filling the vacancy by special election would need to occur prior to January 6, 2016 per §31-10-108, C.R.S, which states that no special election shall be held within the 90 days preceding a regular election. If the vacancy occurs after January 5, 2016 the vacancy can either remain until the regular election or be filled by appointment. Following the October 12, 2015 meeting, where Trustee Baird's vacancy was discussed, one individual, Jim Peterson, submitted a letter of interest in the upcoming vacancy.

After discussion, Trustee Lanzi moved to authorize Trustee Baird to continue to reside outside the Town limits through February 22,

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2016. Trustee Jenkins seconded the motion and all Trustees voted aye.

Trustee Baird resumed her seat at 8:34 p.m.

Trustee Jenkins excused herself and left the room at 8:34 p.m.

NEW BUSINESS:

CONSIDERATION TO SELECT A VENUE AND MENU FOR THE ANNUAL APPRECIATION DINNER - Mayor Burke asked Town Manager White to present the matter to the Board. White explained arrangements are being made for the Town's Annual Appreciation Dinner for the Board of Trustees, Planning Commissioners, Board of Adjustment members, staff, Sheriff's Deputies, current Town committee members, Fireworks Organization representatives, etc. Invitations will go out this week. The dinner will be held on Friday, December 4, 2015 at 6 p.m. Two establishments, The Rapids Lodge and O-A Bistro in conjunction with Gateway Inn, have submitted bids for the dinner, with costs of \$32.95-\$36.00 per plate, including gratuity. Based upon the rotation of restaurants Staff recommends The Rapids Lodge.

After discussion Trustee Baird moved to select The Rapids Lodge to host the Town's annual appreciation dinner on Friday, December 4, 2015 and in any future years the Staff will choose the establishment and it will be on the first Saturday in December. Trustee Lewis seconded the motion and all Trustees voted aye.

Trustee Jenkins resumed her seat at 8:38 p.m.

MAYOR'S REPORT
AND COMMENT:

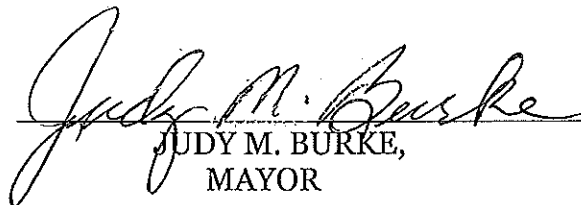
Mayor Burke stated that it is with all the help and dedication of volunteers in our community, that our community is able to do a lot more than it would otherwise. She stated that despite some beliefs, people attend these meetings because they do care about the community and how the money is spent as a whole. She extended her appreciation to all who attended the meeting and that the comments received from them will provide thought to the Board.

Town Manager White proposed that the Budget Committee meet one more time prior to the December meeting. After brief discussion a meeting was set for Wednesday, November 11, 2015 at 12 p.m.

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ADJOURNMENT:

Trustee Gasner moved to adjourn, seconded by Trustee Lewis. All Trustees voted aye, and the meeting was adjourned at 8:41 p.m., November 9, 2015.


JUDY M. BURKE,
MAYOR

ATTEST:


KATIE NICHOLLS,
TOWN CLERK