

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JANUARY 23, 2017 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Jim Peterson at 7:30 p.m. at the Town Hall, 1026 Park Avenue.

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

ROLL CALL PRESENT: Mayor Peterson; Trustees Jenkins, Kudron, and Lewis; Town Manager White, Town Clerk Nicholls, Town Code Administrator ORourke and Town Attorney Krob.

ABSENT: Mayor Peterson noted that Trustee Goodfellow was absent from the evening meeting, and further noted that there are 2 vacancies on the Board of Trustees.

Trustee Lewis moved to excuse Trustee Goodfellow from the evening meeting. Trustee Jenkins seconded the motion and all Trustees voted aye.

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

Mayor Peterson announced that the 29th Annual Three Lake Fishing Tournament is scheduled for January 28th & 29th.

Mayor Peterson announced that the Independent Sports Club is having a Wild Game Dinner Fundraiser on February 10th at the Grand Lake Center at 5:30 p.m. Tickets will go on sale Thursday.

Mayor Peterson announced that Winter Carnival is February 11th. This year's theme is Grand Lake Goes Hollywood. As usual the events start with Teapot Curling at 9:30 a.m. and end with the ball at Pancho & Lefty's from 6-10 p.m. Fireworks are at 8 p.m.

Mayor Peterson then announced that the Grand Lake Rotary Club is sponsoring a Valentine's Day concert featuring Peggy Mann on February 12th at the Grand Lake Community House.

CONFLICTS OF INTEREST:

Mayor Peterson 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.

There were no conflicts of interest.

UNSCHEDULED
PUBLIC COMMENTS:

Mayor Peterson 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. He then asked if there were any unscheduled public comments and noted that comments are limited to 3 minutes.

Lance Sabo, 808 Park Avenue, was recognized by the Chair. Mr. Sabo stated that he ran for the Board years ago and was elected. One of the first things he learned was that there will be people of diverse education and backgrounds serving along side him and that they should always treat people with respect and listen to the various opinions. He stated that the Board seems to not want to hear differing opinions and Board members seem to interrupt and comment very loudly when there is an opposing opinion. This happened to him at the last meeting and is the reason he has resigned from the Board. He implored the Board to call for an election and let the citizens decide instead of appointing. He concluded by stating two Trustees have resigned and 8-10 employees have quit. The Board should look closely at this and make the appropriate changes.

Jim Kroepfl, 133 Alpine Circle, was recognized by the Chair. Mr. Kroepfl stated that he is the Treasurer for the Grand Lake Area Chamber of Commerce. He thanked the Board for their continued confidence in the Chamber. They had a great 2016 and look forward to another great year.

Jim Gasner, 907 Grand Avenue, was recognized by the Chair. Mr. Gasner stated he felt the Town had the poorest management he has ever seen on a Board. He stated that he felt the Board should hold an election for four Trustee positions, in addition to the two vacancies there are two people who do not live in Town.

SCHEDULED
PRESENTATIONS/
DELEGATIONS:

Mayor Peterson introduced Samantha Bruegger, Grand Lake Area Chamber of Commerce. Ms. Bruegger reviewed the 2016 year for the Chamber, noting a grant awarded from the Colorado Tourism Board, and a new marketing and events director that was hired. She continued by stating that as a member of the Fireworks Committee she wanted to briefly report on the Committee. Due to the extra repairs required to the barge and a dock or pier that is

needed, the Fireworks Committee needs an extra \$20,000 in order to have the Fourth of July show. She asked the Town to consider contributing the funds to help with the dock or ensure that the East Inlet construction is done in time. She finished up with the state of the committee's accounts and their plans for the event.

The Board directed Staff to make the Fireworks Committee request an agenda item at the next meeting.

MINUTES APPROVAL: Trustee Lewis moved to approve the January 9, 2017 Minutes as presented. Trustee Jenkins seconded the motion and all Trustees voted aye, except Trustee Kudron who abstained.

REPORTS: SALES TAX
CASH FLOW REPORT
FOR DECEMBER 2016:

Mayor Peterson asked Town Clerk Nicholls to present the sales tax cash flow report. Nicholls reported that the amount of revenue received in December 2016 for the month of November was \$38,189 or \$1,153,629 year-to-date. This amount was 3.86% above what was received through November 2015.

REPORTS: FINANCIAL
REPORT FOR
DECEMBER 2016:

Mayor Peterson asked Town Clerk Nicholls to present the Financial Report for December 2016, unadjusted. Nicholls reported that the General Fund expenditures through the end of December, totaled \$1,820,926 or 63.4% of budget. She said the Water Fund expenditures for the same period totaled \$575,846 or 69.7% of budget, the Marina Fund expenditures totaled \$163,329 or 75.6% of budget, the PAYT Fund expenditures totaled \$27,052 or 70.1% of budget, and the Grand Lake Center expenditures totaled \$142,919 or 190% of budget.

LIQUOR LICENSING AUTHORITY

SPECIAL EVENT PERMITS: **CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT AND SPECIAL EVENT PERMIT FOR INDEPENDENT SPORTS CLUB FOR A WILD GAME DINNER FUNDRAISER EVENT** – Mayor Peterson asked Town Clerk Nicholls present this matter to the Board. Nicholls stated an application for a Special Events Liquor Permit was received with the appropriate state fee, proof of possession, certificate of good corporate standing, and floor diagram, from the Independent Sports Club. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their Wild Game Dinner Fundraiser to be held Friday, February 10, 2017. The Independent Sports Club qualifies for a Special Events Permit in that it is incorporated with the State of

Colorado as a nonprofit social group, and has not received more than 15 Special Events Liquor License Permits for 2017 (this is their 1st request). The proposed location is the Grand Lake Center at 301 Marina Drive. The Grand Lake Center is more than 500 feet from any educational institution; therefore, State Statute does not prohibit liquor from being sold from this location. Public notice was posted on the premises and attested to by Grand Lake's Code Administrator Erin ORourke on January 13, 2017. The Grand County Sheriff's Department reviewed the application and found no adverse information which would affect this permit. The Board must investigate the application and must deny the permit if its issuance would injure the public welfare by reason of the nature or location of the special event, or failure of the applicant to conduct past special events in compliance with applicable laws and regulations. She then stated that Code Administrator ORourke would be presenting the Special Event Permit Application.

Code Administrator ORourke stated The Independent Sports Club has submitted a Special Event Permit Application for consideration of hosting its Wild Game Dinner Fundraiser at the Grand Lake Center on February 10, 2017, from 4 p.m. until 11 p.m. Because this is a first time event, action by the Board of Trustees is required. The Independent Sports Club is a 501(c)(3) nonprofit organization and the proceeds from the Event will benefit Grand County Youth. Staff believes that this event should be a successful event for the Applicant's fundraising efforts for Grand County Youth. Town Staff recommends approval and execution of the Special Event Permit as presented. It was noted that Julie Gasner was present.

Trustee Kudron moved to approve the Special Event Permit and the Liquor License Application for the Independent Sports Club Wild Game Dinner Fundraiser, and authorize Mayor Peterson to sign the Special Event Permit upon confirmation from Staff that all other application requirements have been met and the Special Event Permit is ready for signature. Trustee Lewis seconded the motion and all Trustees voted aye.

OLD BUSINESS: NONE

NEW BUSINESS: **CONSIDERATION OF THE BOARD OF TRUSTEES VACANCY** – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated the resignations of Trustee Jim Gasner on January 9, 2017, and Trustee Lance Sabo on January 20, 2017 has created two vacancies on the Board of Trustees. The Board of Trustees has 60 days to fill the positions by appointment or order a special election, after which the Board's only option shall be to order an election. It has been the Board's

historical preference to fill such vacancies by means of appointment to expedite the filling of the vacancy and avoid the costs of an election. Letters of interest from qualified electors would be requested from the public and brought to the Board for their review and decision. If the Board decides to appoint, the positions will need to be decided upon and filled no later than the February 27, 2017 meeting, as the deadline to avoid election is March 10, 2017. The appointed people would serve until the next election in April 2018. Special election is the other option for filling the vacancy. State statute drives the timeline on elections. A minimum of 91 days is required to meet all the requirements for an election putting the election 3+ months out. Additional costs estimated at \$1,500 would be incurred along with the extra overtime necessary for the Town Clerk to run an election. Qualifications for holding office are that the individual must be a registered elector of the Town, 18 years of age on Election Day, resided in the Town for at least 12 months immediately preceding the date of the election, and may not run for or hold 2 offices simultaneously. The Board should direct Staff to advertise the vacancy for appointment or make a motion to have a special election on a specific date.

Mayor Peterson reiterated the Board's precedent of filling vacancies by appointment and noted that there is currently one Trustee living outside of Town limits.

A discussion ensued regarding the time frame and costs of an election, the length of the appointment term, the burden on the Staff to have an election, and the best decision for the community.

Trustee Lewis stated that she was part of this discussion and she would like to stay on the Board until the next election.

Samantha Bruegger, 217 Marina Drive, was recognized by the Chair. Ms. Bruegger noted that there seems to always be a struggle finding qualified people to fill vacancies. She questioned if becoming a home rule town would open up more possibilities for those living outside Town limits. Mayor Peterson confirmed that it would not.

Jim Kroepfl, 133 Alpine Circle, was recognized by the Chair. Mr. Kroepfl stated that he serves on a couple of boards and gets paid on one of them. He feels the Board should receive remuneration for their service.

Trustee Kudron moved that the Town of Grand Lake Board of Trustees make appointments for the two vacancies based upon a satisfactory number of requests being filled by February 27, 2017

directing Staff to advertise the vacancies at the earliest convenience. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF APPOINTMENT OF ELMER LANZI TO THE PLANNING COMMISSION – Mayor Peterson asked Town Manager White to present this matter to the Board. White stated former Grand Lake Planning Commission member and former Town Trustee, Elmer Lanzi, confirmed his interest in being re-appointed to the Planning Commission. The Mayor and Town Board of Trustees should consider his appointment to fill one of the two current vacancies.

Andy Murphy, 1224 Lake Avenue, was recognized by the Chair. Mr. Murphy stated he supports Elmer Lanzi being appointed to the Planning Commission. His willingness and past experience on the Commission as well as the Board of Trustees makes him a good candidate.

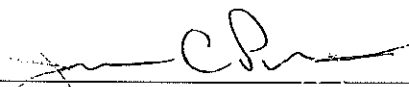
Trustee Jenkins moved to appoint Elmer to the Planning Commission. Trustee Lewis seconded the motion and all Trustees voted aye.

MAYOR'S REPORT AND COMMENT:

Mayor Peterson thanked the Staff for all the extra work they are going through due to vacancy of the Town Planner. Hopefully the position will be filled and their workload will be much less. He continued by stating it was sad to see the two resignations from the Board and he wished them well. He promised he would not be swayed by friendships. He apologized for the people they disappointed with the decisions they made. He doesn't feel that he ever stopped anyone from talking, but if he did he apologized.


ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Jenkins. All Trustees voted aye, and the meeting was adjourned at 8:05 p.m., January 23, 2017.



JAMES C. PETERSON,
MAYOR

ATTEST:



KATIE NICHOLLS,
TOWN CLERK