

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, MARCH 13, 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 7:32 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, and Town Code Administrator ORourke.

ABSENT: Mayor Peterson noted that Trustee Goodfellow was absent from the evening meeting. Trustee Jenkins moved to excuse Trustee Goodfellow. Trustee Kudron 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 a sign-in sheet is located by the door and to please sign in before leaving.

Mayor Peterson announced that the Giant Spaghetti Feast to benefit Grand Lake Fireworks will be held Friday, March 17th at El Pacifico starting at 5 p.m.

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.

Trustee Lewis stated she had a potential conflict of interest on the noxious weed board, as her husband is the suggested representative for the Town.

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

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unscheduled public comments and noted that comments are limited to 3 minutes.

Andy Murphy, 1224 Lake Avenue, was recognized by the Chair. Mr. Murphy stated that his company Mountain Paddlers would be donating \$1,000 to the Grand Lake Fireworks Organization for the building of the new barge and he challenged other business owners to do the same, as it is a benefit for the whole Town.

SCHEDULED
PRESENTATIONS/
DELEGATIONS:

Mayor Peterson introduced Stephanie Ralph, Executive Director, Grand County Library District. Ms. Ralph explained the finances, mill levy increase passed at the last election, and efforts to reduce unnecessary expenses and create more revenue. She reviewed the Juniper Library usage and stated that the district will be increasing the library hours by a day during the summer months. She reviewed the various library programs.

Sue Luton, Juniper Branch Manager, was recognized by the Chair. Ms. Luton reviewed the Juniper branch's usage by second home owners and the children's programs.

Jeanie Johnson was recognized by the Chair. Ms. Johnson explained the 1,000 Books before Kindergarten program. She stated it was a bigger success than they had anticipated. She also explained a new online high school course and graduation program offered through the district.

Ms. Ralph stated they are working on getting some writing workshops established.

Carol Hunter, Board Member, Grand Lake Library District was recognized by the Chair. Ms. Hunter stated that a new committee has been formed and a brochure created to explain how the donations are used.

CONSENT AGENDA:

Mayor Peterson introduced the Consent Agenda which contained the Minutes from the February 27, 2017 Meeting and Accounts Payable for February 2017.

Trustee Lewis moved to approve the Consent Agenda as presented. Trustee Kudron seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: None.

OLD BUSINESS: None.

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NEW BUSINESS:

CONSIDERATION TO OFFICIALLY ACKNOWLEDGE THAT THE “FLOWERING OF GRAND LAKE” IS CONSIDERED A TOWN OF GRAND LAKE PROGRAM, AND, THEREFORE, EXEMPT FROM TOWN FACILITY USE FEES – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated that The Flowering of Grand Lake is a program established in the 1980’s to help beautify the Town, which includes the annual Gardener’s Exchange. The Town has been the sponsor of the program since its inception. The Town pays around \$1,000 covering the majority of the costs associated with the program; any money raised during the Gardener’s Exchange is used to purchase more materials for the next year. The program is run by volunteers, who have superior gardening experience, but funded by the Town. The Adopt-a-Lamppost Garden is a part of The Flowering of Grand Lake that the Town took full ownership of to streamline communication and generate more interest for potential garden volunteers. This program relies upon The Flowering of Grand Lake and the Gardener’s Exchange to provide the necessary supplies and interest in beautifying the Town. Discussions with Pam Coonrod, the original organizer of the program, and Public Works Director Bernie McGinn, in addition to independent research, have revealed that The Flowering of Grand Lake program has historically been considered a Town program run by volunteers. The new fee schedule, and specifically the Town Facility Use Fees established for the Community House, has brought forth questions by Staff regarding the use of the Community House for the Gardener’s Exchange. Staff believes that since the program is funded by the Town for the benefit of the Town and is needed to run the Adopt-a-Lamppost Garden program it should be considered a Town program and, therefore, exempt from Facility Use Fees. She concluded by stating Pam Coonrod was present.

Pam Coonrod, 520 Park Avenue, was recognized by the Chair. Ms. Coonrod stated she is just working for the Town.

After a brief discussion Trustee Kudron moved to approve and officially acknowledge that the “Flowering of Grand Lake” is considered a town of Grand Lake program, and, therefore, exempt from town facility use fees. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF THE TOWN OF GRAND LAKE’S PARTICIPATION IN THE NORTHWEST REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING AND TO AUTHORIZE THE MAYOR TO SIGN

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THE CERTIFICATE OF PARTICIPATION – Mayor Peterson asked Town Manger White to present this matter to the Board. White stated that the purpose of this item is to include the Town of Grand Lake in the intergovernmental agreement for a Regional Planning Commission for Transportation Planning. This commission is the proper forum for regional transportation planning as recognized by C.R.S. 43-1-1102. The Northwest Transportation Planning Region consists of the areas within the counties of Grand, Jackson, Moffat, Rio Blanco, and Routt. Each entity is allowed to have one member. Staff recommends that the Town of Grand Lake sign the Certificate of Participation for the intergovernmental agreement for a Regional Planning Commission for Transportation Planning and authorize the Mayor to sign the certificate.

Trustee Lewis moved to approve the Town of Grand Lake's participation in the Northwest Regional Planning Commission and authorize the Mayor to sign the Certificate of Participation. Trustee Jenkins seconded the motion and all Trustees voted aye.

Trustee Lewis excused herself and left the room at 8:08 p.m.

NEW BUSINESS:

CONSIDERATION OF THE TOWN OF GRAND LAKE'S PARTICIPATION IN THE GRAND COUNTY NOXIOUS WEED ADVISORY BOARD THROUGH AN INTERGOVERNMENTAL AGREEMENT WITH GRAND COUNTY, APPOINT RANDY LEWIS TO SERVE AS THE TOWN'S REPRESENTATIVE, AND AUTHORIZE THE MAYOR TO SIGN THE INTERGOVERNMENTAL AGREEMENT – Mayor Peterson asked Town Manger White to present this matter to the Board. White stated that the purpose of this item is to revise the Grand County Noxious Weed Advisory Board. The Grand County Board proposes to meet statutory requirements by forming a Board and allowing each incorporated municipality to have one representative on the Board. Staff recommends that the Town of Grand Lake participate in the County Noxious Weed Board which will satisfy the statutory requirement to form an advisory board. Staff further recommends that the Town appointed representative be Randy Lewis from the Public Works/ Parks Department. Mr. Lewis has previously served in this role and his Parks responsibility coincides with the focus of this particular board's goals and activities.

Trustee Jenkins moved to approve the Town of Grand Lake's participation in the Grand County Noxious Weed Advisory Board through an Intergovernmental Agreement with Grand County; in addition, the Town of Grand Lake recommends Randy Lewis to serve as its representative, and further authorize the Mayor to sign

the IGA. Trustee Kudron seconded the motion and all Trustees voted aye.

At 8:11 p.m. Trustee Lewis resumed her seat.

NEW BUSINESS:

CONSIDERATION FOR THE MAYOR TO SIGN A QUIT CLAIM DEED FOR PATTERSON STREET RIGHT OF WAY – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls stated that the Czarnecki's own a parcel of property adjacent to the old Patterson Street right of way. On October 2, 1950 a previous owner of the property obtained a judgment from the Grand County District Court deeming the Town's Patterson Street right of way adjacent to the property abandoned and entered a decree that the right of way belonged to the owners of the property, the Czarnecki's predecessors. In describing the part of the Patterson Street right of way that the Town abandoned, the Court intended to describe a long narrow rectangle, but made a mistake in the description. The description in the Court's decree starts at the first corner (the point of beginning) and then goes to the second corner, then the third corner, and then to the fourth corner. However, the Court failed to describe the line that goes from the fourth corner back to the first corner, the point of beginning. In legal terms, the description of the abandoned portion of the right of way "fails to close." The Czarnecki's title company recently discovered this error. To correct it, they have asked the Town to sign the quitclaim deed that that is in your packet. The quitclaim deed conveys any remaining interest the Town has in the part of the Patterson Street right of way that the Court deemed abandoned to the Czarnecki's, but with the complete and correct legal description. Town Attorney Krob has reviewed the Court's order from 1950 and the Court clearly intended for the owner of the adjacent property, now the Czarnecki's, to own the Town's abandoned right of way. Approval of the quitclaim deed by the Town will accomplish that result with the least time and expense and the Town is not giving up anything other than what the Court ordered abandoned in 1950. The other option would be for the Czarnecki's to file an action in the Grand County District Court asking the Court to correct the error in the 1950 decree. That would be a much more expensive and time consuming process and would achieve the same result as having the Town sign the quitclaim deed. Town Attorney Krob's recommendation is that the Board adopt a motion authorizing the Mayor to sign the quitclaim deed conveying any interest of the Town in the relevant portion of the Patterson Street right of way to the Czarnecki's.

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Town Manager White stated that an adjacent neighbor, Sharon Cole, intends to pursue the same route. The neighbor expressed concerns with the validity of the court order.

Trustee Kudron moved to authorize the Mayor to sign the quitclaim deed conveying any interest of the Town in the relevant portion of the Patterson Street right of way to the Czarnecki's. Trustee Lewis seconded the motion and all Trustees voted aye.

Town Manager White stated that he received a phone call that day from Mike Tompkins about his property, Lots 7-8 Block 11, Town of Grand Lake. Mr. Tompkins had signed an agreement to never sell the properties separately, but will be requesting the authority to do so at the next meeting.

MAYOR'S REPORT
AND COMMENT:

Mayor Peterson had some good meetings lately; the key words lately are transportation and infrastructure. Tax increases from the State are likely.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Jenkins. All Trustees voted aye, and the meeting was adjourned at 8:26 p.m., March 13, 2017.



JAMES C. PETERSON,
MAYOR

ATTEST:



KATIE NICHOLLS,
TOWN CLERK

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