

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, MARCH 28, 2016 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:30 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 Gasner, Jenkins, Lanzi, Lewis, and Sabo; Town Manager White, Town Clerk Nicholls, Town Planner Biller, and Town Code Administrator Rendon.

ABSENT: None.

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

Mayor Burke announced that the Town of Grand Lake 2016 Drinking Water Consumer Confidence Report for calendar year 2015 is now available. Copies may be downloaded from the Town's website, www.townofgrandlake.com or requested from Town Hall during business hours.

Mayor Burke then announced that early voting for the 2016 Municipal Election began on March 24th and will continue at Town Hall from 8 a.m. to 4:30 p.m. through April 1st. Town Hall will be the polling place on April 5th and will be open from 7 a.m. to 7 p.m.

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.

Trustee Jenkins announced that she had a conflict with the Local Liquor Licensing issues as her family holds an interest in the license for the Gateway Inn.

Trustee Lanzi announced that he had a conflict with the Local Liquor Licensing issue for O-A Bistro, LLC.

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.

Jim Kroepfl, 133 Alpine Circle, member of the Economic Development Committee was recognized by the Chair. Mr. Kroepfl stated that the parking fee adjustment proposal was approved by the Planning Commission a few weeks ago and he wanted to know when that would be put before the Board. Planner Biller stated that the earliest it would be on the Board of Trustees agenda would be April 11, 2016.

SCHEDULED
PRESENTATIONS/
DELEGATIONS:

Samantha Miller, Executive Director, Grand Lake Area Chamber of Commerce was recognized by the Chair. Ms. Miller stated that the Grand Lake Ice Fishing Contest got a lot of people into Town. Winter Carnival was also a success. Advertisements were purchased for both events. She reviewed the Chamber's marketing summary for the year-to-date discussing advertisement buys, website traffic and press received. A new special event permit has been submitted to the Town providing free music by the lake on the first Saturday in July, August, and September from 3 – 5 p.m. The Spirit of the Lake Blues Festival will not be an event this year; instead the Chamber will apply their efforts and money towards the Spirit of the Lake Regatta. She concluded by requesting the use of some of the funds banked from their rent to finish the basement in the Visitor's Center with some office space. Their request for bids came back with 3 bids. The bid they would like to use came back at \$9,839.

Trustee Jenkins asked if the report was the Chamber's quarterly report. Ms. Miller stated she was asked to present it early since she was already coming in to request the funds for the basement.

Town Manager White stated that the report was difficult to read. A brief discussion ensued regarding the report layout.

Mayor Burke stated that on the Chamber's contract she was under the impression that the money was to be used for repairs not construction. Ms. Miller stated she understood it to be repairs and improvements. A discussion ensued by the Board regarding the intended use of the funds, condition of the building, and permitted and prohibited uses of the basement.

Trustee Lewis stated she heard that the Chamber was going to do its own accounting. Ms. Miller clarified that only bookkeeping will be in house, accounting will continue to be done as an outside oversight with an audit. A discussion ensued regarding checks and balances, financial policy review, and the bookkeeper being in a position to acquire debt.

The Board requested further clarification on the use of funds and confirmation there were no prohibited uses regarding the basement of the Visitor's Center. They asked that the matter be brought back to the Board and that the Chamber of Commerce represent their quarterly report at the April 11, 2016 meeting.

CONSENT AGENDA:

Mayor Burke introduced the Consent Agenda which contained the following: Minutes from the March 14, 2016 Meeting.

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

REPORTS: SALES TAX
CASH FLOW REPORT
FOR SEPTEMBER 2014:

Mayor Burke asked Town Clerk Nicholls to present the sales tax cash flow report. Nicholls reported that the amount of revenue received in February 2016 for the month of January was \$51,196. This amount was 21.7% above what was received previous year-to-date.

REPORTS: FINANCIAL
REPORT FOR
AUGUST 2014:

Mayor Burke asked Town Clerk Nicholls to present the Financial Report for February 2016. Nicholls reported that the General Fund expenditures through the end of February totaled \$190,628.43 or 6.6% of budget. She said the Water Fund expenditures for the same period totaled \$100,197.75 or 12.1% of budget, the Marina Fund expenditures totaled \$9,281.92 or 4.3% of budget and the PAYT Fund expenditures totaled \$3,215.42 or 8.3% of budget.

At 8: 00 p.m. Trustees Jenkins and Lanzi excused themselves and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL & RESTAURANT LIQUOR LICENSE FOR O-A BISTRO LLC D/B/A O-A BISTRO - Mayor Burke asked Town Clerk Nicholls to present the 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 Olney Kliewer, Owner, was present.

Trustee Gasner moved to approve the renewal of the Hotel and Restaurant Liquor License for O-A Bistro_LL_C, d/b/a O-A Bistro. Trustee Lewis seconded the motion and all Trustees voted aye.

Trustee Lanzi resumed his seat at 8:04 p.m.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF RENEWAL OF THE TAVERN LIQUOR LICENSE FOR GRUMPY'S SALOON INC. D/B/A LARIAT SALOON** – Mayor Burke asked Town Clerk Nicholls to present the 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, Owner, was present.

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

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF RENEWAL OF THE HOTEL & RESTAURANT LIQUOR LICENSE FOR BURNT BONE INC. D/B/A SAGEBRUSH BARBECUE & GRILL** - Mayor Burke asked Town Clerk Nicholls to present the 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 Dave Freeman 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.

Trustee Jenkins resumed her seat at 8:07 p.m.

OLD BUSINESS: **PUBLIC HEARING – CONTINUATION OF CONSIDERATION TO ADOPT ORDINANCE 02-2016, AN ORDINANCE APPROVING THE 2ND AMENDMENT TO MARINA DRIVE MINOR SUBDIVISION** – Mayor Burke

opened the Public Hearing and asked Town Planner Biller to present this matter to the Board. Biller stated Staff received a Land Use Application from Darren Fogel to amend the Marina Drive Minor Subdivision Final Plat. The request is to add a metes and bounds parcel; more commonly referred to as 500 Marina Drive to the subdivision and redefine existing Parcels 1 and 2. The Planning Commission forwarded a favorable recommendation by Resolution 01-2016 which requires Board review. The Board continued review at their last regularly scheduled meeting on March 14, 2016. Biller stated that in July 2002 the Marina Drive Minor Subdivision was recorded creating three parcels. In February 2014 the Town adopted Resolution 2-2014 which deed restricted Parcels 1 and 2 depending on the water main extension constructed in Marina Drive. On March 23, 2016 the Town received a revised plat addressing Staff's and Commission comments. Staff recommended the Board adopt the ordinance as presented.

Town Manager White stated that since the previous Board of Trustees meeting, a meeting was held with Mr. Fogel, Mr. Ross, Town Attorney Krob, Warren Ward, Town Manager White and Town Planner Biller to review the plats.

Darren Fogel, 500 Marina Drive, was recognized by the Chair. Mr Fogel stated that he submitted a plat map that would change the boundaries on the two properties he owns. The lot lines were in an odd configuration. He stated he is not currently trying to change the zoning of the lots.

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

Town Planner Biller clarified that the two parcels that Mr. Fogel owns are not being rezoned, but part of this amendment is rezoning Parcel 1 owned by the next applicant, Brian Ross.

Trustee Lanzi stated that the Planning Commission struggled long and hard on this application to ensure it was correct. He thanked Town Manager White for his hard work.

Trustee Lewis moved to adopt Ordinance 02-2016; an ordinance approving the 2nd Amendment to the Marina Drive Minor Subdivision as presented. Trustee Jenkins seconded the motion and all Trustees voted aye.

OLD BUSINESS:

CONTINUATION OF CONSIDERATION TO ADOPT ORDINANCE 03-2016, AN ORDINANCE APPROVING THE AMENDED FINAL PLAT FOR LOTS 1-2, BLOCK 4, GRAND LAKE ESTATES 1ST FILING, MORE

COMMONLY REFERRED TO AS 402 MARINA DRIVE – Mayor Burke asked Town Planner Biller to present the matter to the Board. Biller stated that the Town received a Land Use Application from Brian Ross. The Planning Commission has forwarded a favorable recommendation for approval by Resolution 2-2016 which requires Board review. The Board reviewed the application at a Public Hearing on March 14th. The Board continued review of the application until March 28th. The Town received a revised amended plat on March 22nd. Since the Public Hearing, the Town Attorney reviewed the plat and his suggestion was to approve the easement vacation by separate ordinance. Staff recommended the Board first adopt Ordinance 03-2016; an ordinance vacating a 10ft utility easement located across Lots 1-2, Block 4, GLE 1st Filing, as presented and adopt Ordinance 04-2016; an ordinance approving amended Lots 1-2, Block 4, GLE 1st Filing, as presented.

Brian Ross, 402 Marina Drive, was recognized by the Chair. Mr. Ross thanked Town Manager White for his leadership and appreciated his assistance.

Trustee Gasner moved to adopt Ordinance 03-2016; and ordinance vacating a 10ft utility easement located across Lots 1-2, Block 4, Grand Lake Estates 1st Filing as presented. Trustee Jenkins seconded the motion and all Trustees voted aye.

Trustee Lewis moved to adopt Ordinance 04-2016; an ordinance approving Amended Lots 1-2, Block 4, Grand Lake Estates 1st Filing; more commonly referred to as 402 Marina Drive as presented. Trustee Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF SPECIAL EVENT PERMIT APPLICATION FOR COMMUNITY CHURCH OF THE ROCKIES FUNDRAISER – Mayor Burke asked Town Code Administrator Rendon to present the matter to the Board. Rendon clarified that the item is not quasi-judicial as shown on the agenda. He stated that the Community Church of the Rockies submitted a Special Event Permit Application for consideration of a fundraising event to show a movie for the Eagle's Nest Wilderness Ranch. The Community Church of the Rockies is a non-profit organization. The event is proposed to take place at the Town of Grand Lake Community House on April 22, 2016, from 4:00 p.m. until midnight which would include the time for setup and clean up for the event. Because this is a first time event, action by the Board of Trustees is required. Staff believes that this event is not in conflict with the consideration factors listed above and should be a successful event for the Town of Grand Lake and the

Community Church of the Rockies, and should not require a Public Hearing. Town Staff recommended approval and execution of the Special Event Permit as presented.

Keith McCrary, 1345 West Portal Road, was recognized by the Chair. Mr. McCrary stated that Eagles Nest will be a working cattle ranch that will intervene in abandoned and abused children's lives. They are working with Winding River Ranch to set it up. He continued by explaining that his 13 year-old daughter came up with the idea of the event to raise money.

After a brief discussion Trustee Lewis moved to authorize Mayor Burke to sign the Special Event Permit for the Community Church of the Rockies as described in the attached application, and upon confirmation from Staff that all other application requirements have been met and the Special Event Permit is ready for signature. Trustee Lanzi seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION 04-2016, A RESOLUTION GRANTING A BUILDING PERMIT FOR A COVERED BOAT DOCK 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 stated that the Town received a building permit application for the construction of covered boat dock which requires Board review. The applicant is Bernie Dvorak who is represented by Vertical Arts Architecture. The Planning Commission has forwarded a favorable recommendation by Resolution 03-2016. Staff has reviewed the building permit application and a few minor outstanding items remain before Staff will be able to approve the permit. Staff recommended the Board adopt the resolution as presented which recommends approval of the covered boat dock building permit.

Mitch Rewold, 386 34½ Road, Palisade, CO, Vertical Arts Architecture was recognized by the Chair. Mr. Rewold stated he represents the owner, Bernie Dvorak. He stated this is the last stage of the project. They will repair the existing boat dock, take it down for sailing and replace it with new covered boat dock.

Trustee Lewis moved to adopt Resolution 04-2016; a resolution granting the building permit for a covered boat dock located at Lot A, Block 1, Grand Lake Estates 1st Filing; more commonly referred to as 729 Shadow Mountain Lane as presented. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION 05-2016, A RESOLUTION TO ESTABLISH FEES AND DEPOSITS FOR THE USE OF THE TOWN OF GRAND LAKE – GRAND LAKE CENTER, PITKIN ANNEX AND THE COMMUNITY HOUSE – Mayor Burke asked Town Manager White to present this matter to the Board. White stated that since the purchase of the Grand Lake Elementary School and the renaming of the school to the Grand Lake Center by the Grand Lake Board of Trustees, two committees have been assigned to determine uses for the Center and to establish appropriate fees and deposits required for the specified uses. The committees also included recommended changes to the fees and deposits currently required for the use of the Pitkin Annex and the Community House. These recommended fees and deposits are being presented to the Grand Lake Board of Trustees for consideration of approval by resolution. White provided the background information on the Grand Lake Center. Staff is in agreement and recommends adoption of the fees and deposits that are being recommended for specific uses of the Grand Lake Center however, Staff does not recommend changing the fees and deposits for the Pitkin Annex or the Community House at this time. Staff recommends that the Pitkin Annex and Community House recommended changes be reviewed as part of the budget process in the 3rd Quarter of 2016. Staff recommended the fees and deposits approved for the Grand Lake Center take effect as of June 1, 2016 and shall apply to any application filed after that date and that any approved fees and deposits for the Grand Lake Center be added to the current Town of Grand Lake Fee and Deposit Schedule.

Trustee Gasner moved to adopt Resolution 05-2016; a resolution adopting fees and deposits for uses of the Grand Lake Center, Pitkin Annex and Community House. Trustee Sabo seconded the motion.

Trustee Jenkins stated that she agreed with Staff and felt that they did not know the uses of the buildings except for the Grand Lake Center which has been determined. A discussion ensued about the uses of the Pitkin Annex and Community House.

Trustee Gasner amended his motion to adopt Resolution 05-2016, a resolution adopting fees and deposits for uses of the Grand Lake Center. Trustee Lanzi seconded the motion and all Trustees voted aye.

MAYOR'S REPORT
AND COMMENT:

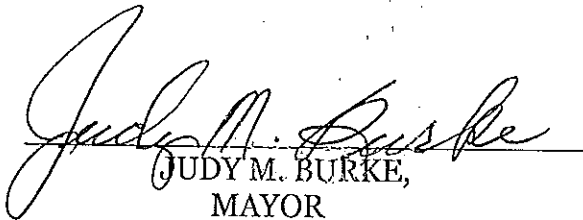
Mayor Burke asked Town Clerk Nicholls to bring the audience up-to-date on the election. Nicholls stated that new legislation was enacted since the last election that changed the laws surrounding

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overseas (UOCAVA) voters. UOCAVA voter ballots can be received up to 8 days after the election. In order to maintain these voters anonymity it is strongly suggested that we hold back some votes to be counted with the UOCAVA votes at that time. Final counting cannot occur until the 9th day after the election (April 14, 2016), at which point the election can be canvassed and certified. The current Board will remain in place through the April 11th Board of Trustees Meeting, approval of those meeting minutes will occur by the current Board at the April 25th meeting and then the new Officers and Members will be installed.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Lanzi. All Trustees voted aye, and the meeting was adjourned at 8:52 p.m., March 28, 2016.



JUDY M. BURKE,
MAYOR

ATTEST:



KATIE NICHOLLS,
TOWN CLERK