

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JUNE 13, 2016 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 Gasner, Goodfellow, Jenkins, Kudron, Lewis, and Sabo; Town Manager White, Town Clerk Nicholls, Town Planner Biller and Town Code Administrator Rendon.

ABSENT: None.

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 Grand Lake is hosting a stop for Ride the Rockies. 2000 bicyclists and their support vehicles will be arriving in Town Wednesday June 15th, leaving early Thursday morning. Expect extra traffic and business. Let's welcome these riders and show them all that Grand Lake has to offer.

Mayor Peterson announced that the Rocky Mountain Repertory Theatre opens its 2016 season with The Little Mermaid on June 17th and Rock of Ages on June 24th.

Mayor Peterson announced that the 2nd Annual Grand Duck Derby, sponsored by the Rotary Club of Grand Lake, will be held Saturday June 18th. The fun starts at 11 am in Town Park.

Mayor Peterson announced that the Trinity Church in the Pines is having a Songwriters in the Round event on Friday, June 24th at 6 p.m. at the Community House. Tickets are available at the Grand Lake Art Gallery or by emailing Sara Moran at lucycally@yahoo.com.

Mayor Peterson announced that the 33rd annual Colorado State Chili Cook Off, sponsored by the Grand Lake Area Chamber of Commerce, will be held Saturday, June 25th in Town Square.

Mayor Peterson then announced that the Grand Lake Area Historical Society is having a Souper Stars for the Cottage Camp event on Saturday, June 25th from 5:30 -9 p.m. Proceeds will benefit the Smith Eslick Cottage Camp project. Tickets are \$50 per person. Call 627-8324 or email glhistory@rkymtnhi.com for more information.

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

Andy Murphy, 10553 US Highway 34, was recognized by the Chair. Mr. Murphy expressed his concern of how the Fourth of July Fireworks are stored and loaded. He stated that he felt it was not only an inconvenience to the businesses and people but it also exposed all those around to danger. He concluded by stating that while he does not have a solution, he would appreciate it if the Board considered altering how, where and when the fireworks are stored.

Town Manager White explained that there would be a planning meeting for the fireworks on Friday at 1 p.m. at Town Hall.

SCHEDULED PRESENTATIONS/ DELEGATIONS:

There were no scheduled presentations.

CONSENT AGENDA:

Mayor Peterson introduced the Consent Agenda which contained the following: Minutes from the May 23, 2016 Meeting and Accounts Payable for May 2016.

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

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE FRIENDS OF GRAND COUNTY LIBRARY, INC. FOR TOPS OF THE ROCKIES – Mayor Peterson asked Town Clerk Nicholls to present this matter to the Board. Nicholls reported 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 Friends of Grand County Library, Inc. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their Tops of the Rockies to be held Saturday, July 9, 2016 from 8:00 a.m. to 10:00 p.m. The proposed location is the Grand Lake Yacht Club at 1128 Lake Avenue. Public notice was posted on the premises on June 3, 2016 and attested to by Grand Lake's Code Administrator, Tony Rendon. 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 of 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 Connie Graham, Vice President, was present.

Trustee Lewis moved to approve the Special Events Liquor Permit Application from The Friends of Grand County Library, Inc. for a Tops of the Rockies Event to be held Saturday, July 9, 2016 from 10:00 a.m. to 8:00 p.m. Trustee Jenkins seconded the motion and all Trustees voted aye.

OLD BUSINESS: None.

NEW BUSINESS: **CONSIDERATION OF THE SPECIAL EVENT PERMIT APPLICATION FROM COMMUNITY CHURCH OF THE ROCKIES FOR EAGLES NEST WILDERNESS RANCH FUNDRAISER** – Mayor Peterson asked Code Administrator Rendon to present this matter to the Board. Rendon stated Staff is in possession of a Special Event Permit Application submitted by the Community Church of the Rockies to show a movie at the Town of Grand Lake Community House and to allow a bounce house and the sale of barbecue style food in Town Park. The event is to raise funds for Eagle's Nest Wilderness Ranch. The Community Church of the Rockies is a non-profit organization. The Event is proposed to take place on August 1, 2016, from 9:00 a.m. until midnight which, will include the time for setup and clean up for the event. On March 28, 2016, a similar event which included the showing of a movie in the Town of Grand Lake Community House to raise funds for the Eagle's Nest Wilderness

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Ranch was approved by the Town of Grand Lake Board of Trustees. However, it did not include use of the Town Park for a bounce house and the sale of barbecue style food. There were no complaints received by Town Staff for March 28, 2016 event. Because this event that has been modified to include additional uses, the event shall be considered a first time event and 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 Applicant, and should not require a Public Hearing. He concluded by stating Keith McCrary was present.

Keith McCrary, 1345 W. Portal Road was recognized by the Chair. Mr. McCrary stated that their first event was pretty slow but enabled them to expand the event this time.

Trustee Kudron stated that they need to make sure they have adequate adult supervision at the bounce house.

Trustee Lewis moved to authorize Mayor Peterson 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 Gasner seconded the motion and all Trustees voted aye.

NEW BUSINESS:

QUASI-JUDICIAL - CONSIDERATION TO ADOPT ORDINANCE 08-2016; AN ORDINANCE APPROVING AMENDED LOT 3 AND AMENDED LOT 5, BLOCK 3, SUNNYSIDE ADDITION TO THE TOWN OF GRAND LAKE – Mayor Peterson asked Town Planner Biller to present this matter to the Board. Biller stated The Town has received a Land Use Application from Joseph Hyde and Mark Heath. The request is to amend three existing buildable tracts of land by adjusting lot lines to accommodate only two buildable tracts of land which requires Board review. The Planning Commission has forwarded a favorable recommendation by Resolution 17-2015. Staff believes the plat is ready for recording with the following minor corrections: the title of the plat is revised to correct a typo. (“peviously” should be “previously”), Plat Note #5 is revised to state: “The approval of Amended Lot 3, as shown, creates a non-conforming driveway and is subject to the provisions of the Town Municipal Code 12-2-32: Non-Conforming Uses and Structures.” He concluded by stating Joseph Heath was present.

Joseph Heath, 2785 Magpie Lane, Larkspur, Colorado was recognized by the Chair. Mr. Heath stated that the lots have been

in his family since 1966 and since his mother and father passed away they would like to consolidate the lots.

Trustee Lewis moved to adopt Ordinance 08-2016; an ordinance approving Amended Lot 3 and Amended Lot 5, Block 3, Sunnyside Addition to the Town Grand Lake. Trustee Jenkins seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ADOPT RESOLUTION 10-2016; A RESOLUTION GRANTING AN ENCROACHMENT LICENSE INTO THE GRAND AVENUE RIGHT OF WAY LOCATED ADJACENT TO LOTS 1-4, BLOCK 27, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 528 GRAND AVENUE – Mayor Peterson asked Town Planner Biller to present this matter to the Board. Biller stated The Town has received a Public Property Encroachment Application from Todd and Amanda Hammerlund for a rock retaining wall constructed on the Grand Avenue right of way which requires Board review. In June 2013 the Board adopted Resolution 7-2013; a resolution granting a grading permit for Block 27, Lots 1-4 and adjacent Town right of ways. One of the conditions of the resolution is that all retaining walls must comply with the following: all portions of the retaining wall are completely on private property, must not exceed 4' in height, and use native boulders found on site. Town Staff reviewed the site and retaining walls as constructed in the summer of 2015. Staff informed the Contractor that an Encroachment License would be required for the retaining walls constructed on the Grand Avenue right of way. Town Staff contacted the Contractor in the fall of 2015 with the application required for obtaining an Encroachment License from the Town. Town Staff has issued an administrative warning to the property requiring the removal of the encroachment or getting an approved encroachment license. The bond for the project expires on June 28th, 2016 and needs to be renewed to comply with the permits issued. The permits issued required a two year bond beginning from October 15th 2015. Staff has not contacted the utility companies as required considering the degree of the encroachment. Staff believes the encroachment has minimal impact on Grand Avenue. He concluded by stating Todd Hammerlund was present.

Todd Hammerlund, 565 County Road 6470 was recognized by the Chair. Mr. Hammerlund stated that where the rocks are located used to be a forty foot cliff that was mostly the Town's liability, and he took it away. The rocks were added in the process.

Trustee Lewis moved to adopt Resolution 10-2016; a resolution granting an encroachment license into the Grand Avenue right of

way located adjacent to Lots 1-4, Block 27, Town of Grand Lake; more commonly referred to as 528 Grand Avenue. Trustee Goodfellow seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO ALLOW THE SURETY BOND TO EXPIRE FOR THE GRADING PERMIT ISSUED TO BLOCK 27, LOTS 1-4, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 528 GRAND AVENUE – Mayor Peterson asked Town Planner Biller to present this matter to the Board. Biller stated the Town received a request from the Contractor to allow the surety bond for the grading permit to expire. The grading permit and right of way permit was approved by the Board by Resolution 07-2013. The grading permit and right of way permit expired on October 15, 2015. The surety bond will expire on June 28th, 2016. The permit requires a two year surety bond until October 15, 2017. Staff believes the Contractor has conducted the work and finished the project in a manner that is acceptable. Considering the bond was required to protect the health, safety and welfare of the public, staff believes very little risk is associated with releasing the bond as requested. If the Board grants the encroachment license to the applicant and the applicant completes the requirements of the encroachment license, Staff recommends the Board allow the bond to expire for the project. If the Board does not grant the encroachment license, Staff recommends the Board direct staff to proceed with calling the bond before expiration if a new bond is not received by the applicant. He concluded by stating Todd Hammerlund was present.

Trustee Lewis moved to allow the surety bond to expire for the grading permit issued to Block 27, Lots 1-4, Town of Grand Lake; more commonly referred to as 528 grand avenue. Trustee Kudron seconded the motion and all Trustees voted aye.

MAYOR'S REPORT AND COMMENT:

Mayor Peterson stated that they had a nice Mayor, Managers and Commissioners meeting today. A lot of businesses are opening. There were discussions on the Shorefox Project in Granby, employee housing and the future of marijuana business in the County. He is excited about what he heard in the meeting.

Trustee Lewis stated that CML will be having a discussion about affordable housing and nightly rentals at the conference this month in Vail.

Trustee Kudron stated that Marti Lund is retiring from the Town soon and he would like the Board to consider providing her an honorarium based on her years of service.

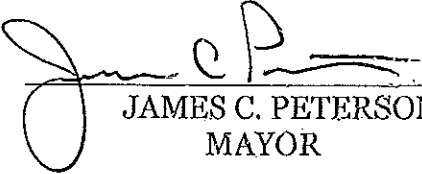
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Mayor Peterson stated there was a suggestion of \$50.00 per year of service.

Trustee Kudron moved to direct Staff to fund an honorarium of \$50.00 per year of service for Marti Lund to be presented at her retirement celebration on June 28, 2016. Trustee Sabo seconded the motion and all Trustees voted aye.

ADJOURNMENT:

Trustee Gasner moved to adjourn, seconded by Trustee Lewis. All Trustees voted aye, and the meeting was adjourned at 8:02 p.m., June 13, 2016.



JAMES C. PETERSON,
MAYOR

ATTEST: 

KATIE NICHOLLS,
TOWN CLERK