

RECORD OF PROCEEDINGS

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REGULAR MEETING  
TOWN OF GRAND LAKE BOARD OF TRUSTEES  
MONDAY, SEPTEMBER 26, 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 Attorney Krob, Town Clerk Nicholls, and Town Code Administrator ORourke.

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 Fire Department is celebrating Fire Prevention Week, October 5, 2016, from 4 to 7 PM. Complimentary BBQ and refreshments will be served. Event will be held at the Grand Lake Fire House on West Portal Road.

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 Goodfellow announced he had a conflict of interest with the Constitution Week item.

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.

There were no unscheduled public comments.

SCHEDULED  
PRESENTATIONS/  
DELEGATIONS:

Mayor Peterson introduced Samantha Bruegger, Executive Director, Grand Lake Area Chamber of Commerce. Ms. Bruegger stated that it was a busy summer for everyone. They are on budget and would like to see more winter events and marketing. Their audit is complete and they have paid off their credit card. She reviewed their visitor and website numbers, stating that they discovered an employee was not writing down visitor numbers in the summer. She requested Board review of an initiative she is a part of called Outstanding Grand Lake, an environmental marketing effort. She concluded with a request for the release of third quarter funds.

Trustee Lewis moved to release third quarter funds to the Grand Lake Area Chamber of Commerce. Trustee Kudron seconded the motion and all Trustees voted aye.

Andy Miller, 267 Mill Avenue, Fraser, was recognized by the Chair. Mr. Miller stated he is a Grand County Commissioner candidate for the upcoming election and wanted to observe the meeting. He reviewed his service with the Town of Fraser as a Trustee, and the importance of trail systems in the county.

MINUTES APPROVAL:

Trustee Jenkins moved to approve the September 12, 2016 Minutes as presented. Trustee Lewis seconded the motion and all Trustees voted aye, except Trustee Gasner who abstained.

REPORTS: SALES TAX  
CASH FLOW REPORT  
FOR AUGUST 2016:

Mayor Peterson asked Financial Trustee Goodfellow to present the sales tax cash flow report. Goodfellow reported that the amount of revenue received in August 2016 for the month of July was \$275,977, or \$662,673 year-to-date. This amount was 5.26% above what was received through July 2015.

REPORTS: FINANCIAL  
REPORT FOR  
AUGUST 2016:

Mayor Peterson asked Financial Trustee Goodfellow to present the Financial Report for August 2016. Goodfellow reported that the General Fund expenditures through the end of August totaled \$935,275.42 or 32.6% of budget. He said the Water Fund expenditures for the same period totaled \$381,087.14 or 46.1% of budget, the Marina Fund expenditures totaled \$126,269.27 or 58.5% of budget and the PAYT Fund expenditures totaled \$15,741.70 or 40.8% of budget. Grand Lake Center expenditures totaled \$37,833.61 or 49% of budget.

LIQUOR LICENSING AUTHORITY: **CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE GRAND ARTS COUNCIL FOR THEIR "CLASSICAL CONCERT FEATURING PEGGY MANN"** – 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 local fee, certificate of good corporate standing, and floor diagram, from the Grand Arts Council. The request is to sell malt, vinous and spirituous liquor by the drink for consumption on the premises only for their Classical Concert Featuring Peggy Mann event to be held Sunday, October 30, 2016 from 5:00 to 10:00 p.m. The proposed location is the Community House at 1025 Grand Avenue. Public notice was posted on the premises on September 16, 2016 and attested to by Grand Lake's Code Administrator, Erin O'Rourke. 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 Jim Cervenka, Treasurer, was present.

Jim Cervenka, Treasurer, Grand Arts Council was recognized by the Chair. Mr. Cervenka stated they have had previous concerts with adult beverages and would like to continue to have them.

Trustee Jenkins moved to approve the Special Events Liquor Permit Application from the Grand Arts Council for a "Classical Concert Featuring Peggy Mann" to be held Sunday, October 30, 2016 from 5:00 p.m. to 10:00 p.m. Trustee Lewis seconded the motion and all Trustees voted aye.

OLD BUSINESS: NONE

At 7:44 p.m. Trustee Goodfellow left his seat and sat in the audience as the Constitution Week chairman.

NEW BUSINESS: **DISCUSSION OF CONSTITUTION WEEK AND PUBLIC COMMENTS** – Mayor Peterson stated that there was a spirited discussion by the citizens regarding Constitution Week during the workshop, but the Board held off on comment to be on the record. He continued that the Town received many letters about Constitution Week mainly against Sheriff Clark's speech. It is not a Town event; however the Town contributes money toward the event for technical assistance and marketing efforts.

Doris Braun, 700 Park Avenue, was recognized by the Chair. Mrs. Braun stated she is not a citizen of the country but feels that Constitution Week should continue. The event is about the Constitution and noted her appreciation of the speakers. She stated one speaker said one phrase he probably should not have said. She concluded by stating you cannot please everyone and requested the Town continue to fund the event and consider having a public hearing for next year's event.

Neal Cross, 88 Lily Lane, was recognized by the Chair. Mr. Cross stated he is a former teacher. He thanked Tom Goodfellow for bringing money to the community and helping some people understand the Constitution. He felt that most of the speakers were coming from a single point of view on the Constitution, and feels it should be presented from multiple points of view to not exclude people. He expressed concern the Town will be stereotyped as a Libertarian or right-wing Town, and requested that the Town consider not endorsing the event if it is a partisan event. He concluded by stating he has agreed to work with Tom Goodfellow to help ensure that there is an educational component to each event.

Ryan Alworth, 406 Hancock, was recognized by the Chair. Mr. Alworth stated he volunteers for Constitution Week, and the area of focus should be about economic development for the Town. He continued that the event is not about indoctrination as suggested; people choose to come to the events, and each event has a question and answer period. If contribution by the Town is in question, the Town should look at the sales tax numbers. He concluded that the Town doesn't have to cater to everyone, and should let the event continue to grow and make money.

Mike Tompkins, 310 Lakeside Drive, was recognized by the Chair. Mr. Tompkins stated that the controversy, conflict and discussion are good. People should be able to express their views without censorship.

Tom Goodfellow, 1204 Grand Avenue, was recognized by the Chair. Mr. Goodfellow noted that he feels the speakers and their speeches throughout the years were non-partisan and educational. He questioned the attendance of the people criticizing the events.

A discussion ensued with the previous recognized speakers regarding the educational aspect of the events, the prayer before the events, the number of complaints verses attendance, the first amendment, and the praise received for the event every year.

Jackie Tompkins, Western Riviera, was recognized by the Chair. Ms. Tompkins stated the event is the fastest growing event she has ever seen. It is becoming like the Fourth of July and Buffalo BBQ with people reserving a year out for the event. She thanked Tom Goodfellow and stated she has learned something from every event she has attended. She questioned the attendance to the speeches by the people with complaints. She concluded by stating she hopes the Town will continue to support it.

Stephen Wall, 12692 U.S. Hwy 34, was recognized by the Chair. Ms. Wall stated she went to the event with several friends with diverse backgrounds. Her friends were very excited about the event and want to come back next year. She concluded that the event is good for the Town and its economic growth.

Mayor Peterson asked Grand County Sheriff Brett Schroetlin to address the safety aspect brought into question by one of the letters of complaint. Sheriff Schroetlin stated that any large scale event requires a safety assessment to ensure the safety and security of the speakers and citizens. A high political figure or contentious speaker requires extra safety precautions. He stated he swore when he took office that they would do things the correct way, and in his eyes he did things the correct way. There were very little complaints about the event. He concluded by stating there were no incidents during the week and that the Sheriff's Office is making a concerted effort to have more community engagement.

Mayor Peterson turned the issue over to the Board. A discussion ensued regarding diversity, difficulty the committee has getting help and speakers, draw of the event, educational aspects, safety, partisanship, and overall benefit to the Town and County. The Board strongly encouraged people to help out on the event. The Board also stated that they will look at it during budgeting and due to the written complaints the event will come before the Board for their permit next year.

NEW BUSINESS:

**CONSIDERATION OF APPOINTMENT OF JOHN MURRAY TO THE PLANNING COMMISSION** – Mayor Peterson explained that John Murray has expressed interest in serving on the Planning Commission. Trustee Kudron moved to appoint John Murray to the Planning Commission. Trustee Lewis seconded the motion and all Trustees voted aye.

MAYOR'S REPORT  
AND COMMENT:

There was no Mayor's Report.

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ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Gasner. All Trustees voted aye, and the meeting was adjourned at 8:43 p.m., September 26, 2016.

  
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JAMES C. PETERSON,  
MAYOR

ATTEST:   
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KATIE NICHOLLS,  
TOWN CLERK

