
RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, OCTOBER 8, 2018 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; Mayor Pro-Tem Kudron; Trustees Bruton, Goodfellow, Southway, Murphy and Price; Town Code Administrator ORourke, Town Planner Shull, and Town Clerk Carrell.

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.

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 Southway stated she had a conflict of interest with the planning commission membership due to her husband currently sitting on the Planning Commission.

Trustee Southway objected to Trustee Murphy's "no conflict", she feels Trustee Murphy has a conflict of interest in regards to the marina budget due to his business, Mountain Paddlers being located next to the marina . Trustee Southway feels there is also a conflict of interest with the executive session pertaining to the renewal of the Town Managers contract due to his personal relationship outside of the professional work environment.

Trustee Murphy clarified to the Board that he knows how to separate a professional and personal relationship. He disagreed with Trustee Southways objection.

Town Attorney Krob advised the Board regarding the financials that Trustee Murphy would have a right to participate in the discussion regarding marina items, but should not vote due to him having a business by the marina that could be impacted. The personal interest is defined in two categories. First being the object of analysis, it suggests that friendship with a staff member or someone who is subject to contract, especially in smaller communities is not a disqualifying interest, just as dislike of a person would not be a disqualifying interest. The fact we have conflicts of interest because you know people is not a bad thing, it just means you're engaged in a small community. The bad thing is if you don't disclose them or ignore them and go ahead and participate even when they are disqualifying conflicts. The second category is, subject of analysis, is if my personal feeling on this issue is so strong either for or against that I can't be fair to whoever's being considered. Yes, the Board can vote on it.

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Trustee Southway made a motion for Trustee Murphy to be disqualified regarding the executive session with the Town Manager’s contract due to their personal relationship. Trustee Goodfellow seconded the motion. Town Clerk Carrell completed a roll call vote:

<u>Trustee Bruton</u>		Nay	
<u>Trustee Goodfellow</u>	Aye		
<u>Trustee Price</u>		Nay	
<u>Trustee Southway</u>	Aye		
<u>Trustee Murphy</u>			Abstain
<u>Mayor Pro-Tem Kudron</u>		Nay	
<u>Mayor Peterson</u>		Nay	

The motion did not pass.

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.

JT Piribek (78 County Road 4951). Mr. Piribek voiced his support for the direction the Town has traveled over the last three years, rather than moving backwards because some citizens hold grudges, lets focus on the future and new opportunities that present themselves.

APPROVAL OF
SEPT. 24, 2018 MINUTES:

Trustee Goodfellow made a motion to approve the September 24, 2018 minutes. Trustee Bruton seconded the motion. Town Clerk Carrell called the vote:

<u>Trustee Southway</u>	Aye
<u>Trustee Murphy</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Goodfellow</u>	Aye
<u>Mayor Pro-Tem Kudron</u>	Aye
<u>Mayor Peterson</u>	Aye

APPROVAL OF
ACCOUNTS PAYABLE:

Trustee Murphy made a motion to approve accounts payable for October 2018. Trustee Price seconded the motion. Town Clerk Carrell completed a roll call vote:

<u>Trustee Goodfellow</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Murphy</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Mayor Pro-Tem Kudron</u>	Aye
<u>Mayor Peterson</u>	Aye

OLD BUSINESS:

1. Consideration to adopt Ordinance No. XX-2018, an Ordinance amending Chapter 12,

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Article 1 [Planning and Zoning Commission] Section 12-1-2 and 12-1-4 of the Grand Lake Town Code regarding Membership, Organization, Rules, and Terms of the Town's Planning and Zoning Commission.

Presented by Town Planner Shull.

Mayor Pro-Tem Kudron made a motion to adopt Ordinance No. 06-2018, an Ordinance amending Chapter 12, Article 1, [Planning and Zoning Commission] Section 12-1-2 and 12-1-4 of the Grand Lake Town Code regarding Membership, Organization, Rules, and Terms of the Town's Planning and Zoning Commission. Adding the language to the end of Section 12-1-2, the initial appointment of a member of the Board of Trustees shall occur at the time of the first vacancy on the commission after the effective date of Ordinance 06-2018. Mayor Pro-Tem Kudron said he would like to volunteer to represent the Board at this time. Trustee Murphy seconded the motion. Town Clerk Carrell completed a roll call vote:

<u>Trustee Goodfellow</u>	Aye	
<u>Trustee Bruton</u>	Aye	
<u>Trustee Price</u>	Aye	
<u>Trustee Murphy</u>	Aye	
<u>Trustee Southway</u>		Abstain
<u>Mayor Pro-Tem Kudron</u>	Aye	
<u>Mayor Peterson</u>	Aye	

- 2. Consideration to adopt Resolution No. XX-2018, a Resolution for the Adoption of Revised Local Liquor License Fees

Presented by Town Clerk Carrell.

A brief conversation took place regarding the fees for Special Event Liquor Permits.

Trustee Murphy made a motion to adopt Resolution No. 14-2018, a Resolution for the Adoption of Revised Local Liquor License Fees, with exception to Special Event Permit fees being visited on a case by case basis. Trustee Southway seconded the motion. Town Clerk Carrell completed a roll call vote:

<u>Trustee Price</u>	Aye
<u>Trustee Murphy</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Goodfellow</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Mayor Pro-Tem Kudron</u>	Aye
<u>Mayor Peterson</u>	Aye

NEW BUSINESS

- 1. Consideration to adopt Resolution No. XX-2018, a Resolution Superseding and Replacing Resolution No. 13-2017, a Resolution Enacting Rules and Regulations for the Operation of the Grand Lake Area Cemetery.

Presented by Town Clerk Carrell.

Mayor Pro-Tem Kudron made a motion to adopt Resolution No. 15-2018, a Resolution Superseding and Replacing Resolution No. 13-2017, a Resolution Enacting Rules and Regulations for the Operation of the Grand Lake Area Cemetery. Trustee Price seconded the motion. Town Clerk Carrell completed a roll call vote:

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<u>Trustee Bruton</u>	Aye
<u>Trustee Goodfellow</u>	Aye
<u>Trustee Price</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Murphy</u>	Aye
<u>Mayor Pro-Tem Kudron</u>	Aye
<u>Mayor Peterson</u>	Aye

2. Consideration to renew the Town Managers contract.

Trustee Price made a motion to take a vote to renew the Town Manager's contract at the October 22nd meeting. Mayor Pro-Tem Kudron seconded the motion. Town Clerk Carrel completed a roll call vote:

<u>Trustee Goodfellow</u>		Nay
<u>Trustee Murphy</u>	Aye	
<u>Trustee Price</u>	Aye	
<u>Trustee Southway</u>	Aye	
<u>Trustee Bruton</u>	Aye	
<u>Mayor Pro-Tem Kudron</u>	Aye	
<u>Mayor Peterson</u>	Aye	

LIQUOR LICENSING AUTHORITY: NONE.

EXECUTIVE SESSION:

- 1.) Pursuant to C.R.S. 24-6-402(4)(a) of the Colorado Revised Statutes to discuss the purchase, Acquisition, lease, transfer, or sale of real, personal, or other property interest regarding the possible sale of property adjacent to Lots 1-5, Cairns addition to Grand Lake 1st filing, more commonly known as 846 Lake Avenue.
- 2.) Pursuant to 24-6-402(4)(e) of the Colorado Revised Statutes for the purpose of determining Positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators regarding the East Inlet Area Resource Management Plan.
- 3.) Pursuant to C.R.S. 24-6-402(4)(f)(I) of the Colorado Revised Statutes for a personnel matter Involving the Town Manager's Performance Evaluation/Contract.

Mayor Pro-Tem Kudron made a motion to go into executive session, pursuant to:

C.R.S. 24-6-402(4)(a) of the Colorado Revised Statutes to discuss the purchase, Acquisition, lease, transfer, or sale of real, personal, or other property interest regarding the possible sale of property adjacent to Lots 1-5, Cairns addition to Grand Lake 1st filing, more commonly known as 846 Lake Avenue.

C.R.S. 24-6-402(4)(e) of the Colorado Revised Statutes for the purpose of determining Positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators regarding the East Inlet Area Resource.

C.R.S. 24-6-402(4)(f)(I) of the Colorado Revised Statutes for a personnel matter Involving the Town Manager's Performance Evaluation/Contract.

Trustee Bruton seconded the motion. Town Clerk Carrell completed a roll call vote:

<u>Trustee Goodfellow</u>	Aye
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<u>Trustee Price</u>	Aye
<u>Trustee Murphy</u>	Aye
<u>Trustee Southway</u>	Aye
<u>Trustee Bruton</u>	Aye
<u>Mayor Pro-Tem Kudron</u>	Aye
<u>Mayor Peterson</u>	Aye

Trustee Murphy tendered his resignation to the Board of Trustees, effective October 9, 2018 at 9:00 am.

MAYOR'S REPORT
AND COMMENT:

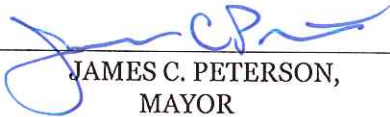
Mayor Peterson suggested for voters to read the 2018 State Ballot Information Booklet.

ADJOURNMENT:

Trustee Price made a motion to adjourn, seconded by Mayor Pro-Tem Kudron. Town Clerk Carrell completed a roll call vote:

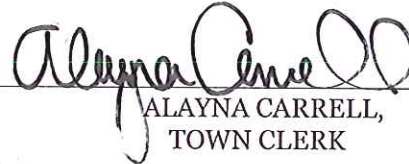
Trustee Bruton	Aye
Trustee Goodfellow	Aye
Mayor Murphy	Aye
Trustee Price	Aye
Trustee Southway	Aye
Mayor Pro-Tem Kudron	Aye
Mayor Peterson	Aye

The meeting was adjourned at 11:27 p.m., October 8, 2018.



JAMES C. PETERSON,
MAYOR

ATTEST:



ALAYNA CARRELL,
TOWN CLERK

