

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JULY 27, 2009 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor Judy Burke at 7:33 p.m. at the Town Hall, 1026 Park Avenue.

PRESENT: Mayor Burke; Trustees Johnson, Lanzi, Lewis, Peterson, and Weydert; Town Manager Hale, Town Clerk Kolinske, and Town Code Enforcement Officer Korkowski.

ABSENT: Trustee Rhone and Town Planner Wittman.

APPROVAL OF MINUTES

July 13, 2009: Trustee Lewis moved to approve the minutes of the July 13, 2009 regular meeting as written, seconded by Trustee Weydert. All Trustees voted aye except Trustee Peterson, who abstained.

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

Mayor Burke announced that the Youth Theatre Production will present "*To Be or Not To Be A Pirate*" on August 1 and 2 in the Community House.

Mayor Burke announced that the Grand Lake Yacht Club Regatta will be held August 1 – 8.

Mayor Burke then announced that the "Grand CraftFest" an arts and crafts fair sponsored by the Grand Lake Metro. Rec. District will be held August 1 and 2 in Town Square.

REPORTS: SALES TAX
CASH FLOW REPORT
FOR JULY 2009:

Mayor Burke asked Town Clerk Kolinske to present the sales tax cash flow report. Kolinske reported that the amount of revenue received in July for the month of May, 2009 is \$45,113. This amount is nearly 12 1/2% below what was received through July, 2008.

REPORTS: FINANCIAL
REPORT:

Mayor Burke asked Financial Trustee Peterson to present the Financial Report for June, 2009. Peterson reported that General Fund expenditures through the end of June totaled \$697,133.52 or 27.8% of budget. He said the Water Fund expenditures for the same period totaled \$182,870.60 or 38.4% of budget and the Marina Fund expenditures totaled \$56,742.86 or 20% of budget.

At 7:36 p.m. Trustee Johnson excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE BEER AND WINE

LIQUOR LICENSE FOR PIZZA DEL LAGO, INC., D/B/A GRAND PIZZA - Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske 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. The Grand County Sheriff's Department found no adverse information that would affect the status of the license. She noted that they were closed for their three day suspension. She then concluded by saying that Jay Jackson, President/Treasurer and Delores Jackson, Secretary, were present.

Trustee Lewis moved to approve the renewal of the Beer and Wine Liquor License for Pizza Del Lago, Inc., d/b/a Grand Pizza. Trustee Peterson seconded the motion and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF A SPECIAL EVENTS LIQUOR PERMIT

APPLICATION FROM THE GRAND ARTS COUNCIL - Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that an application for a Special Events Liquor Permit has been received, with the appropriate fee, proof of possession, 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. The requested dates are Saturday, September 5, 2009 from 4:00 p.m. to 11:00 p.m. for a barn dance and Saturday, September 19, 2009 from 3:00 p.m. to 12:00 a.m. for "A Night in Morocco". The proposed location is the Grand Arts Center at 913 Park Avenue. It has been the most recent procedure of this Board to receive the application and then schedule consideration of approval of the permit as a regular item of business at the following meeting. Although a Public Hearing is not required by statute, the Board may choose to set one. The premises are required by statute to be posted for at least 10 days prior to approval of the permit. Approval of the requested permit may be scheduled for the August 10th regular Board meeting, as either a Public Hearing or regular item of business. Kolinske noted that Cathy Walton-Smith, President of the Arts Council, was present.

Trustee Peterson moved to act on this request as a regular item of business at the August 10, 2009 Board meeting. Trustee Lewis seconded the motion, and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: Mayor Burke announced that CONSIDERATION OF THE LOCAL

LIQUOR LICENSING AUTHORITY TO DIRECT THE TOWN CLERK TO SEND A LETTER TO THE GRAND LAKE AREA CHAMBER OF COMMERCE ADVISING THEM OF THE VIOLATIONS THAT OCCURRED DURING BUFFALO BARBEQUE HELD JULY 18 & 19, 2009 was added to the agenda - Mayor Burke asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that on Saturday, July 18, 2009, at about 11:30 a.m., she observed that the perimeter on the west side of the licensed area was poorly delineated with no security and is aware of one person who walked to Miyauchi's Snack Bar with a beer. Also on Saturday after dark,

sometime between 9:30 and 10:00 p.m. she noticed that the food area was completely closed and alcohol was still being served. Not providing sandwiches or other food snacks during all hours of alcohol beverage service is a violation. Lastly, "All licenses and permits required must be posted in a conspicuous place on the licensed area for the general public to observe." The Special Event Permit may have been posted, but Kolinske said that she did not see it. She said that these issues should be brought to the Chamber's attention in writing advising them that such violations may affect the approval of future permits. In conclusion, she said that staff would recommend that the Local Liquor Licensing Authority direct the Town Clerk to send a letter to the Grand Lake Area Chamber of Commerce advising them of the violations that occurred during Buffalo Barbeque held July 18th and 19th.

Following brief discussion, Trustee Peterson moved to direct the Town Clerk to send a letter to the Grand Lake Area Chamber of Commerce advising them of the violations that occurred during Buffalo Barbeque held July 18 and 19, 2009. Trustee Weydert seconded the motion and all Trustees voted aye.

At 7:42 p.m. Trustee Johnson resumed his seat.

OLD BUSINESS:

None.

NEW BUSINESS:

CONSIDERATION OF A REQUEST BY THE JUNIPER LIBRARY FOR A SANDWICH BOARD SIGN TO BE PLACED ON THE BOARDWALK – Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that Edie Strate of the Juniper Library has submitted a request for a sandwich type sign to be placed on the boardwalk directly in front of the main doors to the Library. She is asking to place this sign between 2 posts and behind a flower box. This location is not a viable walkway due to these conditions. The sign will be temporary, used only for special programs at the Library, and only be placed out in the area the day before and day of the special program. The programs are not held on a regular basis and only occur about every 2 weeks. The sign will only be used to advertise Juniper Library special programs. Since the sign is not allowed to be on Town right-of-way per Section 6-2-1-D (10.) (c) of the code, Town staff denied the request. Edie Strate is appealing that decision and is asking for the Board to make an exception to the code and allow the use of the sign. When the proposed sign is placed into the position indicated, a 5 foot clear walkway would still exist. The sign does comply with all other applicable requirements of the Sign Code. Staff recommends the Board discuss the matter and take what action they deem appropriate.

During discussion, Trustee Peterson stated that even though he didn't see anything technically wrong with the request, approval would be setting a bad precedent.

Trustee Peterson then moved to deny the request from the Juniper Library for a sandwich board sign to be placed on the boardwalk. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 18-2009, A RESOLUTION GRANTING THE LICENSE FOR ENCROACHMENT FOR CERTAIN IMPROVEMENTS LOCATED ADJACENT TO LOTS 1-3, BLOCK 2, SUNNYSIDE ADDITION TO THE TOWN OF GRAND LAKE – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that on July 13, 2009, Town staff received an Encroachment License request from J. Douglas Lang, Manager of Logix Development, LLC, to construct a poured concrete retaining wall to be located 21' above surface and 21' 4" sub grade into the Lake Court right-of-way adjacent to Lots 1-3, Block 2, Sunnyside Addition to the Town of Grand Lake. Lake Court is not a through street in this location beyond the subject parcel. The request is to construct a concrete retaining wall six feet (6') from the fence that borders the property of Lemmon Lodge. The fence will be constructed 4' into the south Lake Court right-of-way from the Lemmon Lodge property line. The proposed wall will be a maximum of 6' in height with the average of the wall being constructed at 4'. The retaining wall, while made of poured concrete block, will face towards Lemmon Lodge with decorative facing. The remaining of the exposed concrete retaining wall will be surfaced with the appropriate and required surfacing material in this location. The retaining wall will help reduce the amount of runoff that could end up on the property as a result of the construction of a new residence in this location as well as to filter runoff prior to going into the Tonahutu/N. Inlet River. The applicant has been informed that the maintenance and liability of the concrete retaining wall will be the responsibility of the applicant and that the Town reserves the right to remove the encroachment in this location if a project necessitates it. Town staff, including Public Works Director McGinn, believe that this encroachment would be a benefit to the Town as the applicant is requesting to improve the accessibility of this right-of-way adjacent to the subject parcel. Additionally, the water quality benefit of a project of this nature promotes day-lighting of surface runoff to be filtered in a constructed stormwater retention pond near the river to be located, too, on the Lake Court right-of-way. As a reminder, the Town of Grand Lake is trying to work with private property owners to reduce the amount of surface water that drains directly into drainage ways but there are no regulations on drainage in the Municipal Code for the construction of single family homes. Surface runoff from the north side of the site will follow the existing natural topography around the south side of the retaining wall. There is existing vegetation in this area and it would naturally filter into the ground or through the drainage canal and into a constructed retention pond. The retention pond would have a constructed dry creek bed made of coffee stone as a drainage point for the canal. Currently this water is funneled into the river in this location. Staff is concerned about snow storage that will be necessary for snow removal on Lake Court. Lake Court is not Town maintained and is not proposed to be in this location. As indicated, the road does not go through in this location. The snow storage for the road is proposed on top of the retention pond; staff does not advocate this as the retention

pond may be completely compacted over and will not be able to adequately funnel the water. Instead, staff would like to see that the snow is plowed off of Lake Court to the west. This would place the snow on the other side of the retaining wall and would ensure proper drainage through the drainage channel, to the retention pond and filtered in the river. Public Works Director McGinn, too, has indicated that the increased amount of snow storage in this area may negatively affect the natural drainage. If snow storage is not kept to the south of the property on the western most part of Lake Court between the subject and neighboring parcels, then snow storage for the Lake Court snow should be kept on the subject parcels or the Lake Court right-of-way should be extended to the edge of the subject parcel and drainage improvements be made underneath the storage area. Additionally, Public Works Director McGinn would like to see that Lake Court is not crowned but rather angled to allow for surface runoff to be channeled down the center of the road to a point where the water is funneled into the retention pond. This could be done with trenching and rock to ensure that the water is subsurface and would proactively filter the water prior to runoff into the stream. Resolution No. 18-2009 has been drafted for the Board's consideration. Staff believes that the Board should discuss this matter with the applicant, or the applicant's representative. If the Town is favorable, the Board should move to approve Resolution No. 18-2009, A Resolution Granting the License for Encroachment for Certain Improvements Located Adjacent to Lots 1-3, Block 2, Sunnyside Addition to the Town of Grand Lake. Hale noted that Jerry Peirce was present representing the applicant.

Following discussion between Jerry Peirce and the Board of Trustees, Trustee Weydert moved to adopt Resolution No. 18-2009, A Resolution Granting the License for Encroachment for Certain Improvements Located Adjacent to Lots 1-3, Block 2, Sunnyside Addition to the Town of Grand Lake with the following changes to Section 3:

The improvement being permitted by this Resolution is for a poured concrete block retaining wall to be placed six feet (6') from the neighboring fence line and four feet (4') from the southern boundary of the Lake Court Right of Way. The encroachment is granted to allow the retaining wall to encroach ~~on~~ *approximately 21' 4"* (from the subject property) into the Lake Court Right of Way in this location, *and shall be better defined by the "as built" drawings submitted by the Grantee prior to Certificate of Occupancy being granted for the subject property.* Additionally, the Grantee may also create a retention pond near the location of the Lake Court right of way and the North Inlet (Tonahutu) River. This retention pond shall be constructed with native vegetation up to 25' past the southern property line of the subject property. Trustee Peterson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 19-2009, A RESOLUTION GRANTING THE LICENSE FOR ENCROACHMENT INTO THE PUBLIC RIGHT-OF-WAY OF CERTAIN IMPROVEMENTS LOCATED ADJACENT TO PARTS OF LOTS 14-16 SOUTH OF TUNNEL ROAD, BLOCK 35 AND LOTS 9-10, BLOCK 28, AND A TRACT 80' X 150'

LYING BETWEEN LOTS 9 & 16 BEING A PART OF VACATED PERRY STREET TO THE TOWN OF GRAND LAKE – Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that on July 23, 2009, Town staff received an Encroachment License request from Josh Matheny, Manager of Yakutat Land Corporation, to construct a landscaped dirt berm along the south side of Sombrero Stables and on the Lake Avenue right-of-way adjacent to parts of Lots 14-16 south of Tunnel Road, Block 35, and Lots 9-10, Block 28, and a tract 80FT x 150FT lying between lots 9 & 16 being a part of vacated Perry Street. The request is to construct a landscaped dirt berm one foot (1') in height approximately three feet (3') wide with four one foot wide and 12 feet long outlets for water to flow through. The dirt berm will be made of topsoil which will be landscaped with native grasses. The four water flow outlets will be one foot in width, slightly fanning outward towards the bottom, and 12 feet long, lined with 3"-4" rocks down to the drainage ditch in order to facilitate water flow from the lots to the ditch, act as sediment control, and prevent washout of the water outlet areas. The applicant has been informed that the maintenance and liability of the dirt berm and rock runoffs will be the responsibility of the applicant and that the Town reserves the right to require the removal of the encroachment in this location. Town staff, including Public Works Director McGinn, believe that this encroachment would be a benefit to the Town of Grand Lake as the applicant is requesting to improve the water quality of the run-off surface water from Sombrero Stables. Sombrero Stables is also under orders from the Colorado Department of Public Health and Education to mitigate their surface water runoff and the CDPHE approves this suggested plan for mitigation. Resolution No. 19-2009 has been drafted for the Board's consideration. Staff recommends the Board discuss this matter, take public comment, make what changes they feel appropriate, and then take what action they deem appropriate. If the Board is favorable to the encroachment, the Board should move to approve Resolution No. 19-2009, a Resolution granting a license for the encroachment into the public right-of-way of certain improvements located adjacent to parts of Lots 14-16 south of Tunnel Road, Block 35, and Lots 9-10, Block 28, and a tract 80FT x 150FT lying between Lots 9 & 16 being a part of vacated Perry Street to the Town of Grand Lake. Korkowski noted that Josh Matheny was present.

Following brief discussion, Trustee Lewis moved to adopt Resolution No. 19-2009, a Resolution granting a license for the encroachment into the public right-of-way of certain improvements located adjacent to parts of Lots 14-16 south of Tunnel Road, Block 35, and Lots 9-10, Block 28, and a tract 80FT x 150FT lying between Lots 9 & 16 being a part of vacated Perry Street to the Town of Grand Lake. Trustee Johnson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 20-2009, A RESOLUTION GRANTING A LICENSE FOR ENCROACHMENT INTO THE PUBLIC RIGHT-OF-WAY OF CERTAIN IMPROVEMENTS LOCATED ADJACENT TO THE ALLEY ON THE SOUTH SIDE OF BLOCK 13, LOT 3 TO THE TOWN OF GRAND LAKE – Mayor Burke asked Town Code

Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that on July 23, 2009, Town staff received an Encroachment License request from Krystyna Sobon, owner of Spirit Lake Lodge, to allow her existing hot tub and enclosure to encroach three inches (3") into the alley right-of-way adjacent to the south side of Block 13, Lot 3. The request is to allow for the existing hot tub and enclosure to encroach three inches (3") over a thirteen foot (13') length into the alley right-of-way. The hot tub and enclosure were in existence when she bought the motel, but no encroachment license has been issued that Town staff could locate. The applicant also stresses the fact she has allowed the public to use a portion of her property as an alleyway as the alley does not physically go through and for the safety of her customers going back and forth from the hot tub. The applicant has been informed that the maintenance and liability of the encroachment will be the responsibility of the applicant and that the Town reserves the right to require the removal of the encroachment in this location. Town staff confirmed that while the right-of-way exists, the alley physically ends at the west edge of Lot 3. There are big rocks, a dirt hill, and gas lines in the alley right-of-way which would make it difficult to put the alley directly through. The Town would also have to build a retaining wall if the alley was developed. There is a traveled "roadway" on the applicant's property (Lots 1-3) which people have been using as the alley, and this "roadway" is north of the hot tub and enclosure, customers do not have to walk through this "roadway" to get to the hot tub. Resolution No. 20-2009 has been drafted for the Board's consideration. Staff recommends the Board discuss this matter, take public comment, make what changes they feel appropriate, and then take what action they deem appropriate. If the Board is favorable to the encroachment, the Board should move to approve Resolution No. 20-2009, a Resolution granting a license for the encroachment into the public right of way of certain improvements located adjacent to the alley on the south side of Block 13, Lot 3 to the Town of Grand Lake. Korkowski noted that Krystyna Sobon was present.

Following discussion, Trustee Johnson moved to adopt Resolution No. 20-2009, a Resolution granting a license for the encroachment into the public right of way of certain improvements located adjacent to the alley on the south side of Block 13, Lot 3 to the Town of Grand Lake. Trustee Lewis seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AWARD TRIANGLE PARK SIGN BID TO THE CREATIVE ARTISAN – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that since staff was unfamiliar with the Creative Artisan, he said that he has worked with Sean Rodgers in order to get more information on his company and the subcontractors that Rodgers intends to use. The only pause at this point is for the actual sign. Hale said that when he looked at the bid for A+ signs he noticed that they were specifying a wooden sign with mounted pvc lettering. The Town's current sign is a three dimensional wood alternative, which should hold up much longer. He believes that Rodgers is currently researching other sign makers to determine where he can get a three dimensional sign made if A+ does not have the ability to do so. Hale also

presented correspondence from the high bidder, Joel Lunsford, where he questions the ability of the Creative Artisan to build this sign, and also seems to believe that it's unfair that his bid is being compared against someone who isn't a sign maker. The staff recommendation is:

Move to award the Triangle Park bid to the Creative Artisan, or

If the Board is not satisfied, there are many motions that could be made, including:

Move to continue this item to the August 10th meeting in order for the low bidder to provide the Town with more information.

Move to reject all bidders and take the Triangle Park Sign back out to bid (either immediately or next spring).

Following brief discussion, Trustee Peterson moved to continue consideration of this matter until the August 10th meeting in order for the low bidder to provide the Town with more information. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE TOWN MANAGER TO SIGN A PURCHASE ORDER AGREEMENT DATED JULY 23, 2009 WITH AQUASHIELD STORMWATER TREATMENT SOLUTIONS – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the Stormwater Filtration Project is moving forward. The schedule is in line for notice of award by the end of August, with a start soon after Labor Day. Since the Aquashield Treatment Train will take 4-6 weeks to manufacture, it will make the most sense for the Town to deal directly with the manufacturer in pre-ordering this system, so once the contractor is onboard everything is in place to install immediately versus waiting until a mid-October delivery. He said that he and Public Works Director McGinn had a phone conference with one of their representatives (Joe Kaul), as well as their General Manager, Eric Rominger, because Hale said that he wanted to make sure that he felt comfortable with maintenance of this system—not only does general maintenance seem to be fairly straightforward, it takes two guys 4 hours to replace all 192 filters, and the Town would be looking at doing the replacement once to twice annually, but it was discovered that the access manholes could be placed anywhere on the system, so he said that they were able to work around the existing electric line/other site specific constraints. In short, he and McGinn both believe that this system will work for the Town from a maintenance perspective, and we already know that it will work from a water quality perspective. Additionally, Rominger committed to delivering this product in the 4 week timeframe after Hale explained to him the short window to have it installed. The best news to date though is that this system has come down dramatically in price from the original cost estimates. He provided the board with the original estimate from JVA, the project quotation with accompanying documents and the purchase order that includes an additional

set of replacement filters at his request. If the Board is satisfied, the staff recommendation is for the Board to authorize the Town Manager to sign the Purchase Order Agreement dated July 23, 2009 with AquaShield Stormwater Treatment Solutions for \$120,065.

Following brief discussion, Trustee Johnson moved to authorize the Town Manager to sign the Purchase Order Agreement dated July 23, 2009 with AquaShield Stormwater Treatment Solutions for \$120,065 including delivery. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE TOWN MANAGER AND/OR THE MAYOR TO TAKE WHATEVER STEPS NECESSARY IN ORDER TO MOVE FORWARD WITH THE REISSUANCE OF DEBT – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the Bond Committee, consisting of Mayor Burke, Trustees Lewis and Peterson and himself met with Troy Bernberg, representative from Stifel Nicolaus, on July 21st. Beginning with the reissuance, the best rate that he's been able to come up with to date is a 3.85%, compared to the Town's existing 5.90%. This bond actually began at 7%, inverted down to 5.30%, and then climbed back to 5.90% where it will be through the rest of the term. The analysis given at the long-range retreat was 3.65% for a total savings to the Town of \$122,000 +/- . The gross savings at 3.85% ends up at \$119,000 +/-, part of this is due to lower than predicted fees for bond council. Hale said that he believes that it makes sense for the Town to move forward at this time as it will lower the payments and will free up the Town's bonding capacity. The process will take a little while; the bank that Bernberg is working with will go through their due diligence, likely taking a couple of weeks, in order to determine whether the Town is a good risk. Bernberg advises that there shouldn't be a problem after reviewing the audits, budgets, etc., especially considering the Town's bond coverage. The Town pledged 100% of its sales tax, so the payment is covered by 10 fold. The big unknown is just the question that is out there for everyone—who is creditworthy, and what risks are banks taking these days? Since the Town will need to be able to react fairly quickly and to move on this reissue at a faster pace to keep the rate, staff recommends that the Board move to authorize the Town Manager and/or Mayor to take whatever steps is necessary in order to move forward with the reissuance of debt. The Board will need to adopt a resolution to actually close on the reissue, which will likely be presented at the first meeting in August for consideration. He said that the Bond Committee, Bernberg, and himself discussed the most appropriate way to move forward with a ballot question and he thinks that everyone agrees that continuous contact with the public will be key to a successful measure, and that there would be no way to have that discussion by November, so it looks like a spring election for this question. Ideas that came out of the meeting were: conduct a survey of Town residents to make sure that the Town has a good project, have a meeting with 15-20 movers and shakers in Town to present the Town's thoughts to them and make sure that the Town has a good project, hire a consulting engineer to help us put cost estimates together/better define the project, and to have at least one public meeting to go through

everything with the public. Additionally, come January, there will be a group that will need to go door-to-door to discuss this with the public as well. The real feedback that we need is: is Park Avenue the right focus, and even if it is, should something else be added? Finally, depending upon what gets added/subtracted, the bottom line will be the cost, and what the Town could feasibly take on with existing revenues compared to issuing new debt. Staff recommends that the Board move to authorize the Town Manager and/or Mayor to take whatever steps are necessary in order to move forward with the reissuance of debt.

Following brief discussion, Trustee Peterson moved to authorize the Town Manager and the Mayor to take whatever steps are necessary in order to move forward with the reissuance of debt. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. XX-2009, AN ORDINANCE AMENDING THE TOWN OF GRAND LAKE MUNICIPAL CODE CHAPTER 6 ARTICLE 1 PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS – Mayor Burke asked Town Code Enforcement Officer Korkowski to present this matter to the Board. Korkowski explained that staff has revised Municipal Code 6-1 Peddlers, Solicitors, and Transient Merchants per the direction of the Board at their July 13, 2009 meeting. The primary change was to limit what was termed “charitable organizations” to only 501(c)(3) and (4) organizations. Staff added a provision which requires the issuance of a Special Use Permit instead of the Peddlers License. This gives the Mayor, and the Board if the Mayor wants them to review it, more flexibility to review the request and make a determination. Staff recommends the Board discuss the matter, take public comment, and make a motion to either:

1. Make changes to the ordinance and direct staff to bring it back for further discussion, or
2. Schedule a Public Hearing to consider the ordinance, or
3. If the Board is favorable, adopt Ordinance __-2009, an Ordinance amending the Town of Grand Lake Municipal Code Chapter 6 Article 1 Peddlers, Solicitors, and Transient Merchants.

Following discussion regarding charitable organizations such as Girl Scouts, Grand Lake Elementary School, the High School Marching Band, etc., Trustee Weydert moved to have changes made to the ordinance and directed staff to bring it back for further discussion on August 10, 2009. Trustee Peterson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN AN ENGAGEMENT LETTER WITH BONDI & CO., LLC FOR THE DECEMBER 31, 2009 AUDIT - Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the Town’s auditor, Bondi & Co., LLC, has submitted a letter of engagement outlining the terms and objectives as well as the nature and limitation of services to be provided in connection with the 2009 audit. The fee for the December 31, 2009 audit engagement is estimated

to be about \$12,750 based on the understanding that the Town Treasurer will be preparing the financial statement this year. Because this would be the Treasurer's first year preparing those statements and assistance from Bondi will probably be necessary, the actual fee may end up being slightly higher. However, if Bondi were to prepare the statements, the cost would be approximately \$15,000. Both estimates are based on the assumption that no unexpected circumstances will be encountered during the audit that would require significant additional time. It is not anticipated that the Town will meet the federal threshold (\$300,000) that would trigger a Circular A-133 audit. Staff recommends that the Board of Trustees authorize the Mayor to sign the Engagement Letter with Bondi & Co. LLC for the December 31, 2009 audit.

Trustee Johnson moved to authorize the Mayor to sign the Engagement Letter with Bondi & Co. LLC for the December 31, 2009 audit. Trustee Peterson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

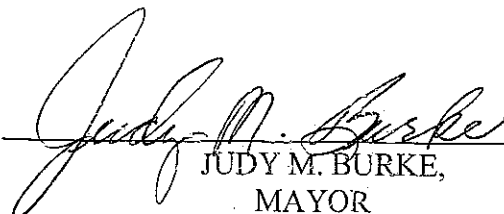
CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN A LETTER OF SUPPORT FOR HEADWATERS TRAILS ALLIANCE TO SUBMIT AN APPLICATION FOR ASSISTANCE TO THE NPS RTCA ASSISTANCE PROGRAM – Mayor Burke asked Town Manager Hale to present this matter to the Board. Hale explained that the Town received a request for assistance from the National Parks Service's Rivers, Trails and Conservation Assistance (RTCA) Program for Headwater's Trails Alliance (HTA). HTA has asked the Town of Grand Lake to draft a Letter of Support for a request for HTA to be able to a conduct public scoping project for the Grand Lake to Granby trail. Specifically, the requested funds are for facilitating stakeholder involvement in the planning process, facilitating public meetings and identifying potential funding sources for resource inventories and other field work that will be needed in conjunction with the National Environmental Policy Act (NEPA) process. If the Board is favorable, the Board should move to authorize the Mayor to sign the draft Letter of Support for HTA to submit an application for assistance to the NPS RTCA Assistance Program.

Trustee Peterson moved to authorize the Mayor to sign the draft Letter of Support for HTA to submit an application for assistance to the NPS RTCA Assistance Program. Trustee Weydert seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: None.

ADJOURNMENT:

Trustee Lewis moved to adjourn, seconded by Trustee Peterson. All Trustees voted aye, and the meeting was adjourned at 8:53 p.m., July 27, 2009.



JUDY M. BURKE,
MAYOR

ATTEST: 

RONDA KOLINSKE, CMC,
TOWN CLERK