

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, JUNE 13, 2011 7:30 P.M.

CALL TO ORDER: The regular meeting of the Board of Trustees was called to order by Mayor-Pro Tem Peterson at 7:32 p.m. at the Town Hall, 1026 Park Avenue.

ROLL CALL

PRESENT: Mayor Pro-Tem Peterson; Trustees Johnson, Lanzi, Lewis, Ludwig, and Weydert; Town Manager Hale, Town Clerk Kolinske and Town Planner Wittman.

ABSENT: Mayor Pro-Tem Peterson announced that Mayor Burke was absent because she is speaking at a water symposium. Trustee Lewis moved to excuse Mayor Burke's absence. Trustee Weydert seconded the motion and all Trustees voted aye.

APPROVAL OF MINUTES

May 23, 2011: Trustee Johnson moved to approve the minutes of the May 23, 2011 regular meeting as written. Trustee Weydert seconded the motion and all Trustees voted aye.

ANNOUNCEMENTS:

Mayor Pro-Tem Peterson announced that it would be appreciated if cell phones were turned off during the meeting.

Mayor Pro-Tem Peterson announced that the Rocky Mountain Repertory Theatre opened its 2011 Summer Season with "*Beauty and the Beast*" on June 10th in their new building.

Mayor Pro-Tem Peterson announced that the 6th Annual "*Tops of the Rockies*" sponsored by The Friends of the Grand County Library will be held Saturday, June 25th at the Grand Lake Yacht Club. Tickets are available at any Grand County Library.

Mayor Pro-Tem Peterson announced that the 27th Annual "*Colorado State Chili Cook Off*" will be held Saturday, June 25th in the Town Park. Proceeds will go to the Grand Lake Fire Protection District's Scholarship Fund.

Mayor Pro-Tem Peterson announced that the 8th Annual "*Art & Architecture Home Tour*" sponsored by the Grand Arts Council will be held Saturday, June 25th from 1 – 5 p.m.

Trustee Lewis then announced that a benefit for Laney Anderson will be held at Pancho & Lefty's on Sunday, June 26th beginning at 3:00 p.m.

CONFLICTS OF INTEREST:

Mayor Pro-Tem 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 Johnson announced that he had a conflict with the Liquor License for Mama Bear's and the Agreement with Baltz Family Partners, Ltd.

Trustee Lanzi announced that he had a conflict with the Liquor License for O-A Bistro.

Trustee Ludwig announced that he had a conflict with the Local Liquor Licensing issues as he holds a license for The Rapids Lodge and Restaurant.

Mayor Pro-Tem Peterson then announced that he had a conflict with the variance request from Rocky Mountain Repertory Theatre.

OLD BUSINESS:

CONSIDERATION OF A SPECIAL EVENT PERMIT REQUEST FROM THE GRAND LAKE CHAMBER OF COMMERCE FOR THE CREWS AND BREWS FEST - Mayor Pro-Tem Peterson asked Town Manager Hale to present this matter to the Board. Hale explained that the Town is in possession of a Special Events Permit (SEP) Application submitted by the Grand Lake Chamber of Commerce for the Crews and Brews Fest. According to Section 12-2-31 - Special and Conditional Use Regulations: The Mayor, or the Mayor's designee, may sign the SEP without referring the matter to the Board of Trustees if the SEP is deemed to be in the best interest of the Town with the following items being taken into consideration:

- (a) The predominant use of the primary facility being used
- (b) The proposed event and the event hours
- (c) Neighborhood compatibility
- (d) Effect of the proposed event on the community
- (e) The Town's anticipated cost in Staff time and equipment use
- (f) Duplication of services or sales items
- (g) Permanent address of the non-profit organization or governmental entity
- (h) First time event

The Mayor, or the Mayor's designee, will refer the matter to the Board of Trustees for approval if the event involves a Special Events Liquor Permit. Since this is a first time event and because it will involve a liquor permit, it's being referred to the Board of Trustees for approval. The Board heard a brief presentation at its last meeting and directed the event organizers to solicit input from the neighboring businesses on Lake Avenue to help ensure that this event doesn't negatively impact anyone. The basic plan is to hold a corvette car show and "brew fest" in Town

Square, with a crew race/regatta staged at the beach area. Lake Avenue is being proposed to be closed from the evening on August 26th until late morning on August 27th to help stage the boats, take them on/off the lake with ease, etc. For the car show, they are requesting some parking reserved on Grand Avenue. This event is planned on August 27th as a one day event. All aspects of the permit are met in reference to the site plan, insurance, etc, other than the fact that no site plan was included for the beach area, so staff cannot determine if there is actually anything formal planned at the beach, or if instead that the organizers just expect that people will set up there to watch the races. If the Board is ok with this event, the staff recommendation is for the Board to authorize the Mayor to sign the Grand Lake Crews and Brews Fest Special Event Permit. Hale noted that Lisa Jenkins, Executive Director of the Chamber of Commerce, was present.

Trustee Johnson moved to authorize the Mayor to sign the Grand Lake Crews and Brews Fest Special Event Permit with the stipulation that Lake Avenue is to be re-opened no later than 10:00 a.m. August 27th. Trustee Lewis seconded the motion and all Trustees voted aye.

At 7:40 p.m. Trustee Ludwig excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE TAVERN LIQUOR LICENSE FOR GATEWAY INN, INC., D/B/A GATEWAY INN – Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid; the renewal documents are in order and indicate no changes from the previous renewal. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department found no adverse information that would affect the status of the license. He concluded by saying that Tom Jenkins, Vice President/Secretary, was present.

Trustee Lewis moved to approve the renewal of the Tavern Liquor License for Gateway Inn, Inc., d/b/a Gateway Inn. Trustee Weydert seconded the motion and all Trustees voted aye.

At 7:42 p.m. Trustee Lanzi excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF RENEWAL OF THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR O-A BISTRO, LLC, D/B/A O-A BISTRO - Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. Kolinske reported that the fees have been paid; the renewal documents are in order and indicate no changes. The water, business license, and sales tax accounts are all current. She noted that the Grand County Sheriff's Department found no adverse information that would affect the status of the license.

She concluded by saying that Olney Kliewer, Managing Member, was present.

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

At 7:45 p.m. Trustee Lanzi resumed his seat.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF SPECIAL EVENTS LIQUOR PERMIT APPLICATIONS FROM THE GRAND LAKE CHAMBER OF COMMERCE FOR "BUFFALO BARBECUE" AND "CREWS AND BREWS" FUNDRAISING EVENTS - Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that this request is for two different fundraising events. The requested dates are July 16 & 17, 2011 for Buffalo Barbecue to be held at Lakefront Park and August 27, 2011 for a Crews and Brews Fest to be held in Town Square. The application documents are in order and complete. The premises are required by statute to be posted for at least 10 days prior to approval of the permit. She suggested action at the June 27th Board Meeting as a regular item of business or as a Public Hearing. Kolinske noted that Lisa Jenkins, Executive Director for the Chamber of Commerce, was present.

Trustee Lewis moved to act on this request as a regular item of business at the June 27, 2010 Board Meeting. Trustee Weydert seconded the motion, and all Trustees voted aye.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF AN ALTERATION OF LICENSED PREMISES APPLICATION FROM PANTHO & LEFTY'S, INC., D/B/A PANTHO AND LEFTY'S - Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. An Application for Modification of Premises was received, with the appropriate fees, from Pancho & Lefty's, Inc., d/b/a Pancho and Lefty's at 1120 Grand Avenue. The request is to turn the outside waiting area into a game room with a door to the boardwalk, and a door to the parking lot with a 6 foot walkway from the boardwalk to the side door on the east side. There is also the addition of approximately 330 square feet to the rear patio toward the alley.

Physical changes, alterations or modifications of the licensed premises, or in the usage of the premises, by Local Authority and State Authority, shall include, but not be limited to, the following:

1. Any increase or decrease in the total size or capacity of the licensed premises.

2. The sealing off, creation of, or relocation of a common entryway, doorway, passage or other such means of public ingress and/or egress, when such common entryway, doorway or passage permits access to the licensed premises from or between public streets or thoroughfares, adjacent or abutting building, rooms or premises.
3. Any substantial or material enlargement of a bar, or relocation of a bar, or addition of a separate bar.

A copy of the completed application has been sent to the Grand County Sheriff's Department for approval but as of this date staff have not received a reply, therefore, should the Board approve this request, a motion should be made contingent upon receiving approval from the Grand County Sheriff's Department. Kolinske concluded by saying that Sandra Hoff was present.

Following brief discussion, Trustee Lanzi moved to approve an Alteration of Licensed Premises Application from Pancho & Lefty's, Inc., d/b/a Pancho and Lefty's contingent upon receiving approval from the Grand County Sheriff's Department. Trustee Weydert seconded the motion and all Trustees voted aye.

At 7:56 p.m. Trustee Johnson excused himself and left the room.

LIQUOR LICENSING AUTHORITY: CONSIDERATION OF SETTING A PUBLIC HEARING FOR A NEW HOTEL AND RESTAURANT LIQUOR LICENSE FOR MAMA BEAR'S, LLC, D/B/A MAMA BEAR'S - Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that an application for a new Hotel and Restaurant Liquor License was received on May 26, 2011, with the appropriate fees, evidence of possession, and floor diagram, from Mama Bear's, LLC, d/b/a Mama Bear's. The location is the former Bear's Den at 612 Grand Avenue. The property is zoned Commercial. The location is more than 500 feet from any educational institution, and no license has been denied for this location in the last two years; therefore, state statute does not prohibit liquor from being sold from this location. The applicant is required to attend the Board meeting at which the application is received by the Local Authority. The Local Liquor Licensing Authority, Board of Trustees, may require the applicant to provide evidence of the reasonable requirements of the neighborhood and the desires of the inhabitants. If the Board so requires, it may wish to set the boundaries of the "neighborhood" and establish what is required from the applicant to demonstrate the reasonable requirements of the neighborhood and the desires of the inhabitants. The Board must schedule a public hearing on the application not less than 30 days from the date of the application. Staff recommends that a public hearing be set for June 27, 2011. Public notice of the hearing must be posted on the premises and published not less than 10 days prior to

the date of the hearing. The notice must be published at least once and provide the type of license applied for, the name and address of the applicant, the date of the application, and the date of the hearing. The Local Authority, or clerk, must provide any findings to the applicant at least 5 days prior to the hearing. The public hearing is to be conducted as a quasi-judicial proceeding and in a manner which assures all interested parties a fair and reasonable opportunity to present views and information, and such that the applicant's procedural rights of fundamental fairness be protected. The Board must make a specific finding of fact from evidence adduced at the hearing regarding the desires of the adult inhabitants of the Town, and it must deny the application if it finds the sale of liquor at such a location is contrary to those desires. The Board must consider the moral character of the applicant; the reasonable requirements of the neighborhood; the desires of the adult inhabitants of the neighborhood; the number, type and availability of liquor outlets located in or near the neighborhood; and other reasonable restrictions which are or may be placed on the neighborhood by the Local Licensing Authority, Board of Trustees. Kolinske noted that Vickie Johnson, also known as Mama Bear, was present.

Following brief discussion, Trustee Weydert moved to set a Public Hearing for June 27, 2011 to consider a new Hotel and Restaurant Liquor License for Mama Bear's, LLC, d/b/a Mama Bear's and to set the boundary of the Town of Grand Lake. Trustee Lanzi seconded the motion and all Trustees voted aye.

At 8:04 Trustees Johnson and Ludwig resumed their seats.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 8-2011, A RESOLUTION SUPERSEDING AND REPLACING RESOLUTION NO. 4-2001, A RESOLUTION ENACTING RULES AND REGULATIONS FOR THE OPERATION OF THE GRAND LAKE CEMETERY - Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. Kolinske introduced Martha Boehner, Chairman of the Grand Lake Cemetery Committee, and said that she will present this matter to the Board. Martha Boehner, 76 County Road 480, explained that the Committee has drafted updates and revisions to Resolution No. 4-2001, which contains and sets forth the rules and regulations for the operation of the Grand Lake Cemetery. Draft Resolution No. 8-2011 has been approved by Rocky Mountain National Park. Also included is the requirement for a refundable deposit for a grave marker to be paid prior to the time of burial unless a copy of a paid receipt from a monument company is provided. If a permanent grave marker is placed on the grave site within one year from interment, the deposit will be refunded. She then thanked the Board for its consideration of this very important matter.

RECORD OF PROCEEDINGS

Trustee Weydert moved to adopt Resolution No. 8-2011, a Resolution Superseding and Replacing Resolution No. 4-2001, a Resolution Enacting Rules and Regulations for the Operation of the Grand Lake Cemetery. Trustee Johnson seconded the motion and all Trustees voted aye.

AND

CONSIDERATION OF RESOLUTION NO. 9-2011, A RESOLUTION ENACTING A FEE SCHEDULE FOR THE GRAND LAKE CEMETERY - Mayor Pro-Tem Peterson asked Town Clerk Kolinske to present this matter to the Board. Kolinske explained that the only change in the Fee Schedule is the addition of the \$200.00 Grave Marker Deposit.

Trustee Weydert moved to adopt Resolution No. 9-2011, a Resolution Enacting a Fee Schedule for the Grand Lake Cemetery. Trustee Johnson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. 12-2011, AN ORDINANCE AMENDING THE TOWN OF GRAND LAKE MUNICIPAL CODE CHAPTER 6, ARTICLE 1 TRANSIENT MERCHANTS - Mayor Pro-Tem Peterson asked Town Manager Hale to present this matter to the Board. Hale explained that Town staff is proposing amending Municipal Code 6-1 Peddlers, Solicitors, and Transient Merchants based upon the discussion of the Board at their May 23, 2011 regular meeting afternoon workshop. Staff was advised to amend the Municipal Code to not allow for peddlers or solicitors, but to only allow for the issuance of this type of license to transient merchants when they are part of a Special Event which has been issued a Special Event Permit by the Town. The changes in the code reflect the current procedures that the Town uses for accepting and processing the applications and issuance of licenses for Special Events. Staff recommends the Board discuss the proposed ordinance, and take what action they deem appropriate.

Following brief discussion, Trustee Johnson moved to adopt Ordinance No. 12-2011, an Ordinance Amending the Town of Grand Lake Municipal Code Chapter 6, Article 1 Transient Merchants. Trustee Lewis seconded the motion and all Trustees voted aye.

Due to the conflict of interest with the next agenda item, Mayor Pro-Tem Peterson announced that he will remain seated but will abstain from making comments and from voting.

NEW BUSINESS:

CONSIDERATION OF A PLANNING COMMISSION RECOMMENDATION FOR APPROVAL OF A DESIGN

REVIEW STANDARDS VARIANCE REQUEST FROM ROCKY MOUNTAIN REPERTORY THEATRE FOR THE INSTALLATION OF AN ALUMINUM LADDER ON THE STRUCTURE LOCATED AT LOTS 6-8, BLOCK 12, TOWN OF GRAND LAKE - Mayor Pro-Tem Peterson asked Town Planner Wittman to present this matter to the Board. Wittman explained that on May 19, 2011, the Town received a Design Review variance request from Rocky Mountain Repertory Theatre (RMRT) for the Town's consideration of a preexisting aluminum ladder. At the Planning Commission's regular meeting on June 1, 2011, the Commission discussed the installation of a reflective aluminum ladder on the structure located at Lots 6-8, Block 12, Town of Grand Lake. At that time, the Commission forwarded a favorable recommendation for approval to the Town Board of Trustees for of the Design Review Standards variance request. As the Commission was informed, this ladder was installed by Rocky Mountain Repertory Theatre (RMRT) on the rear of the structure; Town staff observed the ladder at the time of the Final Zoning Inspection. Staff permitted the conditional zoning approval allowing for RMRT to either paint the ladder or to petition for a variance to the Municipal Design Review Standards, Chapter 12, Article 7. As this section of the code indicates: "Reflective colors (shellac, enamels, florescent, neon and high gloss finishes) are not permitted."

Acceptable Accent Exterior Materials:

- Exposed and ornamental metalwork – non reflective
- Standing Seam Terne, Oxidizing Copper and painted/pre-finished metal
- Galvanized metal (non reflective)
- Cor-Ten or other pre-rusted or exposure rusting steel

Prohibited Exterior Materials:

- Non-oxidizing reflective metal finishes

During the Planning Commission's meeting, the Commission discussed how the ladder was installed without the knowledge of the Town of Grand Lake. RMRT's President, Judy Jensen, indicated that the ladder was installed according to the requirements set forth by the Occupational Safety and Health Administration (OSHA). Since the time of the Commission's meeting, staff has reviewed the approved permit which indicated "Roof Access Ladder – RE: Manufacturer For Installation;" there were no specifications for the ladder submitted to the Town and Town staff did not request specifications for the ladder. At the time of the Planning Commission's meeting, the Commission inquired with the property owner as to whether or not the ladder could be painted. At that time, the applicant indicated their architect and painters have indicated that while the ladder could be painted, the long-term maintenance of the ladder, due to cracking and peeling of the paint, might not only be cumbersome to

the property owner, as it would have to be done, at least, annually, but also that the ladder may keep a less than desirable appearance in-between painting. The Commission directed staff to look into OSHA's regulations regarding either the painting of the existing ladder or whether or not an OSHA compliant non-reflective ladder is available. On June 7, 2011, Town staff contacted the Denver Regional office of OSHA to discuss this matter. Duty Officer Pat indicated that OSHA would allow for a slip-resistant, as to not increase a safety risk, powder-coat paint to be applied to an existing aluminum ladder as well as that there are many manufacturers who produced pre-fabricated, colored, or non-reflective, caged ladders. A quick Google search produced numerous manufacturers who produced "OSHA compliant" caged ladder systems in galvanized steel, primed, milled or painted, but staff was unable to find online sales information for a colored/non-reflective aluminum ladder. The Board should review Planning Commission Resolution No. 6-2011 and discuss the matter with the applicant, if desired. The Board should then discuss for determination whether or not the Board would like to uphold the recommendation of the Planning Commission. While the code does not indicate any applicable review criteria, the Board may want to take into consideration the code indicates:

Purpose:

... The Town of Grand Lake seeks to preserve the historical, rustic, and unique western small-town character of Grand Lake while also integrating its preservation with new and pioneering creative designs. Intending to help enhance quality and strengthen visual continuity while preserving historically significant properties, allowing innovation and encouraging creativity, the purpose of these standards is to stimulate creative design solutions for individual properties while promoting and preserving a sense of cohesiveness among the entire Town of Grand Lake.

Material Selection:

Material selection should take into account the historical and existing perspective of the Town. Materials should consider the multiple elevations and views of the projects while durability and maintenance and long-term performance should also be a consideration in material selection. The objective of material standards is to allow flexibility in the choice and applications of exterior materials...

1. The proposed materials must be appropriate to the surrounding context, both built and natural.
2. The proposed materials must also be durable and maintainable over time and inclement weather.

Once all discussion has taken place by the Board, the Board should make a motion regarding this matter. The Board should move to uphold

or to not uphold the recommendation of the Planning Commission and authorize or not authorize the use of a reflective aluminum ladder on the structure located at Lots 6-8, Block 12, Town of Grand Lake. She noted that Judy Jensen, President, and Dot Weber, Building Committee Chair, were present.

Dot Weber, 420 Ellsworth #23, was recognized from the audience. Weber explained that meetings were held weekly or at least every two weeks with the architect, construction manager, contractor, and herself to discuss a variety of issues during the building process. She said that they were first informed of the need for this roof access ladder from the ground level in February of this year by the County Building Inspector. The determining factors for this ladder were; 1) cost, 2) safety, and 3) expediency. Color was never considered. The aluminum ladder was chosen because it was cost effective and maintenance free. It also met the County's and OSHA's standards. She said that the ladder was installed without a plan change. It, however, was not the intention of RMRT to install something that was not compliant with municipal regulations. It is just that they had made other changes, based on what the County Building Inspector required, without doing plan changes. This resulted in a \$3,200.00 unexpected cost to the Theatre who was already under a time constraint to obtain a Certificate of Occupancy.

Trustee Weydert mentioned the fact that the other ladder that goes from the flat roof up to the high roof is made of fabricated steel and is brown in color matching the building. He said that since the architect was sensitive to the color of that ladder, obviously because of its visibility; the architect should also have been sensitive to the color of this one. He then asked what the price difference is between the aluminum ladder and a factory colored ladder.

Dot Weber could not answer as she did not know.

Trustee Ludwig suggested that they contact the manufacturer regarding an exchange for a colored one.

Weber responded by saying that they will not take it back as it has been installed and has been in the weather.

Trustee Ludwig mentioned that there may other options to comply with the reflectivity such as pickling, soda blast, powder coating, salt, etc.

Town Planner Wittman noted that the architect said that the metal is designed to not corrode or peel.

Trustee Lewis made the comment that research needs to be done to know what the possibilities, if any, are.

Following lengthy discussion, Trustee Weydert moved to continue consideration of this matter until the end of September, 2011 to allow time for Rocky Mountain Repertory Theatre to come up with alternatives to mitigate the reflectivity. Trustee Lewis seconded the motion and all Trustees voted aye except Mayor Pro-Tem Peterson, who abstained.

NEW BUSINESS:

CONSIDERATION OF A PLANNING COMMISSION RECOMMENDATION FOR APPROVAL OF A DESIGN REVIEW STANDARDS VARIANCE REQUEST FOR THE INSTALLATION OF VINYL WINDOWS ON GRAND LAKE HIDEAWAY CONDOS UNIT 2D - Mayor Pro-Tem Peterson asked Town Planner Wittman to present this matter to the Board. Wittman explained that on May 19, 2011, the Town received a Design Review variance request from K.L. Construction, representing John and Angie Powell, for the Town's consideration of approval preexisting vinyl windows. The Town of Grand Lake's Design Review Standards indicate Fiberglas, vinyl clad, or vinyl windows are Prohibited Exterior Materials. The windows were replaced without a building permit; K.L. Construction has indicated Grand County Building Department indicated the project would not require a building permit to the previous contractor. At the Planning Commission's regular meeting on June 1, 2011, the Commission discussed the installation of windows on Unit 2D of the structure located at Grand Lake Hideaway Condos, 217 Marina Drive. As the Commission was informed, the windows have been installed by a contractor previously hired by Mr. and Mrs. Powell; Town was informed of the previously installed windows when KL Construction applied for a building permit to complete the unpermitted work. At that time, the Commission forwarded a favorable recommendation of approval to the Town Board of Trustees for of the Design Review Standards variance request. The Board should review Planning Commission Resolution No.7 -2011 and discuss the matter with the applicant, if desired. The Board should then discuss for determination whether or not the Board would like to uphold the recommendation of the Planning Commission. While the code does not indicate any applicable review criteria, the Board may want to take into consideration the code indicates:

Purpose:

... The Town of Grand Lake seeks to preserve the historical, rustic, and unique western small-town character of Grand Lake while also integrating its preservation with new and pioneering creative designs. Intending to help enhance quality and strengthen visual continuity while preserving historically significant properties, allowing innovation and encouraging creativity, the purpose of these standards is to stimulate creative design solutions for individual properties while promoting and

preserving a sense of cohesiveness among the entire Town of Grand Lake.

Material Selection:

Material selection should take into account the historical and existing perspective of the Town. Materials should consider the multiple elevations and views of the projects while durability and maintenance and long-term performance should also be a consideration in material selection. The objective of material standards is to allow flexibility in the choice and applications of exterior materials...

1. The proposed materials must be appropriate to the surrounding context, both built and natural.
2. The proposed materials must also be durable and maintainable over time and inclement weather.

Staff would like to note, for the Board's reference, since the Commission forwarded the recommendation of approval to the Town Board, the Commission did discuss their desire to amend Municipal Code Section 12-7: Design Review Standards to allow for "Vinyl or Vinyl clad windows - for residential structures only" to be considered for addition to the Municipal Code. Staff has drafted an ordinance for the Planning Commission's consideration of recommendation to the Town Board; the item has been placed on the June 15, 2011 Planning Commission meeting agenda. This item will be placed on the Town Board's agenda once a Planning Commission recommendation has been made. Once all discussion has taken place by the Board, the Board should make a motion regarding this matter. The Board should move to uphold or to not uphold the recommendation of the Planning Commission and authorize or not authorize the vinyl windows which are considered as Prohibited Exterior Materials. Wittman noted that Kevin Leppke of K.L. Construction was present.

Following brief discussion, Trustee Weydert moved to uphold the Planning Commission's recommendation to authorize the vinyl windows at Unit 2D, Grand Lake Hideaway Condos because this matter has been discussed for quite some time to include vinyl windows as an approved exterior material in the Town of Grand Lake's Design Review Standards. Trustee Johnson seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 10-2011, A RESOLUTION PERMITTING THE STRACHAN FAMILY TO DOCK OVERNIGHT ON AUGUST 10, 2011 AT THE TOWN OF GRAND LAKE BOAT DOCK - Mayor Pro-Tem Peterson asked Town Manager Hale to present this matter to the Board. Hale explained that a request to leave a boat at the public boat dock overnight on August 10th was received from Mr. Steve Strachan. He and his family vacation in

Grand Lake annually and have a 21 year old daughter with Cerebral Palsy and is confined to a wheelchair. In short, he's requesting to be allowed to dock his boat overnight because the whole ordeal with her 300 lb. wheelchair on top of bringing his boat back out of the water is quite cumbersome. The Town currently allows the overnight docking of boats for the wooden boat show through a special events permit. If the Board is ok making this accommodation for the Strachan Family, staff recommends that the Board adopt Resolution No. 10-2011.

Following brief discussion, Trustee Johnson moved to adopt Resolution No. 10-2011, a Resolution Permitting the Strachan Family to Dock Overnight on August 10, 2011 at the Town of Grand Lake Boat Dock. Trustee Lewis seconded the motion and all Trustees voted aye.

At 9:28 p.m. Trustee Johnson excused himself and left the room.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE TOWN OF GRAND LAKE AND BALTZ FAMILY PARTNERS LTD. REGARDING WATER SERVICE TO AN OUT OF TOWN PROPERTY - Mayor Pro-Tem Peterson asked Town Manager Hale to present this matter to the Board. Hale explained that the Town has been in discussions with Mr. Steve Baltz regarding the Kickapoo Lodge, the Town's willingness to sell the development out of Town water taps, and other pending legal issues that were brought up by Mr. Baltz during these discussions. After considering the options at the March 14, 2011 meeting, the Board directed staff to offer Mr. Baltz a compromise offer in order to try to keep everyone out of court. An agreement has been drafted and signed by Steve Baltz for the Baltz Family Partners, LTD, a Colorado Limited Partnership. Hale said that he and the Town Attorney believe that all of the Board's concerns are being addressed in this agreement. The only negotiated point that came up after the last Board meeting where this was discussed is encapsulated in number two. Basically, there is no requirement that he purchase all eight taps up front, but the Town only guarantees that there is service availability for the next five years, the Board hadn't requested that they all be purchased up front so staff didn't raise an issue with this point. If the Board would like to continue in this direction, the staff recommendation is for you to authorize the Mayor to sign the Agreement between the Town and Baltz Family Partners, Ltd. Hale noted that this agreement waives the requirement for Baltz Family Partners, Ltd. to sign a Pre-annexation Agreement.

Trustee Weydert moved to authorize the Mayor to sign the Agreement between the Town and Baltz Family Partners, Ltd. Trustee Lewis seconded the motion and all Trustees voted aye.

At 9:32 Trustee Johnson resumed his seat.

RECORD OF PROCEEDINGS

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN A LETTER TO THE DEPARTMENT OF INTERIOR, BUREAU OF RECLAMATION AND OTHERS REGARDING THE PLANS TO PUMP C-BT WATER IN 2011 - Mayor Pro-Tem Peterson asked Town Manager Hale to present this matter to the Board. Hale explained that the drafted letter is being proposed to be sent to the Bureau of Reclamation, Dept. of Interior, etc., regarding the plans to pump C-BT water this summer through Grand Lake. Drafted by 3-Lakes Watershed and GGLSLA representatives, they are requesting that the Town sign on as well. If the Board is ok with its sentiment, the staff recommendation is for the Board to authorize the Mayor to sign the letter to the Department of Interior, Bureau of Reclamation and others regarding the plans to pump C-BT water in 2011.

Trustee Weydert moved to authorize the Mayor to sign the letter to the Department of Interior, Bureau of Reclamation and others regarding the plans to pump C-BT water in 2011. Trustee Johnson seconded the motion and all Trustees voted aye.


ACCOUNTS PAYABLE
May, 2011:

Trustee Weydert moved to examine the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Lewis seconded the motion and all Trustees voted aye. Trustee Weydert then moved to approve the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Lewis seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: None.

ADJOURNMENT:

Trustee Weydert moved to adjourn, seconded by Trustee Lewis. All Trustees voted aye, and the meeting was adjourned at 9:41 p.m., June 13, 2011.



JAMES C. PETERSON,
MAYOR PRO-TEM

ATTEST: 

RONDA KOLINSKE, CMC,
TOWN CLERK