

RECORD OF PROCEEDINGS

REGULAR MEETING
TOWN OF GRAND LAKE BOARD OF TRUSTEES
MONDAY, DECEMBER 12, 2011 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.

ROLL CALL PRESENT: Mayor Burke; Trustees Lanzi, Lewis, Ludwig, Peterson, and Weydert; Town Clerk/Interim Town Manager Kolinske, Town Treasurer/Clerk Pro-Tem Dzinski, and Town Planner Wittman.

ABSENT: Trustee Johnson. Trustee Lewis moved to excuse Trustee Johnson's absence because of vacation. Trustee Peterson seconded the motion and all Trustees voted aye.

APPROVAL OF MINUTES

October 24, 2011: Not available.

November 28, 2011: Trustee Lewis moved to approve the minutes of the November 28, 2011 regular meeting as written, seconded by Trustee Lanzi. All Trustees voted aye except Trustees Ludwig and Weydert, who abstained.

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

Mayor Burke announced that Delicious Dishes, a fundraiser for the Mountain Family Center will be held Tuesday, December 13th at the Daven Haven Lodge from 5 – 9 p.m.

Mayor Burke announced that the Board of Trustee's second December meeting is cancelled as is traditional during the Holiday Season. The next Board meeting will be January 9, 2012.

Mayor Burke then asked everyone to please enjoy this holiday season with the holiday family melodrama, "*Granny Smyth Goes to Grand Lake*" Dec. 26th – 31st, Rocky Mountain Repertory Theatre's Home for the Holidays Concert Dec. 17th and 18th, an Open House at the Kauffman House Dec. 28th, and fireworks over Grand Lake on New Year's Eve.

CONFLICTS OF INTEREST:

Mayor Burke 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 Weydert announced that he had a conflict with the New Business item involving the Daven Haven.

REPORTS: SALES TAX
CASH FLOW REPORT
FOR DECEMBER 2011:

Mayor Burke asked Town Treasurer Dzinski to present the sales tax cash flow report. Dzinski reported that the amount of revenue received in December for the month of October is \$37,804. This amount is 10% above what was received through December 2010.

REPORTS: FINANCIAL
REPORT FOR
NOVEMBER 2011:

Mayor Burke asked Financial Trustee Peterson to present the Financial Report for November 2011. Peterson reported that General Fund expenditures through the end of November totaled \$1,169,119.73 or 79.7% of budget. He said the Water Fund expenditures for the same period totaled \$360,859.06 or 73.5% of budget, the Marina Fund expenditures totaled \$170,459.25 or 51.2% of budget and the PAYT Fund expenditures totaled \$7,924.94 or 74.4% of budget.

OLD BUSINESS:

CONSIDERATION OF RESOLUTION NO. 38-2011, A RESOLUTION PERMITTING THE CONTINUED USE OF A NON-CONFORMING SIGN FOR THE LAKEVIEW GENERAL STORE AND CONOCO GAS STATION LOCATED AT 14626 US HWY 34 – Mayor Burke asked Interim Town Manager Kolinske to present this matter to the Board. Kolinske stated that the Board adopted the Sign Code on August 13, 2007 which contained a non-conforming sign section. This section allowed for a three year period in which non-conforming signs needed to be brought into compliance, and that period ended August 13, 2010. At their May 10, 2010 meeting the Board extended the time frame for compliance until August 13, 2011.

Joann Miles, owner of the Lakeview General Store and Conoco gas station, has filed a request to allow for the continued use of their sign. This matter was brought up for discussion at the Board's regular meeting on November 14, 2011, but no representative was present for the applicant, and the matter was tabled. This matter was then brought up for discussion at the Board's regular meeting on November 28, 2011, but again no representative was present for the applicant, and the matter was tabled.

The sign extends above the top of the roofline of the business itself, but Joann Miles states the sign, dimensions, color, and design, is required by the franchise agreement with Conoco and that the sign needs to be as tall as it is in order to allow for large vehicles, RVs and semis, to get under it. Also, the business is limited to how they can comply with the franchise requirements as they are in a scenic byways area. The Sign Code does not allow signs to project above the top of the roofline. The Board needs to determine if they want to grant an exception to the Municipal Code and allow the sign because of the limitations imposed

by the franchise agreement and the scenic byways requirements. If the Board does decide to grant the exception, staff has prepared Resolution No. 38-2011 allowing the use. Kolinske noted that Joann Miles and Ted Fasso were both present representing Lakeview General Store/Conoco Gas Station.

After discussion, Trustee Lewis moved to adopt Resolution No. 38-2011, a Resolution Permitting the Continued Use of a Non-Conforming Sign for the Lakeview General Store and Conoco Gas Station Located at 14626 US Hwy 34; Trustee Weydert seconded, and all Trustees voted aye.

NEW BUSINESS:

PUBLIC HEARING – QUASI-JUDICIAL – CONSIDERATION OF PLANNING COMMISSION RESOLUTION NO. 12-2011, A PLANNING COMMISSION RESOLUTION REGARDING A STREET VACATION REQUEST FOR A PORTION OF THE WALDON STREET RIGHT OF WAY - Mayor Burke asked Town Planner Wittman to present this matter to the Board. Wittman stated that on November 2, 2011 the Planning Commission held a Public Hearing for the consideration of a recommendation to the Town Board of Trustees regarding a Waldon Street Right of Way vacation request. The Planning Commission took public comment, including statements made by the property owner's representative, and forwarded a recommendation of denial of the vacation request to the Town Board.

On September 27, 2011 the Town of Grand Lake received a request for the Town's consideration of a vacation of a portion of the 80' Waldon Street Right-of-Way (ROW). The applicant, David Baker, is requesting the Town's consideration of a vacation of the east 40' of this ROW adjacent to his parcel of land – Lot 8, Block 39, Town of Grand Lake. As the applicant's narrative request/justification indicates, the ROW has never been developed for use of vehicular traffic. The current uses of the ROW include access for horseback riders and pedestrians; the current foot trail accesses Patterson Street, another undeveloped ROW, Grand Lake Lodge, and Thomasson Park. If the vacation was approved, the structure, as well as accessory structures sitting in the Waldon Street ROW, would not only become compliant but would allow for expansion of an existing kitchen and for placement of a larger propane tank to service the single family dwelling.

Municipal Code Section 11-2J, Vacation Request and Procedure, indicates the Board of Trustees may vacate any street or portion thereof after receiving a recommendation from the Planning Commission. It further states both bodies must hold Public Hearings and the review shall be done in accordance with C.R.S. 43-2-303. According to C.R.S. 43-2-303, the "...such street shall not be vacated by any method other than an ordinance approved by the governing body..."

On October 5, 2011 the Town sent certified mail, return receipt requested, to 12 property owners, include the applicant, within 200' of the subject parcel, Lot 8, Block 39, Town of Grand Lake. To the date of memo development, 11 property owners have signed as having received the notice; one notice was returned to the Town as undeliverable. Additionally, Legal Notice No. 7083699 was published in the Middle Park Times on October 6, 2011. Staff has received comments from four (4) property owners.

Comment received from Laurie Meador, Lot 8, Block 39, Town of Grand Lake, indicated there was no platted 'Waldon Street' and that the Town should dismiss this application. Upon receipt of this comment, staff researched the matter. Originally platted as a part of the Town of Grand Lake in 1905 as Walden Street, the name of this road has been depicted on the Town's official street map as Waldon Street since 2004. In an October 12 discussion with Town Attorney Krob, Krob indicated that given the Town has depicted this ROW as Waldon on the Town's official street and zoning maps and that the Town gave reasonable notice of what land was involved in the application, the Town may legally proceed with the review of the request.

Dana and Michael Hughes, 217 Park Avenue, indicated they are not in favor of the vacation if it is not in the general interest of the public and that if the Town Board was favorable to the vacation, the land should be sold at fair market value.

As a reminder to appointed and elected officials, the Town may not dispose of public lands through sale without the matter having been decided upon by a vote of the electors.

Scott and C. J. Braswell, 213 Park Avenue, indicated all property owners were aware of property they were purchasing and that the Town's granting of land to any property owner could be viewed as an act of favoritism. Additionally, they noted that the vacation would reduce the access to Patterson Street.

Keith Short and Karen Klein, 200 Park Avenue, indicated they have no objections to the vacation as long as a public access to Grand Lake Lodge and RMNP via Patterson Street are preserved.

Laurie Meador, 205 Mountain Avenue, reminds the Planning Commission to question the public access, health safety and welfare considerations as well as the need of additional land for the property owner who owns a 50' wide by 150' long parcel in this location. Meador further states that the vacation would be contrary to the best interest of the public.

Staff encourages the Board to read all public comments.

While Town Hall staff does not have a recommendation regarding this matter, Public Works Director McGinn is not in support of this application for one primary reason: the Waldon Street ROW in this location is the only western access to Patterson Street. Further citing that the Town does have 40' platted ROWs, the grade in this location may prevent the Town from developing a 40' street in this location while still providing for safe pedestrian and horse access. Further stating the Town does not have a current survey of the ROW in this location, he suggested that if the Commission and Board were favorable to any vacation request, a survey should be required to ensure the trail would be maintained for the public.

In conclusion, Wittman suggested the Board open this matter for public comment, taking testimony from the applicant or the applicant's representative prior to taking comments from the general public. After all comments have been received, the Board should turn the matter over for Board discussion. Staff has drafted Resolution No. 39-2011, a Resolution Regarding a Vacation Request for the Waldon Street ROW Adjacent to Lot 8, Block 39, Town of Grand Lake, based on the Planning Commission's recommendation. The Board must move to adopt, adopt with conditions and/or alterations to the Resolution, or deny the Resolution.

Mayor Burke opened the Public Hearing at 7:45 p.m.

John Bendrat, 250 CR 252, Grand Lake, addressed the Board on behalf of the applicant, David Baker. Mr. Bendrat stated his belief, based on the Planning Commission recommendation, that it was unlikely the Board would approve the requested vacation, but that he was appearing at the applicant's request, and thanked the Board for its time. As Mr. Bendrat started to leave, Trustee Weydert stopped him and assured him that the Board carefully considers each matter before it, and that a Planning Commission recommendation is not always a "done deal" when it comes to the Board.

There being no further public comment, Mayor Burke closed the Public hearing at 7:55 p.m.

After further discussion, Trustee Peterson moved to adopt Resolution No. 39-2011, a Resolution Regarding a Vacation Request for the Waldon Street Right of Way Adjacent to Lot 8, Block 39, Town of Grand Lake, denying the vacation request. Trustee Lewis seconded and all Trustees voted aye.

NEW BUSINESS:

PUBLIC HEARING – QUASI-JUDICIAL – CONSIDERATION OF AN APPEAL TO A VIOLATION OF THE BUILDING CODE AND ZONING CODE REGULATIONS OF THE TOWN OF GRAND LAKE - Mayor Burke stated that a public hearing was scheduled this evening for the Board's consideration of a Zoning Code and Building Code violation located at Lots 24-26, Cairns Addition to the Town of Grand Lake. Mayor Burke then stated that she would entertain a motion to vacate the Public Hearing. Trustee Lewis moved to vacate the Public Hearing. Trustee Weydert seconded and all Trustees voted aye.

At 7:58 p.m. Trustee Weydert excused himself and left the room.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. 25-2011, AN ORDINANCE APPROVING THE FINAL PLAT OF THE DAVEN HAVEN CABINS THE 2ND AMENDMENT TO THE FINAL PLAT OF THE DAVEN HAVEN COTTAGES PLANNED DEVELOPMENT AS DESCRIBED IN GRAND COUNTY RECEPTION NO. 2002-007245 IN THE TOWN OF GRAND LAKE – Mayor Burke requested that Town Planner Wittman present this matter to the Board. Wittman stated that on November 16th the Planning Commission held a Public Hearing to consider a second amendment to the Final Plat of the Daven Haven Cottages Planned Development. At that time the Commission determined more information would be needed in order for the Commission to formulate a recommendation on the matter. The Commission was presented with additional information at their December 7, 2011 meeting. At that time the Commission determined the Municipal Code and Planning Commission requirements had been met. The Commission made a favorable recommendation of approval, with one condition, of the amendment to the Town Board of Trustees, as outlined in Planning Commission Resolution No. 13-2011.

By way of background, Wittman explained the Town received an amendment request to the Daven Haven Cottages Planned Development. As the Board may be aware, Daven Haven became a Planned Development in 2002. Prior to the Town's approval of the Planned Development, the Daven Haven Lodge, all cabins and accessory buildings and uses were located on one parcel and under single ownership. In 2002 the Planned Development overlay was created, splitting the lot into two large parcels and allowing for individual ownership of each of the twelve cabins. The plat further noted locations for future cabins to be located. The Daven Haven Cottages Planned Development was amended in 2008 for the removal of the future cabin sites.

As the proposed narrative request indicates, the proposed amendment is merely to redefine the parcel boundaries for Parcels 3 and 4. The

owners, Greg and Carey Barnes, are seeking to retain more lands for the operations of the Daven Haven Lodge while reducing the lands for the homeowner's association of the individual cabins. The current boundary of the two parcels, the gazebo, a small shed, a laundry facility and garage facilities are a part of the HOA, though utilized in the operations of the main lodge facility.

Municipal Code Section 12-9-7, Amendments to Land Use Developments, indicates "minor changes in the location of buildings, siting, and height of buildings and structures may be authorized by the Planning Commission without additional public hearings if required by engineering or other circumstances not foreseen at the time the Final Development Plan was approved": but continues to state "All other changes in use, or rearrangements of lots, blocks, and building tracts, or any changes in the provision of common open spaces must be approved by the Board of Trustees after a report from the Town staff and recommendation by the Planning Commission".

The legal descriptions for Parcels 3 and 4 have been updated. While the Town has not received a stamped and signed set by a licensed surveyor, staff has been working with a licensed surveyor in the development of the amendment update. The surveyor has also corrected errors that were made on the 2002 Final Plat and the 2008 amendment. The newly delineated boundaries for the two parcels, as indicated, allow for greater open space lands and accessory buildings to be reserved for the main lodge. Proposed to be included in accessory structures for Parcel 4, the main lodge, is the transition of cabin #39, currently an individual cabin for sale, to a laundry facility for the main lodge.

While the open space for the HOA will be reduced, the overall open space of the development is not changing but, rather, being increased through the removal of proposed garages along the southern property boundary. With the removal of the garages, additional parking spaces have been created; each unit will now have two dedicated parking spaces. Some of the parking spaces are tandem spaces. There are also two extra 'over flow' parking spaces available in a central location. Snow storage, to accommodate for the newly created parking, has been increased on both parcels.

Staff received updated declaration and covenant information as well as a mutual access easement for both parcels, for the use and maintenance of Cottage Drive. These documents have been reviewed by staff and have been determined to be acceptable with the provision minor changes will be needed to the legal descriptions of the properties, as per the title changes directed by the Planning Commission. The Town attorney is in the process of reviewing the declarations for final determination of suitable HOA finances.

Finally, Wittman stated that staff has drafted an ordinance based on the Planning Commission's recommendation. As the ordinance indicates, the final plat recording is contingent on updating plat title references and legal descriptions. This is something staff is comfortable doing for the development unless the property owner would like to have their legal counsel take care of the matter. Additionally, the recording is contingent on the attorney's assessment of whether or not the HOA community is financially protected in the event the development does incur debt. Staff believes this information will be known prior to the Board's meeting.

The Board must determine whether or not they would like to uphold the recommendation of the Planning Commission by approving Ordinance No. 25-2011. Once all discussion has taken place the Board must move to approve, approve with conditions or deny the ordinance. It is staff's recommendation that due to the minor nature of the amendment the Board should move to approve the Ordinance. Wittman then noted that Greg Barnes was present on behalf of Daven Haven Cabins.

Greg Barnes, 604 Marina Drive, stated that he would be willing to work with staff on finalizing the final requirements. After further discussion, Trustee Peterson moved to adopt Ordinance No. 25-2011, an Ordinance Approving the Final Plat of the Daven Haven Cottages Planned Development as Described in Grand County Reception No. 2002-007245 in the Town of Grand Lake with the conditions that the Town receive (1) updated declarations and covenants and (2) a mylar. Trustee Lewis seconded and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. 26-2011, AN ORDINANCE AUTHORIZING THE LEASE OF REAL PROPERTY TO THE GRAND LAKE AREA HISTORICAL SOCIETY BY THE TOWN OF GRAND LAKE AND ESTABLISHING THE TERMS THEREOF – Mayor Burke asked Interim Town Manager Kolinske to present this matter to the Board. Kolinske explained that current Lease Agreement between the Town of Grand Lake and the Grand Lake Area Historical Society expires at midnight on December 31, 2011. This agreement is identical to the previous agreement with the exception that it commences January 1, 2012 and ends at midnight on December 31, 2012. The Lease Agreement has been signed by the President and Secretary of the Historical Society, the rent payment in the amount of One Dollar (\$1) has been paid and a current Certificate of Insurance was received.

If the Board is satisfied with the Lease Agreement, staff would recommend the Board adopt Ordinance No. 26-2011, an Ordinance Authorizing the Lease of Real Property to the Grand Lake Area Historical Society by the Town of Grand Lake and Establishing the

Terms Thereof and to authorize the Mayor to sign the Lease Agreement between the Town and the Historical Society. Kolinske noted that Jim Cervenka was present on behalf of the Historical Society.

After discussion, Trustee Lewis moved to adopt Ordinance No. 26-2011, an Ordinance Authorizing the Lease of Real Property to the Grand Lake Area Historical Society by the Town of Grand Lake and Establishing the Terms Thereof and to authorize the Mayor to sign the Lease Agreement between the Town and the Historical Society. Trustee Peterson seconded and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. X-2011, AN ORDINANCE AUTHORIZING THE LEASE OF REAL PROPERTY TO THE GRAND LAKE METROPOLITAN RECREATION DISTRICT BY THE TOWN OF GRAND LAKE AND ESTABLISHING THE TERMS THEREOF – Since there was no one present representing the Metro. Rec. District, Trustee Weydert moved to table discussion of the Lease with the Rec. District until someone was present on behalf of the District. Trustee Peterson seconded and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 40-2011, A RESOLUTION EXTENDING A MEMORANDUM OF UNDERSTANDING BETWEEN THE GRAND ARTS COUNCIL AND THE TOWN OF GRAND LAKE - Mayor Burke asked Town Planner Wittman to present this matter to the Board. Wittman explained that the Board had previously received a Business Plan from the Grand Arts Council for their structure located at Lots 9-12, Block 9, Town of Grand Lake, which was a condition of the Board's consideration of a continuation of the temporary occupancy for the GAC structure. The Board had discussed granting an extension to the Grand Arts Council for the submittal of a successful business plan.

Staff has drafted a Resolution for the Board's consideration which extends the time for submission of a proper business plan and includes the provision that failure of the GAC Board to meet with the Town Board on March 12, 2012, would result in the removal of the temporary occupancy certificate. Staff recommends the Board adopt Resolution No. 40-2011 extending the MOU between the Town and the Arts Council and revisit this matter on March 12, 2012. Wittman noted that Andrea Cox was present on behalf of the Arts Council.

Andrea Cox expressed her apologies for not being present at the Board meeting on November 28, 2011 when this matter was first presented, and confirmed that the GAC Board would be prepared to meet with the Trustees on March 12, 2012. After further discussion, Trustee Peterson moved to adopt Resolution No. 40-2011, a Resolution Extending a

Memorandum of Understanding Between the Grand Arts Council and the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF AN EXTENSION OF LEASE PURCHASE AGREEMENT BETWEEN THE TOWN OF GRAND LAKE AND SAM E. THOMASSON AND BETTY S. THOMASSON FOR THOMASSON PARK – Mayor Burke asked Interim Town Manager Kolinske to present this matter to the Board. Kolinske stated that the Town received an Extension of Lease Purchase Agreement prepared by Town Attorney Krob between the Town and Sam E. Thomasson and Betty S. Thomasson for the regarding the lease/purchase of Thomasson Park. This agreement extends the original Lease Purchase Agreement dated March 4, 2002, for an additional period of five (5) years, expiring December 31, 2016. The Town will continue to use reasonable efforts to obtain grants and other similar sources of funding to allow the Town to purchase the property. If the Town is unable to obtain such funding during this five (5) year extension, the Lease Purchase Agreement shall automatically be extended on the same terms and conditions for an additional five (5) years, with a balloon payment being due and payable at the end of such extension.

Sam and Betty Thomasson have orally agreed to the extension. The extension has been forwarded on to Tom Thomasson, Sam and Betty's son, and he will have Sam and Betty execute the agreement and return it to the Town. Staff recommends that the Mayor be authorized to sign the Extension of Lease Purchase Agreement once the Town receives the executed copy from Sam and Betty Thomasson.

Trustee Peterson moved that the Mayor be authorized to sign the Extension of Lease Purchase Agreement between the Town of Grand Lake and Sam E. Thomasson and Betty S. Thomasson regarding the lease/purchase of Thomasson Park. Trustee Lewis seconded and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AWARD THE BID FOR COMPUTER MAINTENANCE TO SMSB NETWORK SOLUTIONS IN THE ANNUAL AMOUNT OF \$15,000 - Mayor Burke asked Interim Town Manager Kolinske to present this matter to the Board. Kolinske advised the Board that the Town desperately needs to hire an expert to handle the maintenance of the server and computers. There are significant issues with the back-up of all Town documents located on the server, and there would be severe consequences if the server were to fail. Subsequently, the Town went out to bid for the necessary services. The only bid that the Town received was from SMSB Network Solutions. The bid is in the amount of \$15,000 to be paid on an annual basis for maintenance and support.

Susan McNamee is the owner of SMSB Network Solutions and comes highly recommended by the Towns of Granby and Winter Park. Both Towns have used her for many years. She is very familiar with all of the special programs the Town uses such as Caselle, Liberty Meeting Recording and ArcGIS. SMSB Network Solutions has been providing services on an hourly basis for nearly a month now and staff is very pleased with her work as well as her timely response. SMSB Network Solutions has given the Town a Professional Service Agreement and a Statement of Work #2 for Network Maintenance and Support. Both have been sent to Town Attorney Krob for review. If the Board is satisfied with the bid, staff would recommend that the Board award the bid to SMSB Network Solutions in the annual amount of \$15,000 and authorize the Interim Town Manager, Ronda Kolinske, to enter into a Professional Service Agreement and Statement of Work #2 for Network Maintenance and Support with SMSB Network Solutions upon approval of Town Attorney Krob.

Trustee Peterson moved to award the bid to SMSB Network Solutions in the annual amount of \$15,000 and authorize the Interim Town Manager, Ronda Kolinske, to enter into a Professional Service Agreement and Statement of Work #2 for Network Maintenance and Support with SMSB Network Solutions upon approval of Town Attorney Krob. Trustee Weydert seconded and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 41-2011, A RESOLUTION SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF GRAND LAKE, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY, 2012, AND ENDING ON THE LAST DAY OF DECEMBER, 2012 – Mayor Burke asked Town Treasurer Dzinski to present this matter to the Board. Dzinski stated that the final draft of the 2012 budget for the Town of Grand Lake has been provided for the Board's consideration, and includes the changes discussed at the afternoon workshop. Dzinski said that there are 3 final actions to be taken by the Board to complete the 2012 Town of Grand Lake Budget process: adopt the budget, appropriate funds; and levy general property taxes, with the first step being adoption of the budget.

The proposed 2012 Budget for the Town of Grand Lake was submitted to the Board of Trustees on October 10, 2011. The Board set the 2012 budget for public hearing on November 14, 2011. Notice of the Proposed Budget was published in the Middle Park Times on Thursday, October 20, 2011, Legal Notice No. 7123643, advising the public of the Public Hearing and of the availability of the draft budget for review. The public hearing was held on November 14, 2011, at the regularly

scheduled meeting of the Board of Trustees. There were no comments, written or oral, from the public on the budget. Resolution No. 41-2011 summarizes expenditures and revenues in each Fund and adopts a budget that allows for estimated expenditures in the General Fund, Water Enterprise Fund, Marina Enterprise Fund, and Pay-As-You-Throw Enterprise Fund in the total amount of \$3,625,140. The total expenditures in each fund are balanced with revenues in the same amount.

Staff recommends the Board adopt Resolution No. 41-2011, a Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Grand Lake, Colorado, for the Calendar Year Beginning on the First Day of January, 2012, and Ending on the Last Day of December, 2012.

After further discussion, Trustee Weydert moved to adopt Resolution No. 41-2011, a Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the Town of Grand Lake, Colorado, for the Calendar year Beginning on the First Day of January, 2012, and Ending on the Last Day of December, 2012. Trustee Peterson seconded the motion. Trustees Peterson, Weydert, Ludwig, and Lanzi voted aye; Mayor Burke voted nay; Trustee Lewis abstained; the motion carried.

NEW BUSINESS:

CONSIDERATION OF ORDINANCE NO. 27-2011, AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF GRAND LAKE, COLORADO FOR THE 2012 BUDGET YEAR – Mayor Burke asked Town Treasurer Dzinski to present this matter to the Board. Dzinski stated that now that the budget has been adopted in accordance with the Local Government Budget Law, with money budgeted to be received and expended; the Board must appropriate sums of monies for the expenditures. Ordinance No. 27-2011 appropriates the necessary monies as follows:

General Fund	\$2,542,398
Water Enterprise Fund	\$ 758,659
Marina Enterprise Fund	\$ 311,802
Pay-As-You-Throw Enterprise Fund	\$ 12,281

Staff recommended the Board adopt Ordinance No. 27-2011, an Ordinance Appropriating Sums of Money to the Various Funds and Spending Agencies, in the Amounts and for the Purposes as Set Forth Therein, for the Town of Grand Lake, Colorado, for the 2012 Budget Year.

Trustee Weydert moved to adopt No. 27-2011, an Ordinance Appropriating Sums of Money to the Various Funds and Spending Agencies, in the Amounts and for the Purposes as Set Forth Therein, for the Town of Grand Lake, Colorado, for the 2012 Budget Year. Trustee Lewis seconded the motion. Trustees Peterson, Weydert, Ludwig, Lewis, and Lanzi voted aye; Mayor Burke voted nay; the motion carried.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 42-2011, A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2011, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE TOWN OF GRAND LAKE, COLORADO, FOR THE 2012 BUDGET YEAR - Mayor Burke asked Town Treasurer Dzinski to present this matter to the Board. Dzinski stated that the Town is allowed to levy general property taxes to help defray the costs of government. Resolution No. 42-2011 preserves the tax of 9.409 mills established in 1994, with a temporary mill levy rate reduction of 4.476 mills, resulting in a total mill levy for the Town of Grand Lake of 4.933 for budget year 2012. This mill levy is in compliance with the 5.5% statutory limitation and with the TABOR Amendment. Resolution No. 42-2011 authorizes the Mayor to certify the temporarily reduced mill levy of 4.933 to the Grand County Board of Commissioners.

Staff recommends the Board adopt Resolution No. 42-2010, a Resolution Levying General Property Taxes for the Year 2011, to Help Defray the Costs of Government for the Town of Grand Lake, Colorado, for the 2012 Budget Year.

After discussion, Trustee Lanzi moved to adopt Resolution No. 42-2010, a Resolution Levying General Property Taxes for the Year 2011, to Help Defray the Costs of Government for the Town of Grand Lake, Colorado, for the 2012 Budget Year and to authorize the Mayor to certify the temporarily reduced mill levy of 4.933 to the Grand County Board of Commissioners. Trustee Weydert seconded the motion and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION OF RESOLUTION NO. 43-2011, A RESOLUTION APPROVING AND ADOPTING A FUND BALANCE EXPENDITURE POLICY FOR THE TOWN OF GRAND LAKE - Mayor Burke asked Town Treasurer Dzinski to present this matter to the Board. Dzinski explained that the Governmental Accounting Standards Board has issued Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions (GASB 54), which sets forth certain reporting requirements starting with the 2011 financial statements. In preparation for GASB 54 compliance, the Town's auditor, RubinBrown, LLP, has recommended that the Town

formally adopt a Fund Balance Expenditure Policy. The attached is the proposed policy and resolution adopting same, which have been reviewed and approved by RubinBrown.

Staff recommends that the Board of Trustees approve Resolution No. 43-2011, A Resolution Approving and Adopting a Fund Balance Expenditure Policy for the Town of Grand Lake.

Trustee Peterson moved to adopt Resolution No. 43-2011, A Resolution Approving and Adopting a Fund Balance Expenditure Policy for the Town of Grand Lake. Trustee Weydert seconded, and all Trustees voted aye.

NEW BUSINESS:

CONSIDERATION TO AUTHORIZE THE MAYOR TO SIGN THE ENGAGEMENT LETTER WITH RUBINBROWN, LLP FOR THE DECEMBER 31, 2011 AUDIT - Mayor Burke asked Town Treasurer Dzinski to present this matter to the Board. Dzinski explained that the Town's auditor, Bondi & Co., LLC, has now merged with RubinBrown, LLP. As Bert Bondi informed the Board when he presented the 2010 audit in June, 2011, the merger will not result in any perceptible changes for the Town's 2011 audit, e.g. staffing, fees, etc., RubinBrown 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 2011 audit. The fee for the December 31, 2011 audit engagement is estimated to be about \$13,500, no increase, based on the understanding that staff will be preparing the financial statements this year. If Bondi were to prepare the statements, the cost would be approximately \$16,450, a \$700 increase over the 2010 quote. Both estimates are based on the assumption that no unexpected circumstances will be encountered during the audit that would require significant additional time. Out-of-pocket expenses will be billed in addition to the fee. At this time, Staff does not anticipate 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 RubinBrown, LLP for the December 31, 2011 audit.

Trustee Peterson moved to authorize the Mayor to sign the Engagement Letter with RubinBrown, LLP for the December 31, 2011 audit. Trustee Lewis seconded, and all Trustees voted aye.

ACCOUNTS PAYABLE
November, 2011:

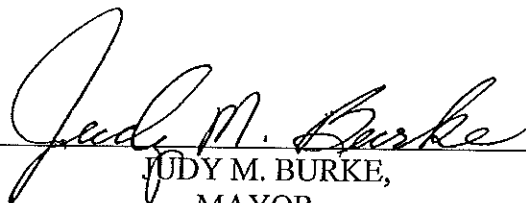
Trustee Peterson moved to examine the Accounts Payable and Prepaid for all Funds for the Town of Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye. Trustee Peterson then moved to approve the Accounts Payable and Prepaid for all Funds for the Town of

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Grand Lake. Trustee Weydert seconded the motion and all Trustees voted aye.

CITIZEN PARTICIPATION: None.

ADJOURNMENT: Trustee Peterson moved to adjourn, seconded by Trustee Weydert. All Trustees voted aye, and the meeting was adjourned at 8:59 p.m., December 12, 2011.



JUDY M. BURKE,
MAYOR

ATTEST: 

GAY DZINSKI,
TOWN TREASURER/CLERK PRO-TEM