

Inside:



Art/page A 12



Community/page A 6

Estes Park Trail Gazette

Today's Trail Plus



Friday edition November 2, 2001 Estes Park, Colorado www.eptail.com Volume 32, Number 33 50¢

Record hospital budget presented

By JOHN CORDSEN

Park Hospital Board of Directors have been presented with a record preliminary budget for 2002.

Projected patient and Prospect Park Living Center revenues of \$14,570,595 in the preliminary budget presented to the board during its Tuesday, Oct. 30 meeting were over four percent higher than what the hospital expects the final figures on the current 2001 budget year will be.

"This is a historic budget in terms of size in both revenue and expense," said Estes Park Medical Center CEO Andrew Wills.

Operating and non-operating expenses were also records said Wills. But, the bottom line, in this case profit for the hospital, was yet another record amount. Under the 2002 preliminary forecast, the hospital will have a net profit of just over \$1.4 million.

"This is the largest budgeted bottom line the hospital has seen," said Wills.

This first draft of the budget will be refined and honed by the hospital's administration with a final copy scheduled to be presented to the board at its Nov. 13 meeting. The largest revenue area is in patient income at the hospital. This totals \$12,117,248. Income from the Prospect Park Living Center is projected to add another \$2,453,347 to the hospital's accounts. Other operating revenue from the two entities are projected to add \$2,977,157. Non-operating revenue sources include tax dollars. These are projected to contribute \$2,042,747.

See Hospital: Page A 2



Photo by Walt Hester

1,398 . . . 1,399 . . .

Casey Anderson rolls the last of 1,400 candy apples for Halloween at Laura's Fine Candies on Wednesday. Bret Holcumb has donated between \$500 and \$800 annually for 10 years so Estes Park residents can enjoy this sweet treat.

Quiet title action making noise

■ Town seeking to lift Stanley Park deed restrictions

By JAY GENTILE

The Town of Estes Park's recent actions to attempt to lift deed restrictions on Stanley Park has nothing to do with the ballot initiative on the proposed ice rink/events center, Estes Park's Town Attorney Greg White said Wednesday.

Last week, the Town filed a request in Larimer County court to quiet title on most of Stanley Park, which is owned by the Town. The Town has acquired Stanley Park from three different sources over the years.

The 54-acre northern parcel of Stanley Park was given to the Town by F.O. Stanley in 1936, the 17-acre eastern parcel was acquired from the now-defunct Estes Park Development Company, and the 7.5-acre southern parcel was acquired from the Manford family.

All three of these parcels came with the same two-part deed restriction: that the park could only be used as a public park and recreation grounds, and that the Town could not transfer the title of the property.

The request filed in court last week seeks to lift that deed restriction on the Stanley and Estes Park Development Company portions of Stanley Park. The Town has no legal basis for challenging the clause on the Manford parcel, White said.

Legal arguments

While alive, Stanley developed the Stanley Heights subdivision in town, and when each lot was sold to a buyer, part of

the deed would also be turned over to the buyer. After Stanley died, his estate went to his nieces and nephews.

"All the heirs of F.O. Stanley didn't want to have to administer all those contracts," White said, "so they transferred all their interests to the International Trust Company in Denver."

"Under Colorado law," White said, "that terminated the reverter clause because they transferred their interest to the trust company."

In other words, since the heirs no longer held the deeds, the clause does not apply. At least that is what White will argue in court. He said he expects that this reasoning will be challenged in court and that resolution of this dispute will likely take years.

The argument for lifting the deed on the Estes Park Development Company portion is easier, White said, because the development company no longer exists.

The reverter clause says that the property would revert back to the development company if the clause is violated but since the company no longer exists, there is no legal authority that can take the property.

White said both of these legal arguments were applied when the Town originally filed to lift this clause five years ago, when it was contemplating building the fire station in Stanley Park. But after a public outcry, and after the Town found better land on the site where it now sits, that lawsuit was withdrawn.

It has now been filed again. White said the Estes Park Town Board told him to file this suit near the start of this year. But since

See Title: Page A 2

Chamber leadership shuffled

By JAY GENTILE

When the new Estes Park Chamber Resort Association board is seated on Nov. 13, it will bear little resemblance to the board that was elected by the Chamber's 500 members last year. Seven of the nine board members could be from the accommodations industry. One board member may be from the banking industry, and the ninth seat will remain open until someone is appointed by the board. Gone is executive director David Thomas, who would only say that he has "left to pursue other opportunities."

This stands in marked contrast to last year's board, which was made up of only three accommodations members. Five other members came from different industries like retail — and all have left the board.

The resignations steadily flowed in over the course of this summer, starting with board president Cory Blackman followed by board members Greg Burke, Steve McFarland, Paul Holgerson, and John Mutchler. The term of the ninth board member, Kathy Palmerie, ends Nov. 13.

How the leadership of the Chamber has managed such a massive make-over from one year ago is the result, in part, of a struggle between the accommodations and non-accommodations industries.

"It was a dysfunctional board and was not worth my time," said Greg Burke. "I believe the Chamber is moving backwards and not forward. I don't feel it represents the needs of all members and is becoming what it used to be: an accommodations only board."

"When an organization gets to the point that it is no longer for the community, and it has one-sided vision, there's no reason to go on," said Paul Holgerson. "It will go back to what it was years ago, when all they did was answer phones and give referrals, and won't have anything to do with community growth."

Holgerson also confirmed a 5-4 vote on the part of the Chamber board to remove executive director David Thomas, which contributed in a large part to the tide of resignations.

Thomas said he had no comment on the issue.

"My resignation pretty much centered around the issue with David Thomas," said Steve McFarland. "I'm very disappointed to see him go. The board has voted to go in a direction that doesn't make me comfortable."

Cory Blackman said he resigned in order to spend more time with his family and that he was disappointed by all the unexpected resignations that followed his.

See Chamber: Page A 3

People are just going to have to have an open mind and not go into this year with preconceived ideas of what's going to happen.

“

— Lynette Lott



Photo by Walt Hester

Halloween Rocks

Ghosts, fairies and rock stars invaded Estes Park on Wednesday. Elkhorn Avenue was again blocked off for trick-or-treaters, and business owners passed out candy to the costumed crowds.



Photo by Walt Hester

Towering Success

Frankenstein's Monster was a hit among costumes during Estes Park's Halloween festivities on Wednesday. Grownups and children alike enjoyed the town's participation.

Family seeking help in locating missing daughter

Family members and the Boulder Police are asking for help in finding a woman who lost contact with her family in late September.

According to a release by the Boulder Police Department, Brenda Wilson, who may also be using her maiden name, Brenda Enevoldsen, was living in an apartment in the 2700 block of Valmont with a female relative. The relative left town in early September and returned in early October. When

she returned, Wilson was no longer living there.

The release goes on to state that Wilson's father spoke to her by phone on Sept. 30, and that a notarized document in the apartment signed by Wilson was dated in early October.

Her family reported her missing on



Current photo of Brenda Wilson provided by the Boulder Police.

Thursday, Oct. 25, 2001.

Wilson, a 1989 graduate of Estes Park High School, is described as a white female, 5'5" tall, weighing 140 pounds, with dark blonde, very short hair and blue eyes. She has scars on her neck and left forearm.

Wilson's mother is a

resident of Glen Haven, according to information provided by Wilson's father.

Wilson did not own a vehicle, and her bicycle was found in the apartment.

At this time, Boulder Police do not suspect any foul play in her disappearance.

Anyone with information is asked to call Detective Pam Gignac at (303) 441-1851, the Boulder Police Department at (303) 441-3300, or her father, James Wilson, at 586-3944.

Title: Town says lifting of restrictions would be a benefit

Continued from page A 1

it is was not a priority, and because he needed to compile a list of about 150 heirs who will need to be served with the lawsuit in the near future, it was not done until last week.

Why quiet title?

Why the Town wants to lift these deed restrictions is a matter of some debate within the community.

Resident Ralph Luginbill said that in the lawsuit, the Town is also seeking the right to "dispose of," or sell, the property. He also said the Town is requesting the right to pay the heirs — which he interprets as a form of a payoff that he said "I suppose is in exchange for signatures."

Ralph Nicholas said that he does not believe the Town will sell the property, but said that "they just want to go further" in commercialization of the area, and that the Town may in the future lease it to commercial operators.

Byron Hall said that the Town's actions are in violation of Stanley's intent when he generously donated the property, and that these actions may deter future donors from giving land to the Town.

White said the lawsuit's intent is to allow the Town to use Stanley Park as collateral for financing a future project.

"Stanley Park is an asset that has a lot of value," he said. "The Town

can't use it as an asset because of the reverter clause in the deed, because it says the Town can't transfer title."

So with the events center for example, the Town has agreed to front the Estes Park Recreation and Park District's \$3.2 million share of the joint \$6.1 million project. The Town has the money for its \$2.9 million share but the Rec. District hopes to raise its share through next week's ballot initiative, which will sell bonds that will be used to pay the Town back.

In order to sell the bonds for this project, the Town needed to put up some property as collateral. It could not use Stanley Park because of the deed restriction, so it had to put up other buildings such as the Municipal Building and Light and Power building as collateral.

White said that the normal way of doing the financing would have been to use Stanley Park as collateral. This also would make the financing process easier and could make the bonds more attractive to buyers, he said.

White said the Town has been "handcuffed" by the deed restriction every time it has tried to make improvements to Stanley Park.

He admits that the lifting of the clause for what the Town intends, to make financing easier, comes with

the lifting of the restriction that says the land must be used solely as a public park and recreation grounds, because one part of the clause can't be lifted without the other.

He said it "is not the goal" of the lawsuit "to lift the restriction in order to sell Stanley Park for commercial purposes," but said that nothing would prohibit the Town from doing so if the judge decides that the clause should be lifted.

He said the Town has several properties throughout Estes Park, such as the Knoll, that have no such deed restrictions. Yet there has been no indication by the Town Board of any intent to sell any of these lots to a commercial developer.

"That thing of financing, that's just a gimmick," said Luginbill. "I just think it's a disgrace. They've got to honor the wishes of the donor, that's standard practice in anything, and this does not do that."

"Without that implied threat (of the deed restriction), how can we be assured they won't get more and more commercialized with it?" asked Nicholas.

"I think they could go somewhere else and get financing" said Hall, adding that the Town should "find something else as collateral" that wouldn't require having to "mortgage Stanley's property."

Hospital: New information software approved

Continued from page A 1

Labor and benefit costs are the single largest expense in the preliminary budget. Hospital labor costs are projected at \$6,442,434. Prospect Park Living Center labor costs are projected at \$1,609,436.

"Labor costs are going up," said Wills. "We have raises figured in and then we have a number of non-labor costs that have been affected by inflation."

The new budget reflects a continued upswing in the hospital's economic health over the past eight months. Wills said a revised 2001 budget that takes into consideration recent income and expense involved in

the operations of the hospital. It projects the hospital's profit for the 2001 budget year at \$1.2 million.

"Our original budget for 2001 only showed a \$25,000 profit," said Wills. "The revised figures are our best guess based on what we've seen so far this year."

Wills did say that the final budget adopted by the board will be somewhat different from the preliminary figures presented at the Oct. 30 meeting. Additional expenses and income could be added in as other information is made available.

"At least what we've put together in this draft is a

projection of a healthy year," said Wills.

Wills said the budget was the result of hours of work by the administration staff. He offered his thanks to the hospital's chief financial officer Tim Bishop, Lisa Wright and department managers who helped prepare the budget.

Meditech

The cost effectiveness of converting the hospital's information system to Meditech was debated at length before the measure was passed unanimously by the board.

Changing to the more centralized Meditech system will cost approximately \$744,000. This is spread out over four-year period. The cost breakdown is \$36,000 in the 2001 calendar year; \$352,000 in 2002; \$213,000 in 2003; and \$143,000 in 2004. These

amounts include the hardware, initial cost of the software, maintenance, in-house consulting and incentives. According to Bishop, it will take approximately two years to get the system completely installed and integrated into the hospital's information loop.

Estes Park Medical Center currently uses several independent information systems that make data re-entry necessary. The Meditech system has 26 different interactive modules, 22 which EPMC can use.

Board members Frank Costello and Frances Parman questioned the cost effectiveness and recovery of the system. Bishop explained that the new system would address concerns over the current set-up raised by Baird, Kurtz and Dobson's operational review.

AFTER HOURS



AT THE VILLAGE

Open Mic Night at Village Pizza will begin Friday, Nov 16 at 10:00 pm
Bring your friends
Relax and enjoy a night of local entertainment

Entertainers
contact John or Jeremy at
586-6031

Convenience, Location & Friendly Service



Diane Sutter, Assistant Branch Manager; Zenda Smith and Kay Caldwell, Owners of Star Video; David Lynn, Branch Manager; and Karma

"Knowing everybody at First National makes a big difference."

—Zenda Smith
Owner, Star Video



Estes Park's Only Independent Community Bank

First National Bank
of Estes Park



- ☐ Park Lane at MacGregor 586-4485
- ☐ St. Vrain Center 577-1234

ATMs at Main Bank, St. Vrain Center, Barlow Plaza and Rocky Mountain Gateway

Room for Living. Design for Life.



Dramatic exteriors and spacious interiors are only part of the Lindal Cedar Home story. Quality materials, innovative design and solid craftsmanship make each new Lindal the home of a lifetime. See us today.



Independently distributed by:

OTT CONSTRUCTION, INC.

JACK OTT
ottjs@yahoo.com
www.lindal.com/OTT

Office: (970) 577-1909
Fax: (970) 577-0243
Cell: (970) 215-3931

Call to see a Lindal home currently under construction