

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
January 4, 2010**

CALL TO ORDER AT 6:00 PM:

A meeting of the Board of Trustees for the Town of Fairplay was called to order at 6:10 p.m. in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Following the pledge of allegiance, roll call was answered by Trustees Greg Johnson, Keith Wortman, John Deagan and Gabby Lane. Also in attendance were Town Attorney Lee Phillips, Police Chief Dave Gottschalk and Town Administrator/Clerk Tina Darrah.

Discussion Regarding Medical Marijuana Dispensaries Regulations

After much discussion it was determined that staff would draft a resolution specific to Fairplay based on the Northglenn ordinance that would address a needs and desires hearing process similar to liquor licensing requirements, identification of marijuana source, zoning, and setback/distance requirements. It was further requested that staff identify the end date of the current moratorium and draft an extension if necessary.

CALL TO ORDER REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees for the Town of Fairplay was called to order at 7:20 p.m. in the Council Chambers located in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Following the pledge of allegiance, roll call was answered by Trustees Greg Johnson, Keith Wortman, Gabby Lane and John Deagan. Also in attendance were Police Chief Dave Gottschalk, Public Works Director Jeff Goble, Town Treasurer Donna Murray, Town Attorney Lee Phillips and Town Administrator/Clerk Tina Darrah.

AGENDA ADOPTION

Motion #1 by Trustee Deagan, seconded by Trustee Lane, that the agenda be adopted as presented. Motion carried unanimously.

APPROVAL OF MINUTES –

Special Meeting – November 12, 2009

Motion #2 by Trustee Lane, seconded by Trustee Wortman, that the minutes November 12, 2009 be approved as presented. After questions from Trustee Johnson it was determined that this item be tabled until the next agenda to allow staff time to review the tape in regards to paragraph 3, page four. Trustee Johnson recalled that the applicant stated that they would ***not*** abandon the courthouse building if the library site was moved to a different location.

Motion and second were withdrawn.

Regular Meeting – December 14, 2009

Motion #3 by Trustee Lane, seconded by Trustee Deagan, that the minutes of December 14, 2009 be approved as presented. Motion carried unanimously.

APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds

Motion #4 by Trustee Deagan, seconded by Trustee Wortman, that the expenditures be approved in the amount of \$ 23,257.80.

Several questions were asked in regards to various bills with no withdrawn bills. The Board did request that Treasurer Murray consider moving the mailing of the utility bills back in-house and that she bring this back to the Board at the next meeting. It was also requested that Treasurer Murray research the purpose and benefit of the Town's membership in the Sangre de Cristo Resource and Development Council.

A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

CITIZEN COMMENT

None offered.

UNFINISHED BUSINESS

Other Pending Matters

Trustee Wortman asked about the status of the payment agreement with Sa'am Golgoon. Staff noted that he had not yet signed the agreement. Town Attorney Phillips stated that he would contact Mr. Golgoon and remind him of this agreement. Town Administrator Darrah offered to follow-up on this with Mr. Phillips and report back to the Board as to the status at the next meeting.

NEW BUSINESS

Should the Board Approve Adoption of Resolution No. 1, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW."?

Discussion ensued in regards to making people aware of the Trustee meetings via email, postings, mailings, etc. Staff agreed to look into the possibility of mass emails.

Motion #5 by Trustee Deagan, seconded by Trustee Johnson, that the Board Approve Adoption of Resolution No. 1, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW.**", with the addition of the Park County Library located at 401 Main Street as an additional posting place. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 2, series of 2010, entitled, "A RESOLUTION AUTHORIZING A CREDIT CARD PROGRAM WITH UMB BANK."?

Staff comment was offered by Treasurer Murray explaining that this program would allow necessary staff to have credit cards and allow her a great deal of monitoring and control over the cards and the program. She further noted that we would be involved in a cash back program. She also noted that no card would have a cash advance option.

Motion #6 by Trustee Johnson, seconded by Mayor Boyce, that the Board Approve Adoption of Resolution No. 2, series of 2010, entitled, "**A RESOLUTION AUTHORIZING A CREDIT CARD PROGRAM WITH UMB BANK.**" A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 3, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT WITH JOHNSON, HOLSCHER AND COMPANY, P.C. FOR AUDIT SERVICES."?

Staff comment was offered by Treasurer Murray recommending approval of the resolution stating that she had confidence in the selected audit firm. Much discussion took place in regards to whether or not the Town should solicit bids via an RFP process for comparison to the price and services offered by Johnson, Holscher and Co. The lack of a management letter for the 2008 audit was also discussed, wherein it was agreed that Treasurer Murray would look into this issue and bring back a response.

Motion #7 by Mayor Boyce, seconded by Trustee Deagan, that the Board Approve Adoption of Resolution No. 3, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT WITH**

JOHNSON, HOLSCHER AND COMPANY, P.C. FOR AUDIT SERVICES.” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – no, Johnson – yes. Motion carried with four ayes and one nay.

Other New Business

Trustee Wortman asked several questions of Public Works Director Goble in regards to letters received from the Colorado Department of Public Health and Environment.

Town Attorney Phillips stated that he had been contacted by Richard Hamilton, the donator of the artwork hanging in the Board room, requesting an agreement that the Town would follow certain directions should they ever wish to dispose of the artwork. The Board directed Mr. Phillips to draft the appropriate agreement for review at their next meeting.

Mayor and Trustee Reports

Mayor Boyce gave several pictures to Public Works Director Goble in regards to picnic tables at Cohen Park and the Fairplay Beach.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:05 p.m.

Fred Boyce, Mayor

ATTEST:

Tina Darrah, Town Clerk