

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
September 21, 2015**

**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 7:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Gabby Lane who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp, Ray Douglas, and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Jason Morrison, Police Chief Joel Vice, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Town Planner Ron Newman.

**AGENDA ADOPTION**

**Motion #1** by Trustee Douglas, seconded by Trustee Stapp, that the agenda be adopted as presented. Motion carried unanimously.

**CONSENT AGENDA** (*The Consent Agenda is intended to allow the Board to spend its time on more complex items. These items are generally perceived as non-controversial and can be approved by a single motion. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.*)

- A. **APPROVAL OF MINUTES – August 17, 2015**
- B. **APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$67,499.42.**

**Motion #2** by Trustee Just, seconded by Trustee Douglas, that the consent agenda be adopted as presented. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

**CITIZEN COMMENTS**

No citizen comments offered.

**PRESENTATIONS – Presentation of checks to non-profit partners for various Town sponsored events.**

Mayor Lane presented checks to the following non-profit organizations for their participation in our summer events:

- Mary Kanack with the South Park Food Bank accepted a \$905 check in conjunction with the Plein Air art auction,
- April-Dawn Knudsen with the South Park Boys and Girls Club accepted a \$550 check in conjunction with the Peach Fundraiser and a \$871.71 check in conjunction with the August TGIFairplay Concert,
- Carol McDevitt with the South Park Schools Foundation accepted a \$322.43 check in conjunction with the July TGIFairplay Concert,
- Anne Slubowski with the South Park Friends of the Fairplay Libraray accepted a \$616.90 check in conjunction with the June TGIFairplay Concert,
- Mark Ziegler with the American Legion Post accepted a \$451.95 check in conjunction with the 4<sup>th</sup> of July Concert
- Larry Foster & Roger Wright with the South Park Senior Center accepted a \$1,000 check in conjunction with the Disc Golf Tournament.

After all of the checks were distributed, Dale Kanack thanked the Town of Fairplay for their community support and involvement.

**PUBLIC HEARINGS**

- A. **Should the Board, acting as the Board of Adjustment, Approve Adoption of Resolution No. 17, series of 2015, entitled, "A RESOLUTION APPROVING THE APPLICATION FOR A REAR AND SIDE SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 1151 BULLET ROAD, FAIRPLAY, COLORADO"?**

Public hearing opened at 7:09 p.m. by Mayor Lane.

Town Planner Newman presented the application for a sign variance at the 1151 Bullet Road to allow a 2' side and 2' rear yard setback for the placement of a free standing sign rather than the 10' side and 10' rear yard setbacks allowed in the Commercial One zone district.

Pete Werner was also present to answer Board questions and stated that the variance would allow space for vehicular movement, including snow plowing, around the Northeast corner of the property after the free standing sign is erected.

Trustee Dodge asked if the proposed sign would obscure other existing signs and Pete Werner stated that it would not.

Public Hearing closed at 7:16 p.m. by Mayor Lane.

**Motion #3** by Trustee Just, seconded by Trustee Stapp, that the Board, acting as the Board of Adjustment, approve adoption of Resolution No. 17, series of 2015, entitled, "A RESOLUTION APPROVING THE APPLICATION FOR A REAR AND SIDE SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 1151 BULLET ROAD, FAIRPLAY, COLORADO." Motion carried unanimously.

### **UNFINISHED BUSINESS**

#### **A. Discussion/ Approval of Front Street Parking Plan**

Police Chief Vice presented a staff report, wherein he stated that he surveyed several Front Street business owners and managers, as well as residents, regarding the need for changes in the parking regulations between 4<sup>th</sup> and 6<sup>th</sup> Streets. He presented them with the following options: 1) no change to current regulations, 2) restrict parking to 3 hours between 8 am and 5 pm, 3) prohibit parking between 2 am and 6 am without a permit, 4) a combination of options 2 and 3. Chief Vice found that most of the individuals he spoke with were not in favor of placing a 3 hour limit on daytime parking and those that were in favor of limiting overnight parking wanted to make sure the hotel guests and bar/restaurant patrons were able to get permits.

Trustee Dodge suggested that the Town designate parking areas, especially for RVs and other oversized vehicles, while working on the future land use plans.

Mayor Lane also conducted a canvas of individuals on Front Street with similar results.

The Board discussed the initial complaints that brought the potential Front Street parking problems to light as well as the survey results from many of the same individuals. After careful consideration, the Board decided that no changes to the parking regulations on Front Street would be made at this time.

#### **B. Other Discussion Items**

No other discussion items offered.

### **NEW BUSINESS**

#### **A. Adoption of rules and regulations for sanitary sewer system**

Public Works Director Morrison presented the proposed Fairplay Sanitation District Rules and Regulations. He stated that more detailed grease trap rules were added to the draft document and staff recommends adoption of the rules and regulations as presented.

Attorney Phillips stated that the rules and regulations conform to constitutional law in regards to shut offs and liens and he approves of the document as to form and legality.

**Motion #4** by Trustee Just, seconded by Trustee Douglas, that the Board approve adoption of the Fairplay Sanitation District Rules and Regulations and Design Criteria, Technical Specifications and Construction Details as submitted with the addition of grease trap and piping encasement language. Motion carried unanimously.

#### **B. Other New Business**

No other new business offered.

### **MAYOR AND TRUSTEE REPORTS**

Mayor Lane stated that Front Street merchants are pleased with Town events and he stated that the Town's sales tax revenues were at a record high in July. He offered a special thanks to Special Events Coordinator Julie Bullock for the event planning.

Trustee Dodge stated that the summer event season was good and feels that vendors and merchants are happy.

Trustee Stapp stated that the peach and ice cream social went well.

Trustee Douglas stated that he was proud of the Board for ensuring that all five members attended a meeting with Sarah Vaine at the Summit Care Clinic recently.

Trustee Just stated that the Plein Air event was great and everyone he spoke with was impressed with the entire five day event.

**STAFF AND COMMITTEE REPORTS**

Town Administrator/ Clerk Darrah reported that the dredging of the Fairplay Beach as well as repairs to the roads to the beach and the water plant have been approved for funding by FEMA and the Town will need to provide 25% match money for these projects. She also thanked the Board for the success of the Plein Air event and stated that the artists rank it #1.

Police Chief Vice stated that things are running smoothly in his department.

**EXECUTIVE SESSION:** Pursuant to C.R.S. 24-6-402 (4) (e) and (b) for determining positions relative to matters that may be subject to negotiations; developing strategies for negotiations and instructing negotiators and for the purpose of receiving legal advice pursuant specifically in relation to a pending ESTIP application and a potential land purchase.

**Motion #5** by Mayor Lane, seconded by Trustee Stapp, that the Board go into executive session at 7:55 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategies for negotiations and instructing negotiators and for the purpose of receiving legal advice pursuant specifically in relation to a pending ESTIP application and a potential land purchase pursuant to C.R.S. Section 24-6-402 (4) (e) and (b). Motion carried unanimously.

Mayor Lane announced that the meeting was back to open session at 9:02 p.m. The participants in the executive session were: Mayor Lane, Trustees Dodge, Stapp, Douglas and Just, Town Administrator/Clerk Darrah, Town Attorney Phillips and ESTIP applicant Sam Mick. Mayor Lane announced that no action was taken in the executive session.

**ADJOURNMENT**

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 9:03 p.m.

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Gabby Lane, Mayor

ATTEST:

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Claudia Werner, Deputy Town Clerk