

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
December 6, 2010**

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, 400 Front Street, by Mayor Fred Boyce. Following the pledge of allegiance, roll call was answered by Trustees Greg Johnson, Gabby Lane, Jimi Callender and John Deagan. Also in attendance were Public Works Director Jeff Goble, Police Chief Dave Gottschalk, Town Attorney Lee Phillips, Town Treasurer Derek Martinez 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.

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** – November 15, 2010
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds
- C. Should the Board Approve Renewal of a 3.2 Percent Beer Retail Liquor License as Requested by Fairplay Markets LLC dba Prather's Market located at 301 US Highway 285?

Motion #2 by Mayor Boyce, seconded by Trustee Lane, that the consent agenda be adopted as presented with bills in the amount of \$9,377.98. A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

CITIZEN COMMENT

Marie Chisholm commented on a letter that she had written to the Town Board in regards to "no parking" rules on Sixth Street adjacent to the Beary Beary Tastee Café. She asked that the Board reconsider this decision and look at allowing parking in this area. She offered several comments about the need to look at all parking issues in Fairplay and at all code enforcement issues.

A brief discussion ensued during which the Town Board directed staff to look again at this area and bring back any suggestions for changes to the parking on Sixth Street adjacent to the Beary Beary Tastee Café.

PUBLIC HEARING – 2010 AMENDED BUDGET

Mayor Boyce opened the public hearing at 7:11 p.m. and requested staff comment.

Town Treasurer Martinez offered a brief statement to the Board reviewing the 2010 amended budget and 2011 proposed budget. He thanked the Board and staff for all their hard work on the budget.

Mayor Boyce requested public comment on the 2010 amended budget. None offered.

Mayor Boyce closed the hearing at 7:14 p.m.

Should the Board Approve Adoption of Resolution No. 33, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2010 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO."?

Motion #3 by Mayor Boyce, seconded by Trustee Callender, that the Board Approve Adoption of Resolution No. 33, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2010 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO.**" A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 34, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, 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 FAIRPLAY, COLORADO, FOR THE AMENDED 2010 BUDGET."?

Motion #4 by Mayor Boyce, seconded by Trustee Deagan, that the Board Approve Adoption of Resolution No. 34, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, 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 FAIRPLAY, COLORADO, FOR THE AMENDED 2010 BUDGET.**" A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

PUBLIC HEARING – 2011 PROPOSED BUDGET

Mayor Boyce opened the public hearing at 7:15 p.m. and requested public comment.

Marie Chisholm offered public comment questioning several line items in the water fund.

Mayor Boyce closed the hearing at 7:22 p.m.

Trustee Johnson offered comment in regards to the current mill levy of 3.13 mills in the debt service fund, noting that 2011 would be the last year of that assessment as the Town would be paying that debt off one year early.

Should the Board Approve Adoption of Resolution No. 35, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2011 AND ENDING ON THE LAST DAY OF DECEMBER 2011."?

Motion #4 by Mayor Boyce, seconded by Trustee Deagan, that the Board Approve Adoption of Resolution No. 35, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2011 AND ENDING ON THE LAST DAY OF DECEMBER 2011.**" A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 36, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2010 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE 2011 BUDGET YEAR."

Motion #5 by Mayor Boyce, seconded by Trustee Lane, that the Board Approve Adoption of Resolution No. 36, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2010 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE 2011 BUDGET YEAR.**" A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 37, series of 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, 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 FAIRPLAY, COLORADO, FOR THE 2011 BUDGET YEAR."?

Motion #6 by Mayor Boyce, seconded by Trustee Callender, that the Board Approve Adoption of Resolution No. 37, series of 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, 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 FAIRPLAY, COLORADO, FOR THE 2011 BUDGET YEAR.**" A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

UNFINISHED BUSINESS

Other Pending Matters

None offered.

NEW BUSINESS

Other New Business

None offered.

MAYOR AND TRUSTEE REPORTS

Trustee Callender offered thanks to the staff for the delivery of the 2011 budget.

Trustee Deagan informed the Board that he had been in discussions with town staff in regards to financing municipal street projects, as in a major street reconstruction for the whole town of Fairplay. He requested a work session to discuss municipal financing options. This was discussed and a date of January 10, 2011 at 6:00 p.m. was tentatively set, dependent on staff's ability to bring in a municipal finance expert to facilitate the conversation.

Trustee Lane thanked staff for doing a great job in 2010.

Trustee Johnson thanked voters for not voting in 60-61-101 in November, noting it would have been a very difficult budget season had they been approved.

Mayor Boyce noted that he had attended the NLC (National League of Cities) conference in Denver and that he was so grateful that the Town of Fairplay was not in the same boat as so many other cities that have to do massive staff lay-offs and other cost saving measures – noting that Fairplay was in good financial shape.

COMMITTEE AND STAFF REPORTS

Town Administrator Darrah offered the Board a brief update about the Real Colorado Christmas event held on December 4, 2010.

EXECUTIVE SESSION - Pursuant to C.R.S. 24-6-402 (4) (a) for the potential lease of a property and pursuant to C.R.S. 24-6-402 (4) (e) for determining positions relative to matters that may be subject to negotiations; developing strategies for negotiations and instructing negotiators.

Motion #7 by Mayor Boyce, seconded by Trustee Johnson, that the Board go into executive session at 7:45 p.m. for a conference with the Town Attorney for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402 (4) (b) and (a) for the potential lease of a property and pursuant to C.R.S. 24-6-402 (4) (e) for determining positions relative to matters that may be subject to negotiations; developing strategies for negotiations and instructing negotiators. A roll call vote was taken: Callender – yes, Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously.

Mayor Boyce announced that the meeting was back to open session at 8:45 p.m. The participants in the executive session were: Mayor Boyce, Trustees Lane, Deagan, Johnson and Callender, Public Works Director Goble, Town Administrator/Clerk Tina Darrah and Town Attorney Lee Philips. Mayor Boyce announced that no action was taken in the executive session.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:48 p.m.

Fred Boyce, Mayor

ATTEST:

Tina Darrah, Town Clerk