

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
March 1, 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, Keith Wortman, and John Deagan. Also in attendance were Police Chief Dave Gottschalk, Public Works Director Jeff Goble, Town Attorney Lee Phillips, Town Treasurer Donna Murray and Town Administrator/Clerk Tina Darrah. Trustee Gabby Lane was absent.

AGENDA ADOPTION

Motion #1 by Trustee Deagan, seconded by Trustee Wortman, that the agenda be adopted as presented. Motion carried unanimously. (Trustee Lane was absent.)

PROCLAMATION NAMING MARCH 7-13, 2010 AS GIRL SCOUT WEEK IN THE TOWN OF FAIRPLAY

Mayor Boyce read a Proclamation into the record naming the week of March 7-13 in Fairplay as Girl Scout Week. Members of several area Girl Scout Troops were present to hear the proclamation.

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

1. January 25, 2010
2. February 1, 2010
3. February 8, 2010

B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds

Motion #2 by Mayor Boyce, seconded by Trustee Deagan, that the consent agenda be adopted as presented. A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Johnson – yes. Motion carried unanimously. (Trustee Lane was absent.)

CITIZEN COMMENT

Robert Meland, offered comment stating that as a Firefighter and CDOT employee, he had concerns about several fire hydrants in Town that need to be fixed as they are either bent or broken. He explained that in talking to the Fire Chief, he was told that this is the Town's responsibility. Public Works Director Goble stated that he was aware of the situation and that he would be fixing the broken fire hydrant as soon as they were able to thaw the ground surrounding them and that he would talk to the Fire Chief about the issue.

Town Administrator Darrah explained that she had been asked by Linda Bjorklund, Director of South Park City Museum, to speak on her behalf during public comment asking if the Board would be willing to authorize staff to write a letter of support for a grant application to the Colorado Historical Fund for exterior work on the Summer Brewery Building at the museum. The Board offered consensus to have staff write the requested letter.

Town Administrator Darrah introduced Constance Tiel, the new owner of the Fairplay Hotel to the Board, giving a brief background of Ms. Tiel to the Board. Ms. Tiel answered several questions from the Board and told them about her plans for the Hotel, noting that she planned to restore it to its original state and its use will remain as a hotel, restaurant and bar. She explained that she plans to create a meeting/conference friendly atmosphere.

UNFINISHED BUSINESS

Should the Board Approve Adoption of Ordinance No. 2, series of 2009, entitled, "A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory in the County of Park, and More Particularly Described in Attached Exhibit A (Silverheels Market Property)."?

Staff comment was offered by Town Administrator Darrah explaining that the Bank had asked for an extension to complete the legal review of this annexation and the ESTIP agreement (later on the agenda). She stated that they had asked for at least two weeks and offered the Board the option of either the March 15 or April 5 regularly scheduled meeting.

Motion #3 by Trustee Johnson, seconded by Trustee Deagan, that the Board table Ordinance No. 2, series of 2009, entitled, "**A Bill for an Ordinance Approving and Accomplishing the Annexation of Contiguous Unincorporated Territory in the County of Park, and More Particularly Described in Attached Exhibit A (Silverheels Market Property).**", until the regularly scheduled meeting of March 15, 2010. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 05, series of 2010, entitled "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT WITH ACORN PETROLEUM, INC. FOR PROVIDING BULK FUEL EQUIPMENT AND SERVICES TO THE TOWN OF FAIRPLAY."?

Staff comment was offered by Public Works Director Goble explaining that this resolution would allow the Town to have fuel for vehicle and equipment at the Town Shop saving the Town money in fuel costs. He noted that per the Boards direction at the February 1st meeting, he had pursued other bids from different companies, but that this bid remained the lowest. He offered a recommendation of approval.

Motion #4 by Mayor Boyce, seconded by Trustee Johnson, that the Board approve adoption of Resolution No. 05, series of 2010, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A CONTRACT WITH ACORN PETROLEUM, INC. FOR PROVIDING BULK FUEL EQUIPMENT AND SERVICES TO THE TOWN OF FAIRPLAY.**" A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Johnson – yes. Motion carried unanimously.(Trustee Lane was absent.)

Other Pending Matters

No other pending matters.

NEW BUSINESS

PUBLIC HEARING - Should the Board Approve Adoption of Resolution No. 7. 2010, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND COLORADO EAST BANK AND TRUST LLC FOR THE SILVERHEELS MARKET PROJECT."?

Motion #5 by Trustee Deagan, seconded by Trustee Johnson, that the Board table Resolution No. 7. 2010, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND COLORADO EAST BANK AND TRUST LLC FOR THE SILVERHEELS MARKET PROJECT.**" until the regularly scheduled meeting of March 15, 2010. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 8. 2010, entitled, "A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO FOR THE PURCHASE OF 11.9 ACRES COMMONLY KNOWN AS THE SPUR TRACT."?

Staff comment was offered by Town Attorney Phillips explaining that he had drafted a new resolution with new language in sections 1, 2, and 4 reflecting the funding from the school district. A brief discussion took place in regards to this wording wherein it was determined that it should be added that funding is from other sources as well.

Charlie Schultz offered a brief comment stating that the grant application is complete and informing the

Board that the community had provided 14 letters of support and explaining all of the matching funding and in-kind services being offered for this grant.

Motion #6 by Mayor Boyce, seconded by Trustee Johnson, that the Board should approve adoption of Resolution No. 8. 2010, entitled, “**A RESOLUTION SUPPORTING THE GRANT APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO FOR THE PURCHASE OF 11.9 ACRES COMMONLY KNOWN AS THE SPUR TRACT.**”, as amended above. A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Johnson – yes. Motion carried unanimously. (Trustee Lane was absent.)

Appointment to the Planning Commission

Because several of the Board Members were not acquainted with Mr. Rawlings and he was not present at the meeting, the Board asked staff to contact him and invite him to the joint Board of Trustees/Planning Commission work session on March 9th and to then place this item on the next regularly scheduled meeting agenda of March 15, 2010, for action.

Other New Business

No other new business was offered.

Mayor and Trustee Reports

Trustee Johnson noted that at the elected officials meeting in Alma a discussion had taken place in regards to designating an elected official to attend BOCC meetings. Discussion ensued about whether or not it was feasible for a Board Member to attend these meetings or if staff should do this. It was agreed that the Mayor would ask the Commissioners secretary, Betty Wierth, to include the Town in her agenda email list and that staff could then determine whether or not a representative from the Town should be present at these meetings.

Trustee Johnson reminded the Board that last year at this time they were entertaining the idea of pursuing a grant for an historical survey in Town through the State Historical Fund. He asked if this is something the Board would like to pursue at this time. Town Administrator Darrah offered to review this and bring back information to the Board.

Mayor Boyce thanked those that had supported the Mardi Gras fundraising dinner of the Fairplay Foundation.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:45 p.m.

Fred Boyce, Mayor

ATTEST:

Tina Darrah, Town Clerk