

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
February 7, 2011**

**CALL TO ORDER WORK SESSION OF THE BOARD OF TRUSTEES**

A worksession of the Board of Trustees for the Town of Fairplay was called to order at 6:05 p.m. in the Council Chambers located in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Roll call was answered by Trustees Greg Johnson, Gabby Lane, and John Deagan. Also in attendance were Public Works Director Jeff Goble, Town Attorney Lee Phillips, Town Treasurer Derek Martinez, DOLA Representative Greg Winkler and Town Administrator/Clerk Tina Darrah. Trustee Jimi Callender was absent.

Trustee Lane arrived at 6:45 p.m.

**Discussion Regarding Municipal Financing Mechanisms**

Town Attorney Phillips led this discussion by going through his memo which explained the different types of financing mechanisms available to local government for street/curb/gutter/sidewalk types of improvements. DOLA Representative Greg Winkler, added to the discussion with strategies, examples and grant funding opportunities. Discussion turned to the possible need for a "blight" determination which would allow the Town to apply for CDBG (Community Development Block Grant) funds. The option of completing the entire town at one time vs. phasing the project was discussed. The end direction to staff was to further research "blight" determination, CDBG funding, phasing, Business Improvement Districts, Special improvement Districts, and more up to date costs for the desired street, curb, gutter and sidewalk improvements.

**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, 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. Trustee Jimi Callender was absent.

**AGENDA ADOPTION**

**Motion #1** by Trustee Johnson, seconded by Trustee Deagan, 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** –January 10, 2011
- 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 with bills in the amount of \$162,212.91. A roll call vote was taken: Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously. (Trustee Callender absent.)

**CITIZEN COMMENT**

Kim Wittbrodt, offered citizen comment informing the Board that the GOCO Grant to purchase the Spur Tract B has been completed and that the school now holds title. She invited the Town Board to the Thursday, February 10<sup>th</sup>, School Board meeting at 6:30 p.m. where the formal announcement will be made. Town Administrator Darrah stated the Town's appreciation of Ms. Wittbrodt's efforts in this project stating that Ms. Wittbrodt led the grant process.

Pat Stoinski, representing the South Park Chamber Commerce, offered comment thanking the Town for the \$500.00 donation towards the 2011 South Park Visitor Guide and stating that the Chamber had received \$1000 from Park County Tourism and \$1200 from Park County National Heritage Area. She stated that the Chamber planned to distribute more heavily in Summit County this year and had pulled out of a couple of the border towns. She explained that the Chamber is trying to work towards publishing this guide as a community and to that end asked that someone from the Town's marketing committee be on the Chambers Visitor Guide committee. She explained that the Chamber wants the Town's input on the cover photo and design, and the guide itself, and asked that the Town review its page and get any changes to the Chamber by the end of the month. She further noted that next year the Chamber is planning to charge \$1000 as seed

money for entities to participate, stating that she felt this was not conveyed properly to the Town's marketing committee by Ms. Darrah. She went on to state that as this is a Chamber publication, they plan to list non-member businesses by name and phone number only. Some discussion took place in regards to the value of the guide, clarification of comments made at the marketing committee meeting, the photo contest for the new cover and other possible changes to the guide.

## **UNFINISHED BUSINESS**

### **Other Pending Matters**

None offered.

## **NEW BUSINESS**

Presentation – Park County Sheriff, Fred Wegener

*(Clerk's note: This item was moved to the end of the meeting so all officers could be present.)*

### **Should the Board Approve Adoption of Resolution No. 4, series of 2011, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH COLORADO EAST BANK AND TRUST FOR DIRECT DEPOSIT."?**

Staff comment was offered by Town Treasurer Martinez explaining that this agreement is with Colorado East Bank and Trust for direct deposit. He explained that this is the number one employee request. He further noted that Town Attorney Phillips had reviewed the agreement and while he had some issues with the language presented, it was not enough to prohibit entering into the agreement. Town Attorney Phillips explained the concerns he had, reiterating that they were not significant enough to prohibit entering into the agreement.

**Motion #3** by Trustee Johnson, seconded by Mayor Boyce, that the Board Approve Adoption of Resolution No. 4, series of 2011, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH COLORADO EAST BANK AND TRUST FOR DIRECT DEPOSIT.**" A roll call vote was taken: Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously. (Trustee Callender absent.)

### **PUBLIC HEARING - Should the Board Approve Adoption of Resolution No. 5, series of 2011, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND THE JAVA MOOSE FOR THE JAVA MOOSE PROJECT."?**

Mayor Boyce opened the public hearing at 7:30 p.m. and requested public comment.

No public comment was offered.

Mayor Boyce closed the hearing at 7:31 p.m. and requested a motion.

**Motion #4** by Trustee Deagan, seconded by Trustee Lane, that the Board Approve Adoption of Resolution No. 5, series of 2011, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND THE JAVA MOOSE FOR THE JAVA MOOSE PROJECT.**" A roll call vote was taken: Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously. (Trustee Callender absent.)

### **Should the Board Approve a Business Incentive Zone Request from Java Moose?**

Staff comment was offered by Town Administrator/Clerk Darrah explaining that this application is from Kim Wittbrodt, owner of the Java Moose who is expanding her business. She explained that Ms. Wittbrodt has removed the Laundromat and is expanding that area to include seating for the Java Moose which required her to obtain a remodel building permit. Ms. Darrah explained that the cost for this permit is \$165.00 and that the expansion meets the requirements of the BIZ Code as described in F.M.C. 4-8-10 through 4-8-70. Ms. Darrah recommended approval of the BIZ request to waive the \$165.00 fee.

**Motion #5** by Trustee Lane, seconded by Trustee Johnson, that the Board Approve the BIZ request from Java Moose for waiver of the \$165.00 building permit fee, noting that the application met the requirements of the BIZ Code. A roll call vote was taken: Johnson – yes, Boyce – yes, Lane – yes, Deagan – yes. Motion carried unanimously. (Trustee Callender absent.)

### **Other New Business**

None offered.

**MAYOR AND TRUSTEE REPORTS**

Trustee Lane commented on the annual Cemetery Clean-up planned for the weekend before Memorial Day. He asked that in conjunction with the clean-up a barbeque be planned at someone's home for the volunteers. Public Works Director Goble agreed to work with Trustee Lane on this event.

Trustee Johnson thanked staff for inviting and hosting the Colorado Poet Laureate in Fairplay the previous week stating what a great event it had been.

Trustee Deagan asked the Board if they had given any more thought into taking ownership of the newly planned school parking lot that is now the elementary school playground. After a brief discussion it was agreed that the Board is not interested in pursuing ownership at this time, but would like to see the parking lot made available to the public during events.

Mayor Boyce stated that he had just returned from the Colorado Preservation Inc. – Saving Places Conference in Denver and that he had a great experience with much learned. He noted that the Youth Summit event is planning on being in Fairplay this summer. He thanked staff for putting the pitch together to get them here.

Presentation – Park County Sheriff, Fred Wegener

*(Clerk's note: This item was moved to the end of the meeting so all officers could be present.)*

Park County Sheriff Fred Wegener was present to swear in Fairplay Police Chief Dave Gottschalk and Officer Daniel Barkus and Mark Ziolkowski as Deputies for the Park County Sheriff's office. Sheriff Wegener offered comment in support of the Fairplay Police Department stating his reliance on them for mutual aid and support.

**ADJOURNMENT**

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

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Fred Boyce, Mayor

ATTEST:

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Tina Darrah, Town Clerk