

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
May 16, 2011**

**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 John Deagan, Frank Just, Greg Johnson and Gabby Lane. Also in attendance were Town Attorney Lee Phillips, Town Treasurer Derek Martinez, and Town Administrator/Clerk Tina Darrah.

**AGENDA ADOPTION**

**Motion #1** by Mayor Boyce, 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** – May 2, 2011
- B. **APPROVAL OF EXPENDITURES**
- C. Should the Board Approve Renewal of a Hotel and Restaurant Liquor License as Requested by TAKA Sushi, Inc dba Millonzi's located at 501 Front Street?
- D. Should the Board Approve Renewal of a Hotel and Restaurant Liquor License as Requested by Fairplay-Valiton Hotel located at 500 Main Street?

**Motion #2** by Trustee Deagan, seconded by Trustee Johnson, that the consent agenda be adopted as presented with bills in the amount of \$35,414.20. A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously.

**CITIZEN COMMENT**

Marie Chisholm was present to offer citizen comment in regards to an abandoned home and pick-up close to her home. She stated that she was happy to see the police department looking at the pick-up. She noted that there is still a lot of trash in the yard, even though the home is empty.

**UNFINISHED BUSINESS**

**Request for Donation/Funds for Bike Path Project - Park County Commissioner Mark Dowaliby**

Park County Commissioner Mark Dowaliby was present to request that the Board of Trustees approve matching funds for a CDOT grant to overlay the asphalt bike path between the Town of Fairplay and the Town of Alma. He explained that the grant is being applied for by Park County Government with the project being engineered, bid and managed by CDOT. Commissioner Dowaliby explained that while this project is just for the existing bike path, he is working to connect the path to Summit County and eventually have a loop that would go from Fairplay to Summit County, on to Eagle County, Garfield County, Pitkin County (through Aspen and over Independence Pass) to Lake County, Chaffee County and end up back over Trout Creek Pass along Hwy. 285 back to Fairplay. He asked for a letter of support for this project

**Motion #3** by Mayor Boyce, seconded by Trustee Just, that the Board approve an expenditure of \$1000.00 from the fund balance in the Conservation Trust Fund as matching funds for the CDOT grant for the asphalt overlay project on the bike path between the Towns of Fairplay and Alma and further directing staff to draft a letter of support from the Town for the above mentioned trail project. A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously.

**Discussion Regarding Plant Investment Fee in Regards to School Project**

Town Administrator Darrah offered staff comment explaining that she had placed this on the agenda after numerous discussions with Foss Smith, Matt Hahn and Public Works Director Goble for clarification in regards to the plant investment fee for the new athletic field for the school. She explained that generally a plant investment fee is required to purchase capacity in the system noting that the school is actually abandoning numerous connections to the water system

at the current athletic field and connecting to a lesser degree a the new site, thus reducing plant capacity needs rather than increasing.

Town Attorney Phillips offered comment reiterating Ms. Darrah's comments in regards to plant capacity and plant investment fees stating that the code does not address this issue specifically and that staff is looking for policy clarification in regards to this issue.

Foss Smith was present and offered comment on behalf of the school district stating that they are abandoning six taps (connections) of various sizes at the main campus and are planning to use much less water at the new athletic field and the main campus, due to various water saving measures and the inclusion of artificial turf on the new athletic field, therefore decreasing overall water demand and usage.

Discussion ensued in regards to the reasoning behind the size of the planned new connection (1 ½"), the new overall user fees, the new water usage calculations, and the cost of the plant investment fees. At the conclusion of the discussion, no action was taken by the Board, thus the School District will be required to pay the full plant investment fee for the new connection at the athletic field.

#### Discussion/Decision Regarding Engineering Firm Selection

**Motion #4** by Trustee Just, seconded by Trustee Johnson, that the Board go into executive session at 7:25 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) specifically in relation to selection of an engineering firm. A roll call vote was taken: Deagan – yes, Just – yes, Johnson – yes, Boyce – yes, Lane – yes, Motion carried unanimously.

Mayor Boyce announced that the meeting was back to open session at 7:31 p.m. The participants in the executive session were: Mayor Boyce, Trustees Deagan, Just, Lane and Johnson, Town Administrator/Clerk Tina Darrah, Town Treasurer Martinez and Town Attorney Lee Philips. Mayor Boyce announced that no action was taken in the executive session.

Trustee Just handed out a sample "job" based on the rate sheets provided by the three top firms: High Country Engineering, Tetra Tech, and J & K. A discussion ensued in regards to the rates and the interviews previously held wherein it was decided that the top two firms were High Country Engineering and Tetra Tech. It was noted that it appears Tetra Tech's rates are higher than High Country's. It was agreed that since the main "time sensitive" item for an engineering firm is the Beach Staircase the Town should ask these two firms for a bid on the design/engineering of this project.

**Motion #5** by Trustee Johnson, seconded by Trustee Lane, that staff be directed to request a bid from both High Country Engineering and Tetra Tech on the Beach Staircase project. Motion carried unanimously.

#### Discussion/Decision Regarding Short Term Disability Insurance

Mayor Boyce opened this item and stated that he had spoken to staff and that he recommended this item be discussed during budget time with the hope to implement in the 2012 budget.

**Motion #6** by Trustee Lane, seconded by Trustee Johnson, that the Board further look at offering short term disability insurance in the 2012 budget year. Motion carried unanimously.

#### Other Pending Items

No other pending items.

#### **NEW BUSINESS**

##### Discussion/Direction Regarding Request for Fee Waiver from South Park Seniors, Inc.

Marie Chisholm offered statement explaining that the South Park Seniors, Inc. no longer needed the fee waiver as they had the line t.v.ed that day and found that the excavation to fix the line would only take place on their property. She further thanked the Board for their time.

#### Other New Business

No other new business.

#### **MAYOR AND TRUSTEE REPORTS/COMMITTEE AND STAFF REPORTS**

Trustee Lane reminded those present about the annual Fairplay Cemetery clean-up scheduled for Saturday, May 21<sup>st</sup> at 10:00 a.m. noting that a free barbeque would be held at the American Legion immediately following the clean-up. He further noted that flags would be placed on all Veteran's graves.

Trustee Johnson asked that the Planning Commission minutes be included in the Board of Trustees packet as available.

**ADJOURNMENT**

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:12 p.m.

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Mayor Fred Boyce

ATTEST:

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Tina Darrah, Town Clerk