

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
June 20, 2011**

WORKSESSION – 6:00 P.M. AT TOWN HALL

A worksession was called to order at 6:00 p.m. in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Those present included Trustees John Deagan, Frank Just, Greg Johnson and Gabby Lane. Also in attendance were Public Works Director Jeff Goble, Police Chief Dave Gottschalk, Town Treasurer Derek Martinez and Town Administrator/Clerk Tina Darrah.

Discussion Regarding Health Insurance Policy Renewal and Financial Update

Treasurer Martinez went through the Health Insurance bids with the Board wherein it was discussed that the best prices were still with Rocky Mountain Health Plans. It was noted that the staff was very happy with RMHP service and professionalism. The Board offered consensus to move forward with renewal of the RMHP current policy for year 2011/2012.

Treasurer Martinez then went through the executive summary of the town's finances and his financial staff report.

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, Public Works Director Jeff Goble, Police Chief Dave Gottschalk and Town Administrator/Clerk Tina Darrah.

AGENDA ADOPTION

Motion #1 by Trustee Johnson, 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** – May 16, 2011 and June 6, 2011
- B. **APPROVAL OF EXPENDITURES**
- C. Should the Board Approve Adoption of Resolution No. 14, series of 2011, entitled, “**A RESOLUTION CONDITIONNALLY APPROVING THE REZONING OF THE PROPERTY COMMONLY KNOWN AND NUMBERED AS 808 MAIN STREET, FAIRPLAY, COLORADO**”?
- D. Should the Board Approve Adoption of Resolution No. 15, series of 2011, entitled, “**A RESOLUTION APPROVING THE APPLICATION FOR A MINIMUM LOT SIZE AND SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 808 MAIN STREET, FAIRPLAY COLORADO**”?

Motion #2 by Mayor Boyce, seconded by Trustee Johnson, that the consent agenda be adopted as presented with bills in the amount of \$30,207.66. A roll call vote was taken: Just – yes, Deagan – no, Lane – yes, Boyce – yes, Johnson - yes. Motion carried with four ayes and one nay.

CITIZEN COMMENT

None offered.

PUBLIC HEARING:

(continued from June 6, 2011) Should the Board Approve a Condominiumization Request for 640 US Highway 285 as applied for by Wedgewood Development Co. acting as agent for Colorado East Bank and Trust?

Mayor Boyce re-opened the public hearing at 7:09 p.m. and read a brief opening statement stating jurisdiction and outlining procedures for the public hearing. He then asked for staff comment, which was offered by Town Administrator Darrah stating that the public hearing had been continued to allow time for the following items to be obtained in regards to the application for condominiumization of Silverheels Market: 1) letter of waiver from Public Works Director Goble in regards to the water meters/taps; 2) letter from the Fairplay Sanitation District approving the sanitary sewer system; and 3) report from Planner Newman stating that the condominiumization meets all requirements of the subdivision code. Ms. Darrah went on to state that all requested items had been submitted and offered a staff recommendation of approval.

No comments were offered by the applicant or by anyone in opposition to or support of the application.

Mayor Boyce closed the public hearing at 7:11 p.m.

Motion #3 by Mayor Boyce, seconded by Trustee Johnson, that the Board approve the Condominiumization Request for 640 US Highway 285 as applied for by Wedgewood Development Co. acting as agent for Colorado East Bank and Trust and directing Town Attorney Phillips to draft the appropriate resolution approving such for the next meeting. Motion carried unanimously.

UNFINISHED BUSINESS

Should the Board Approve Adoption of Resolution No. 16, series of 2011, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HIGH COUNTRY ENGINEERING FOR ENGINEERING SERVICES FOR THE TOWN OF FAIRPLAY"?

Motion #4 by Mayor Boyce, seconded by Trustee Just, that the Board Approve Adoption of Resolution No. 16, series of 2011, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HIGH COUNTRY ENGINEERING FOR ENGINEERING SERVICES FOR THE TOWN OF FAIRPLAY**". A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously.

Acceptance of 2010 Audit

Motion #5 by Mayor Boyce, seconded by Trustee Just, that the Board accept the 2010 Audit. A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously.

Trustee Johnson stated that he had numerous questions about the management letter and about the Board's expectations of their auditor that he would like to discuss in a work session setting. The Board agreed to hold a work session on Monday, June 27, 2011 at 6:00 p.m.

Other Pending Items

No other pending items.

NEW BUSINESS**Discussion Regarding Easement from Park County to the Town for a Water Main**

Staff comment was offered by Public Works Director Goble explaining the history behind this request and noting that he has received all required plans for the relocation of the water main at the new Communications Center and noting that the plans have been reviewed by him and are currently being reviewed by the Town's engineers. He explained that they are up to the Town standards and the water main will be relocated according to these plans. With regards to the easement, he stated that thought it would be more effective to draw up the easement map after the water line is relocated, noting that once the line is installed a 15 foot wide easement on either side of the pipe will be created to give the Town a 30 foot wide easement with the water line directly in the middle. He referenced the letter of intent from the County Commissioners to provide that easement once the line is installed.

Discussion ensued in regards to the easement, the letter and the work being done before the easement is granted. Concerns were voiced by Trustee Johnson about the work being done prior to an easement being granted and about the ability of staff to enter the property for inspections, etc. without an easement being present. It was noted that the letter could be amended to include a provision allowing Town Staff entrance to the property for inspection purposes.

Motion #6 by Mayor Boyce, seconded by Trustee Just, that the Board approves the water main relocation contingent on the letter from the County promising an easement for the new water main be amended to include the provision that Town Staff be allowed all necessary access to review and inspect the line as it is being relocated. A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes, Boyce – yes, Johnson - no. Motion carried with four ayes and one nay.

Discussion Regarding Beach Staircase Project – Possible Engineering/Design Bid Award

Staff comment was offered by Public Works Director Goble stating that staff has been working on the design of the staircase and including the alignment of the path that is needed from Front Street ROW to the river bank. He explained that staff's investigation had revealed that the 16.7 foot wide piece of land directly next to the Hand Hotel is actually a lot rather than an alley as first thought. He referenced the "as is" plat map showing the hotel is located on lot 8, the lot the town owns is lot 7 and Dale Fitting owns lot 6 which includes the Prunes / Rupert monument, which he explained that Dale desires to keep under his ownership.

He went on to state that after discussions with Dale about the best alignment for the trail and realizing that a portion of the hotel, all of his back staircase, dumpster and propane tank are located on the Town's lot it was thought that it would be best to swap parcels and create a new lot 8, a new lot 6 with a 15 foot wide alley / path between the two new lots, thus allowing Dale to keep the encroaching items where they are, give the Town the space needed to build a trail that can incorporate the monument, and maintain a buildable lot (lot 6) for future use as Dale sees fit.

Mr. Goble noted that recently there has been some indecision on Dale's part as to the proposed location of the path, explaining that Dale had proposed the option of building the path between lots 5 and 6 then running behind lot 6 to the staircase location. Mr. Goble stated that while this is a plausible option, Staff does not support it as it will make the path more obscure, especially if a building is erected on lot 6 in the future, not to mention a modest increase in the cost of the project to build a longer path that will require much more effort on the Town's part. He explained that the other option available is to use the existing lot 7 as it is for the path, creating a significant hardship on Dale as he would have to relocate his propane tank, fire escape, and dumpster.

Mr. Fitting was present and stated that he and his wife had agreed that the original new lot configuration with the path being moved between Lot 6 and Lot 8 and including the Burro Monument in new Lot 8 would be the best option.

The Board went on to look at the bids received by High Country Engineering and Tetra Tech and agreed that the bid from High Country Engineering would be preferable and was more cost effective.

Motion #7 by Mayor Boyce, seconded by Trustee Deagan, that the Board award the bid for engineering the staircase project to High Country Engineering in the amount of \$13,100. A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes, Boyce – yes, Johnson - abstain. Motion carried with four ayes and one abstain.

Discussion Regarding Town Hall Beautification

Public Works Director Goble offered comment stating that the roof was complete and the next step is to look at the outside of Town Hall in regards to painting, crack repair, siding repair, and fascia repair. Mr. Goble stated that he would like to move forward with solicitation of bids for this work. The Board offered consensus to move forward.

A brief discussion also took place in regards to the demolition of the garage at Town Hall. It was agreed that this would happen at the end of the summer season.

Other New Business

No other new business.

COMMITTEE AND STAFF REPORTS

Police Chief Gottschalk went through his written report and briefly discussed the bullet proof vest partnership program that the Town is a part of, stating that he is applying to continue the grant program.

Trustee Lane inquired about the status of the burned out barn by the fairgrounds and the windows at the old Country Store on Main Street. Public Works Director stated that he had spoken with the owner of the barn and that she had stated she would be taking care of the building in the next couple weeks noting that if she did not, she would be written into municipal court. Mr. Goble went on to inform the Board that the owners of the Country Store had pulled a building permit and ordered the windows for the front of the store

Trustee Johnson inquired about the status of the town owned lot close to Mr. Hamburg's property and the Stimson property. Mr. Goble stated that Mr. Hamburg is working with the Town to dispose of the materials that were placed on the town-owned lot. Police Chief Gottschalk stated that Ms. Stimson has been written into court for code violations and her court date is in July.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:24 p.m.

Mayor Fred Boyce

ATTEST:

Tina Darrah, Town Clerk