

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
July 18, 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 6:30 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 Frank Just, Greg Johnson and Gabby Lane. Also in attendance were Town Attorney Lee Phillips, Town Treasurer Derek Martinez, Police Chief Dave Gottschalk and Town Administrator/Clerk Tina Darrah. Trustee John Deagan was absent.

AGENDA ADOPTION

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

EXECUTIVE SESSION: 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 in regards to a potential land purchase.

Motion #2 by Mayor Boyce, seconded by Trustee Just, that the Board go into executive session at 6:33 p.m. 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 in regards to a potential land purchase. A roll call vote was taken: Just – yes, Johnson – yes, Boyce – yes, Lane – yes, Motion carried unanimously. (Trustee Deagan absent.)

Mayor Boyce announced that the meeting was back to open session at 7:06 p.m. and that the Board would like to reconvene the executive session at the conclusion of the New Business on the agenda. The participants in the executive session were: Mayor Boyce, Trustees Just, Lane and Johnson, Town Administrator/Clerk Tina Darrah and Town Attorney Lee Philips. Duane Larsen was present for a portion of the executive session. Mayor Boyce announced that no action was taken in the executive session.

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** – June 20, 2011 and June 27, 2011
- B. **APPROVAL OF EXPENDITURES**
- C. Should the Board Approve Adoption of Resolution No. 17, series of 2011, entitled, “**A RESOLUTION APPROVING THE CONDOMINIUMIZATION OF CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 640 HIGHWAY 285, FAIRPLAY, COLORADO?**”
- D. Should the Board Approve Renewal of a Retail Liquor Store Liquor License as Requested by Grub N Stuff Liquor located at 379 HWY 285?

Motion #3 by Trustee Johnson, seconded by Trustee Lane, that the consent agenda be adopted as presented with bills in the amount of \$55,257.80. A roll call vote was taken: Just – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously. (Trustee Deagan absent.)

CITIZEN COMMENT

None offered.

PRESENTATIONS TO: South Park Schools Foundation and American Legion Post No. 72

Mayor Boyce presented a check to South Park Schools Foundation in the amount of \$354.51 and a check in the amount of \$402.54 to the American Legion Post No. 72 thanking them each for their participation in Town events. It was noted that this is one-half of the net proceeds from the beer and wine tents at the Town's first two events of the summer – June 24th concert and July 3rd Independence Day Celebration.

PUBLIC HEARING:**Should the Board Approve a Special Event Liquor License as applied for by South Park Sertoma, for July 30 and 31, 2011, for a beer tent at 500 Front Street in conjunction with Burro Days?**

Mayor Boyce 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 submitted, fees paid and that the hearing had been noticed in accordance with Colorado State Statutes. Ms. Darrah 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 7:12 p.m.

Motion #4 by Mayor Boyce, seconded by Trustee Just, that the Board approve the special event liquor license as applied for by South Park Sertoma for July 30 and 31, 2011, for a beer tent at 500 Front Street in conjunction with Burro Days. Motion carried unanimously. (Trustee Deagan absent.)

UNFINISHED BUSINESS**Discussion/Action Regarding Health Insurance Policy Renewal**

Staff comment was offered by Town Treasurer Martinez explaining that this item was before the Board for final approval. He stated that this item was discussed at a work session, during which the Board agreed to continue providing health coverage for the Town's employees and their dependents through Rocky Mountain Health Plans.

Motion #5 by Mayor Boyce, seconded by Trustee Lane, that the Board approve the renewal of the Town's current health plan with Rocky Mountain Health Plans for August 1, 2011 through July 31, 2012. A roll call vote was taken: Just – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously. (Trustee Deagan absent.)

Other Pending Items

No other pending items.

NEW BUSINESS**Discussion/Action Regarding Request for Donation from Burro Days Committee**

Comment was offered by Burro Days organizer, Julie Bullock, asking the Board for a \$200 donation to be used towards the band for the fundraising concert on the Saturday of Burro Days. She further went through the marketing and the schedule of events, highlighting changes and additions, such as the outhouse races on Sunday. A brief discussion took place in regards to the event, the Town's involvement and the schedule.

Motion #6 by Trustee Just, seconded by Trustee Lane, that the Board approve a donation in the amount of \$200.00 to the Burro Days Committee to be used for the fundraiser concert on Saturday, July 30, 2011. A roll call vote was taken: Just – yes, Lane – yes, Boyce – yes, Johnson - yes. Motion carried unanimously. (Trustee Deagan absent.)

Police Chief Gottschalk agreed to talk to Saunders Construction in regards to parking during Burro Days weekend.

Discussion/Direction Regarding Request for Proposal for Audit Firm

Staff comment was offered by Town Administrator Darrah who stated that based on the work session of June 27 she had put together an RFP for audit services for the Town. She briefly went through several small changes to the RFP and the process as outlined in the RFP.

Motion #7 by Trustee Johnson, seconded by Trustee Lane, that the Board directs staff to send out the RFP for a new audit firm. Motion carried unanimously. (Trustee Deagan absent.)

Discussion/Action Regarding Bids for Propane Services

Staff comment was offered by Treasurer Martinez explaining that he had contacted several different companies for bid proposals for propane services for the Town, noting that only one company had responded – Amerigas. He explained that there were two options presented by Amerigas – a fixed rate option and an option that would be based on market index.

After a brief discussion, it was decided that this item would be tabled to allow time for more research by Treasurer Martinez into other companies and for further contemplation of a “no contract” idea as proposed by Trustee Johnson.

Discussion Regarding Request for Support of School District GEO Grant

Comment was offered by Trustee Johnson explaining that he is helping the school write a Wind for Schools Grant and asking for the Town to offer support in the form of a letter and a pledge of up to \$1,000.00 in fees and staff time. He explained that the school is planning a budget of \$18k for the project and will end up getting a wind turbine that retails for \$40-45k. He further noted that a wind turbine at the new athletic field will generate firm data on wind in the Beaver Creek Valley which is necessary to determine the feasibility of future wind generation alternatives.

A brief discussion ensued in regards to the development applications necessary, the implementation of the grant and its educational components, and staff time to devote to this project.

Motion #8 by Mayor Boyce, seconded by Trustee Lane, that the Board offer the letter of support as proposed by Trustee Johnson and in-kind staff and consultant support and development permit fee waivers in an amount up to but not to exceed \$1,000.00. A roll call vote was taken: Just – yes, Lane – yes, Boyce – yes, Johnson - abstain. Motion carried. (Trustee Deagan absent.)

Discussion/Direction Regarding Fishing is Fun Grant

Motion #9 by Trustee Just, seconded by Trustee Johnson, that the Board directs staff to move forward with acceptance of the Fishing is Fun Grant and the dredging project for 2012. Motion carried unanimously. (Trustee Deagan absent.)

Should the Board Approve Resolution No. 18, series of 2011, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE TOWN OF FAIRPLAY AND SNOWSTORM SAND AND GRAVEL, LLC FOR INSTALLATION, OPERATION AND MAINTENANCE OF A STREAM GAUGE ON CERTAIN PROPERTY ALONG BEAVER CREEK OWNED BY THE TOWN OF FAIRPLAY.”?

Motion #10 by Trustee Johnson, seconded by Trustee Just, that the Board approve adoption of Resolution No. 18, series of 2011, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE TOWN OF FAIRPLAY AND SNOWSTORM SAND AND GRAVEL, LLC FOR INSTALLATION, OPERATION AND MAINTENANCE OF A STREAM GAUGE ON CERTAIN PROPERTY ALONG BEAVER CREEK OWNED BY THE TOWN OF FAIRPLAY.**” Motion carried unanimously. (Trustee Deagan absent.)

Other New Business

No other new business.

COMMITTEE AND STAFF REPORTS

Treasurer Martinez offered to answer any questions in regards to his staff report included in the packet and handed out a memo clarifying several items from the June 27, 2011 work session. He asked that the Board contact him directly with any questions on the memo.

Police Chief Gottschalk went through the police departments statistics for June, discussed certain grant opportunities for police and municipal court equipment and offered to answer any questions from the Board.

Town Administrator Darrah went through her written report noting that the staff would like direction from the Board in regards to a new display date for the Fireworks that the Town was unable to display at the Independence Day Celebration due to the fire ban. After a brief discussion, it was agreed that the Town would pursue displaying the fireworks on Veteran’s Day and ask the American Legion to be a part of the event.

Reconvene Executive Session 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 in regards to a potential land purchase.

Motion #11 by Mayor Boyce, seconded by Trustee Johnson, that the Board go into executive session at 8:15 p.m. 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 in regards to a potential land purchase. A roll call vote was taken: Just – yes, Johnson – yes, Boyce – yes, Lane – yes, Motion carried unanimously. (Trustee Deagan absent.)

Mayor Boyce announced that the meeting was back to open session at 8:28 p.m. The participants in the executive session were: Mayor Boyce, Trustees Just, Lane and Johnson, Town Administrator/Clerk Tina Darrah and Town Attorney Lee Philips. Mayor Boyce announced that no action was taken in the executive session.

MAYOR AND TRUSTEE REPORTS

Trustee Johnson brought up the topic of the Fire Ban and stated that he would like input from Fire Chief Mike Roll in regards to how the fire ban was implemented. After discussing it was asked that staff invite Chief Roll to a Board meeting, wherein Trustee Johnson could ask his questions directly of the Chief.

Trustee Johnson also brought up the topic of Ladies Run, asking if the Town should reevaluate its support of this event due to the lack of turnout at this year’s event. A brief discussion ensued with no decision in regards to Trustee Johnsons initial question.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:53 p.m.

Mayor Fred Boyce

ATTEST:

Tina Darrah, Town Clerk