

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
November 21, 2011**

CALL TO ORDER WORKSESSION OF THE BOARD OF TRUSTEES

The work session of the Board of Trustees for the Town of Fairplay was called to order at 6:03 p.m. in the Council Chambers located in the Fairplay Town Hall, 400 Front Street, by Town Administrator/Clerk Tina Darrah, who noted that as both the Mayor Fred Boyce and Mayor Pro-tem Greg Johnson were absent, in accordance with FMC 2-22-40, the Board may designate another Trustee to serve as acting Mayor for the purposes of this meeting. The Trustees selected Trustee Gabby Lane to act as Mayor for this meeting. Roll call which was answered by Trustees John Deagan, Frank Just, 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. Mayor Fred Boyce and Trustee Greg Johnson were absent.

BUDGET WORKSESSION

Banner Poles: Public Works Director Goble informed the Board that he had spoken to Chaz della Porta in regards to the banner poles noting that Chaz was in favor of them being used as flag poles. He explained that he estimated the cost of to modify the structures and rent the necessary man lift to be at \$1000. The Board agreed to add this amount to the beautification line item for 2012.

Irrigation System: Public Works Director Goble informed the Board that he had received an estimate of \$5,000 for preliminary engineering and schematics for an irrigation system. After a brief discussion it was agreed to wait until the 2013 Budget process to discuss again or until the project is actually going to happen (if it is before 2013).

Pumphouse: Public Works Director Goble informed the Board that he had received an estimate of \$4,900 for engineering of the Pumphouse rebuild project. He explained that the staff will be doing the majority of the work, so the \$10,000 budgeted for the project in 2012 is appropriate, while the \$4,900 engineering cost will come out of the 2011 budget. He went on to state that this project is a life safety issue and must be done in 2012.

Police Chief Gottschalk noted that the school that the Board had previously approved at a cost of \$3,000 is actually going to cost \$3,800 and asked if this is still something the Board is interested in sending him to. The Board approved the addition of the extra expense in the 2012 budget.

Discussion ensued in regards to Trustee Johnson's request that the Board have another budget work session prior to final adoption to review the revenues and expenditures, especially in regards to the projected fund balances, and specifically in regards to trimming expenditures in the employee benefit and capital improvement project line items and reviewing revenues to make sure the staff has been conservative enough in estimating revenues – primarily sales tax revenues. Trustee Lane stated that he had spoken to Trustee Johnson also and also understood those to be his concerns. After discussing the Board members present declined the request to schedule another work session stating that they felt those items had been discussed and agreed upon at this point.

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 Trustee Gabby Lane, acting as Mayor. Trustee Lane proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees John Deagan, Frank Just, 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. Mayor Fred Boyce and Trustee Greg Johnson were absent.

AGENDA ADOPTION

Motion #1 by Trustee Deagan, seconded by Trustee Just, that the agenda be adopted as presented. Motion carried unanimously. (Mayor Fred Boyce and Trustee Greg Johnson absent.)

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 – November 7, 2011
- B. APPROVAL OF EXPENDITURES

- C. Should the Board Approve Adoption of Resolution No. 28, series of 2011, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A REVOCABLE LICENSE AGREEMENT WITH THE BOYS AND GIRLS CLUB OF SOUTH PARK FOR THE USE OF TOWN-OWNED PROPERTY.**"?

Motion #2 by Trustee Deagan, seconded by Trustee Just, that the consent agenda be adopted as presented with bills in the amount of \$ 29,448.57. A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes. Motion carried unanimously. (Mayor Fred Boyce and Trustee Greg Johnson absent.)

CITIZEN COMMENT

None offered.

PUBLIC HEARING

(continued) 2012 PROPOSED BUDGET

Trustee Lane opened the public hearing at 7:03 p.m. and asked for public comment.

Town Administrator Darrah noted that Trustee Johnson had asked that it be publicly stated that the Town is paying off the 1992 GO Bond – a water project bond – one year early, thereby saving the taxpayers of Fairplay 3.13 mills on their property taxes.

Motion #3 by Trustee Deagan, seconded by Trustee Just, that the public hearing on the 2012 Budget be continued until December 5, 2011. Motion carried unanimously. (Mayor Fred Boyce and Trustee Greg Johnson absent.)

First Reading: Should the Board Approve Adoption of Ordinance No. 3, series of 2011, entitled, "A BILL FOR AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE TOWN OF FAIRPLAY ADOPTING BY REFERENCE THE 2010 EDITION OF THE "MODEL TRAFFIC CODE" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF."?

Trustee Lane opened the public hearing at 7:08 p.m. and asked for staff comment, which was offered by Police Chief Gottschalk stating that this Ordinance would adopt the 2010 edition of the Model Traffic Code, bringing the Town up to date with the other agencies and the State in regards to traffic enforcement rules and regulations. Town Attorney Phillips offered a brief statement explaining that the amendments stated in the Ordinance are recommended by his firm to make the Model Traffic Code more applicable to towns the size of Fairplay.

Trustee Lane asked for public comment. None offered.

Motion #4 by Trustee Lane, seconded by Trustee Deagan, that the Board continue the public hearing on Ordinance No. 3, series of 2011, entitled, "**A BILL FOR AN ORDINANCE FOR THE REGULATION OF TRAFFIC BY THE TOWN OF FAIRPLAY ADOPTING BY REFERENCE THE 2010 EDITION OF THE "MODEL TRAFFIC CODE" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF"**", until the December 5, 2011 meeting for the second reading and passage consideration. Motion carried unanimously. (Mayor Fred Boyce and Trustee Greg Johnson absent.)

First Reading: Should the Board Approve Adoption of Ordinance No. 4, series of 2011, entitled, AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE BY THE TOWN OF FAIRPLAY TO COLORADO NATURAL GAS, INC. AND ITS LAWFUL SUCCESSORS, TRANSFEREES AND ASSIGNS, FOR THE RIGHT TO MAKE REASONABLE AND LAWFUL USE OF RIGHTS-OF-WAY WITHIN THE TOWN TO CONSTRUCT, OPERATE, MAINTAIN, RECONSTRUCT, REPAIR AND UPGRADE A NATURAL GAS DISTRIBUTION SYSTEM FOR THE PURPOSE OF PROVIDING NATURAL GAS DISTRIBUTION SERVICES TO CITIZENS WITHIN THE TOWN.

Trustee Lane opened the public hearing at 7:10 p.m. and asked for staff comment, which was offered by Town Attorney Phillips who offered a brief overview of the Franchise agreement's major components. Attorney Phillips proceeded to read the ordinance in full on the record.

Trustee Lane asked for public comment. Robert Burkett, CNG District Manager for Fairplay and Gilpin County was present and offered to answer any questions the Board or public might have. No other comment offered.

Motion #5 by Trustee Lane, seconded by Trustee Just, that the Board order Ordinance No. 4 publicized in the Fairplay Flume and the hearing continued for second reading and passage consideration on December 5, 2011. Motion carried unanimously. (Mayor Fred Boyce and Trustee Greg Johnson absent.)

UNFINISHED BUSINESS

No other new business.

NEW BUSINESS

Should the Board Approve Adoption of Resolution No. 29, series of 2011, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING AN AGREEMENT WITH ICMA-RC FOR A 457 RETIREMENT PLAN."?

Staff comment was offered by Treasurer Martinez explaining that this resolution approves the contract with ICMA-RC for a 457 Deferred Compensation retirement plan. He explained that this plan is an employee contribution only plan and does not require funding or matching funds by the Town. He further noted that Town Attorney Phillips had reviewed the contract and approved it as to form and legality.

Motion #6 by Trustee Lane, seconded by Trustee Deagan, that the Board should approve adoption of Resolution No. 29, series of 2011, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING AN AGREEMENT WITH ICMA-RC FOR A 457 RETIREMENT PLAN.**" A roll call vote was taken: Just – yes, Deagan – yes, Lane – yes. Motion carried unanimously. (Mayor Fred Boyce and Trustee Greg Johnson absent.)

Other New Business

No other new business.

STAFF AND COMMITTEE REPORTS

Town Administrator Darrah offered to answer any questions on her written staff report and reminded the Board of the Real Colorado Christmas event on Saturday, December 3, 2011 – especially the photograph to be taken of the Board at Town Hall at 4:30 p.m.

Police Chief Gottschalk offered to answer any questions on his written staff report and spoke briefly about the computer system he is currently seeking funding to purchase, showing the Board samples of how tickets would be input and information shared.

Public Works Director Goble offered to answer any questions on his written staff report and spoke briefly about the beach dredging project and the funding that has been awarded. He thanked several entities and in particular Dave Wissel for his support.

ADJOURNMENT

Trustee Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:25 p.m.

Trustee Gabby Lane

ATTEST:

Tina Darrah, Town Clerk