

**MINUTES OF THE WORK SESSION AND RESCHEDULED REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
October 22, 2012**

CALL TO ORDER WORK SESSION OF THE BOARD OF TRUSTEES

The work session of the Board of Trustees for the Town of Fairplay was called to order at 5:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Also in attendance were Trustees Gabby Lane, John Deagan and Frank Just as well as Staff members Town Administrator/ Clerk Tina Darrah, Town Planner Ron Newman and Deputy Town Clerk Claudia Werner. Trustee LaNita French joined the meeting at 5:45 p.m.

A. Interview with Community Matters Inc. regarding Fairplay Comprehensive Plan and Land Use Code

Barb Cole, Bob Haywood and Dave Marshall, representing Community Matters Inc. gave a 30 minute presentation regarding the proposed completion of the Fairplay Comprehensive Plan and Land Use Code updates. After their presentation there was a 30 minute question and answer segment, wherein the Board was able to ask specific questions regarding the firm's process.

B. Interview with Western Slope Consulting, LLC regarding Fairplay Comprehensive Plan and Land Use Code

Davis Farrar, Leslie Lamont and Chris Cares, representing Western Slope Consulting, LLC gave a 40 minute presentation regarding the proposed completion of the Fairplay Comprehensive Plan and Land Use Code updates. After their presentation there was a 10 minute question and answer segment, wherein the Board was able to ask specific questions regarding the firm's process.

CALL TO ORDER RESCHEDULED REGULAR MEETING OF THE BOARD OF TRUSTEES

The rescheduled 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 who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Gabby Lane, LaNita French, John Deagan and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Jeff Goble, Police Chief Dave Gottschalk, Town Planner Ron Newman and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Trustee Deagan, 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 – September 10, October 1 and October 10, 2012

B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds

Motion #2 by Trustee Just, seconded by Trustee Deagan, that the consent agenda be adopted as presented with bills in the amount of \$38,812.31. A roll call vote was taken: Lane – yes, French – yes, Boyce – yes, Deagan – yes, Just - yes. Motion carried unanimously.

CITIZEN COMMENT

Sandy Stapp inquired about how late in the year Colorado Natural Gas would be allowed to install gas lines in Town.

Public Works Director Goble stated that they have been given permission to dig in public right of ways through November 15th but they would be permitted to dig on private property after that date. Jeff went on

to say that he would be attending the next status update meeting with CNG on October 24th and would have more information following that meeting.

Sandy Stapp asked if Colorado Natural Gas would be returning to do final grading where lines have been installed because the grade of the alley behind his home slopes toward his home, which poses a potential drainage problem for him.

Public Works Director Goble stated that CNG has a bond in place that will cover the cost of returning the public rights of way to the condition they were in prior to their gas line installations.

Sandy Stapp also stated that when the sidewalk was installed in front of his home by Colorado Department of Transportation a few years ago his water shut-off was encased in concrete and is not accessible. He wanted to know when this would be repaired.

Public Works Director Goble replied that his department would get this repair done this Fall.

Trustee Deagan recused himself from discussions with Greg Johnson and Bill Dvorak and left the boardroom during these discussions.

Greg Johnson talked to the Board about the Beaver Ponds Environmental Education Center located at the intersection of County Road 14 and Busch Run Road. He explained that the 70 acre site will be available to the public and will include demonstrations of clean renewable energy sources, water quality protection, wildlife habitat and environmental conservation in the high country. The center will include green houses where organic foods will be grown as well as areas for raising domestic animals. The center is applying for an EPA small funds grant and is soliciting a letters of support from the Town of Fairplay as well as other communities and organizations.

After a brief Board discussion, Staff was directed to provide a letter of support for the Beaver Ponds Environmental Center to the EPA.

UNFINISHED BUSINESS

Bill Dvorak, National Wildlife Federation, letter of support

Bill Dvorak was not able to attend tonight's meeting because of a scheduling conflict.

Town Administrator/ Clerk Darrah provided a letter of support fashioned after the ones submitted by Park County and the Town of Alma.

Motion #3 by Mayor Boyce, seconded by Trustee Lane, that the Board approve the letter of support for National Wildlife Federation in substantially the same form as submitted. Motion carried unanimously.

Other Pending Items

No other pending items.

NEW BUSINESS

A. Discussion / Approval of Amerigas bid proposal for the 2012/2013 heating season

Town Treasurer Wittbrodt provided a Staff Memorandum outlining the details of the Amerigas bid proposal but was unable to attend tonight's meeting due to illness.

Town Administrator/ Clerk Darrah asked the Board to table this discussion until the next regular meeting when Town Treasurer Wittbrodt would be available to answer any questions regarding the bid proposal.

Motion #4 by Mayor Boyce, seconded by Trustee Lane, that the Board table discussion of the Amerigas bid proposal until the November 5, 2012 regular meeting. Motion carried unanimously.

B. Should the Board Approve Adoption of Resolution No. 32, series of 2012, entitled, "A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Approving the List of Water Liens to be Certified to the Park County Treasurer."?

Town Treasurer Wittbrodt provided a Staff Memorandum explaining that this resolution authorized the certification of delinquent water customers to the Park County Treasurer for inclusion on property tax assessments. The memo also states that every effort has been made to contact the owners of these

properties and notify them that non-payment will result in a lien on their property. Kim's staff memo includes a recommendation to approve Resolution No. 32, series of 2012.

Motion #5 by Mayor Boyce, seconded by Trustee Just, that the Board Approve Adoption of Resolution No. 32, series of 2012, entitled, "**A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Approving the List of Water Liens to be Certified to the Park County Treasurer.**" Motion carried unanimously.

C. Set date for Public Hearing regarding 2013 Town of Fairplay Budget

Town Administrator/ Clerk Darrah requested that the first Public Hearing be set for November 5, 2012 at 7:00 p.m. and a Budget Work Session set for October 29, 2012 at 6:00 p.m. Tina also suggested that an additional Budget Work Session could be set for November 5, 2012 at 6:00 p.m. if the Board felt that it was warranted.

Trustee Just commended Staff on covering the items discussed in earlier Budget Work Sessions in the 2013 Preliminary Budget presented.

D. Other New Business.

No Other New Business

STAFF/COMMITTEE REPORTS

Police Chief Gottschalk reported that he is preparing for the 4th annual Halloween Spooktacular, which will be held at the Legion Hut again this year. He went on to say that there are other organizations planning events in Fairplay, which include the Business Tick-or-Treat primarily on Main and Front Streets, the Haunted Museum at the South Park City Museum and the South Park Haunted Museum at the Fairbarn.

Public Works Director Goble provided a written report, wherein he updated the Board on streets, parks, water and various commercial building projects in Town. He stated that the Public Works Department is keeping a close eye on Colorado Natural Gas and their subcontractors and re-assured the Board that all public right of ways will be returned to the same state they were in prior to CNG's gas installation project.

Town Administrator/ Clerk Darrah provided a written report updating the Board on the Comprehensive Plan, Marketing/ Events, Budget, Family Dollar, Shell/Long and 901 Main Street. Tina stated that organization for the Real Colorado Christmas is underway including the tree lighting ceremony; she attended a kick off meeting for the BBQ competition being hosted by the South Park Chamber of Commerce next June 21st and 22nd and shared available details with the Board; she is meeting with Susan Dunn on October 24th regarding pricing to finish up the Town of Fairplay's website, stating that Tim Balough has done a great job on it but he does not write content and that is what the Town Staff is soliciting help with; Family Dollar Store and Phase I of the Park County Office Building are under construction; Estella's Cantina, Leo Liquors, South Park Shell and Subway have all been connected to the Town's water system and are collecting Town sales tax; bids for renovations of 901 Main Street have been received by the Town, unfortunately only one bid for exterior renovations was received, therefore this will be revisited in the Spring and Staff recommendations will be forthcoming for the Boards review and acceptance on the interior renovations. Tina also requested that discussion of the Comp Plan interviews continue after the executive session.

Trustee Just suggested that a To-Do List be added to the agenda to track progress on projects and concerns so that the Board can stay apprised of ongoing progress.

Town Administrator/ Clerk Darrah suggested that this could be placed under pending items.

Trustee Just cited examples such as meeting with the Town's water attorney and also 15 MPH speed limit signage between the school campus and the new athletic complex on 6th Street.

Police Chief Gottschalk stated that he will address Trustee Just's concern about the speed limit on 6th Street.

Town Attorney Phillips stated that since Park County is being discussed in the Executive Session, he would like to be excused as he also represents Park County.

EXECUTIVE SESSION: Pursuant to C.R.S. 24-6-402 (4) (b) for determining positions relative to matters that may be subject to negotiations; developing strategies for negotiations and instructing negotiators and for the purpose of receiving legal advice pursuant specifically in relation to a potential property sale.

Motion #6 by Mayor Boyce, seconded by Trustee French, that the Board go into executive session at 7:39 p.m. for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402 (4) (b). Motion carried unanimously.

Mayor Boyce announced that the meeting was back to open session at 8:10 p.m. The participants in the executive session were: Mayor Boyce, Trustees French, Lane, Deagan and Just and Town Administrator/Clerk Darrah. Mayor Boyce announced that no action was taken in the executive session.

Discussion Regarding Firm Selection for completion of Fairplay Comprehensive Plan and Land Use Code Revisions

Board and Staff discussed their impressions of the two firms interviewed earlier this evening. There was not a clear majority in favor of either firm as those present had split opinions on which firm would do the better job.

Board directed Staff to complete comprehensive reference checks for both firms and report back to the Board at the October 29th Work Session

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 9:07 p.m.

Mayor, Fred Boyce

ATTEST:

Claudia Werner, Deputy Town Clerk