

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
March 19, 2012**

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 who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees LaNita French, John Deagan, and Frank Just. Also in attendance were Public Works Director Jeff Goble, Police Chief Dave Gottschalk, Town Treasurer Kim Wittbrodt, Town Attorney Lee Phillips and Town Administrator/Clerk Tina Darrah. Trustee Gabby Lane was absent.

AGENDA ADOPTION

Motion #1 by Mayor Boyce, seconded by Trustee Deagan, that the agenda be adopted with the following amendment: addition under New Business of "Item C. Should the Board Approve a Donation Request from the South Park Futbol Club?". Motion carried unanimously. (Trustee Gabby Lane was 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** – February 27, 2012 and March 5, 2012
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds

Motion #2 by Mayor Boyce, seconded by Trustee Deagan, that the consent agenda be adopted as presented with bills in the amount of \$19,687.13. A roll call vote was taken: Boyce – yes, French – yes, Just – yes, Deagan – yes. Motion carried unanimously. (Trustee Gabby Lane was absent.)

CITIZEN COMMENT

None offered.

PUBLIC HEARINGS:

Should the Board Approve the Sam Mick Subdivision, First Addition, as applied for by Sam Mick, for the property located at 351 Highway 285, in the Town of Fairplay?

Mayor Boyce opened the public hearing at 7:04 p.m. and offered a brief opening statement stating jurisdiction and outlining procedures for the public hearing. He then asked for staff comment, which was offered by Town Planner Newman stating that the public hearing had been published in the newspaper, the surrounding neighbors had been notified and that the property was posted with notice of the public hearing, all in accordance with the Fairplay Municipal Code. Staff further explained that the Planning Commission had reviewed the application and offered a recommendation of approval. Staff explained that this application is to add the property housing the Colorado East Bank to the current Sam Mick Subdivision which includes Prather's, True Value and Carquest and then reconfigure that lot and the existing Prather's lot, thus creating a new Parcel "H", on which Sam plans to build 8,000 square feet of retail space to house a Family Dollar. It was further noted that staff met with CDOT and Sam Mick on Thursday, March 15th to discuss the necessity of a revised access permit and that CDOT is going to require two access permits - one for the closure at the current bank entrance and one at the existing 285/9 intersection.

In addition staff noted that the application does include a request for a waiver of the subdivision improvement agreement and that staff did recommend in favor of this request.

Mayor Boyce asked for applicant comment.

The applicant, Sam Mick was present and offered to answer any questions from the Board. He noted that the grading/drainage plan would be done in the next couple weeks.

Mayor Boyce asked for public comment in favor of or in opposition to the subdivision. None offered.

Mayor Boyce closed the public hearing at 7:15 p.m.

Motion #3 by Trustee Deagan, seconded by Mayor Boyce, that the Board approve the application by Sam Mick for the Sam Mick Subdivision, First Addition with the following conditions/additions: a waiver of the SIA requirements; applicant must provide a copy of the reciprocal access easement agreement for this subdivision showing access to all lots; applicant must obtain a current CDOT access permit; and, applicant must comply with F.M.C. code 17-6-20 (a) (2) in regards to drainage. Staff is directed to bring this back as a formal resolution at the next meeting. Motion carried unanimously. (Trustee Gabby Lane was absent.)

Should the Board Approve Adoption of Resolution No. 6, series of 2012, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND SAM MICK FOR THE FAMILY DOLLAR PROJECT."?

Mayor Boyce opened the public hearing at 7:17 p.m. and requested public comment.

No public comment was offered.

Mayor Boyce closed the hearing at 7:18 p.m. and requested a motion.

Motion #4 by Mayor Boyce, seconded by Trustee Deagan, that the Board should approve adoption of Resolution No. 6, series of 2012, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND SAM MICK FOR THE FAMILY DOLLAR PROJECT.**" A roll call vote was taken: Boyce – yes, French – yes, Just – yes, Deagan – yes. Motion carried unanimously. (Trustee Gabby Lane was absent.)

UNFINISHED BUSINESS

Other Pending Items

No other pending items.

NEW BUSINESS

Should the Board Approve a Purchase Agreement to Purchase a Parcel of Land Addressed as 22105 Hwy. 285 in the Town of Fairplay?

A brief staff comment was offered by Town Attorney Phillips explaining that he had put together the included purchase agreement and as such approved it as to form and legality.

Motion #5 by Trustee Just, seconded by Mayor Boyce, that the Board Approve a Purchase Agreement to Purchase a Parcel of Land Addressed as 22105 Hwy. 285 in the Town of Fairplay. A roll call vote was taken: Boyce – yes, French – yes, Just – yes, Deagan – yes. Motion carried unanimously. (Trustee Gabby Lane was absent.)

Should the Board Approve a Donation Request from the American Legion for the Easter Egg Hunt Event?

Jeff Goble was present on behalf of the American Legion, and requested a \$100 donation for the annual Easter Egg Hunt sponsored by the Legion.

Motion #6 by Trustee Deagan, seconded by Trustee Just, that the Board Approve a \$100.00 Donation Request from the American Legion for the Easter Egg Hunt Event. A roll call vote was taken: Boyce – yes, French – yes, Just – yes, Deagan – yes. Motion carried unanimously. (Trustee Gabby Lane was absent.)

Should the Board Approve a Donation Request from the South Park Futbol Club?

Motion #7 by Trustee Deagan, seconded by Trustee Just, that the Board Approve a \$100.00 Donation Request from the South Park Futbol Club. A roll call vote was taken: Boyce – yes, French – yes, Just – yes, Deagan – yes. Motion carried unanimously. (Trustee Gabby Lane was absent.)

Other New Business

No other new business.

COMMITTEE AND STAFF REPORTS

Police Chief Gottschalk handed out his staff report noting that his schooling was going well.

Public Works Director Goble offered to answer any questions in regards to his written report, adding that he had received 31 applications for the Public Works Assistant position and that he would be interviewing eight with the hopes of having the position filled by mid-April.

Town Administrator Darrah offered to answer any questions in regards to her written report, noting that she had received a call from Keith Berger with the BLM in regards to the Town possibly leasing an 80 acre open space parcel immediately adjacent to the Town. She did note that this lease would not eliminate the possible gold mine or the future possibility of a gold mine at this location. The Board briefly discussed and agreed that they would be interested in discussing leasing options with the BLM for this parcel.

Town Treasurer Wittbrodt offered to answer any questions, noting that she is working with Caselle for training options. She explained to the Board that the training can happen in Utah or online and that she was leaning towards the online training at this point for cost savings and so as not to leave the office unattended more than necessary.

Planner Newman noted that he had completed, and the planning commission had reviewed, language in regards to allowance of alternative energy devices in the Town's Zoning Code. It was agreed that this would be placed on a future agenda for Board review and discussion.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:10 p.m.

Mayor

ATTEST:

Tina Darrah, Town Clerk