

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
May 21, 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, Gabby Lane, John Deagan and Frank Just. Also in attendance were Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner, Public Works Director Jeff Goble, Town Attorney Lee Phillips and Town Administrator/Clerk Tina Darrah.

AGENDA ADOPTION

Motion #1 by Trustee Just, 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 7, 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 \$81,972.55. A roll call vote was taken: French – yes, Lane – yes, Boyce – yes, Just – yes, Deagan – yes. Motion carried unanimously.

CITIZEN COMMENT

None offered.

PUBLIC HEARINGS

A. Should the Board Approve the Adoption of Ordinance No. 2, series of 2012, entitled, “An Ordinance Repealing and Reenacting Chapter 16, Article XVI of the Fairplay Municipal Code Relating to Accessory Uses and Structures.”?

Mayor Boyce opened the public hearing at 7:02 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 Jeff Goble and Lee Phillips stating that the public hearing had been noticed in accordance with the Fairplay Municipal Code. Staff further explained that this ordinance will allow and regulate the installation of alternative energy structures within the Town of Fairplay and it has been discussed at previous meetings.

Staff recommended approval of this application.

Mayor Boyce asked for public comment in favor of or in opposition to Ordinance No. 2, series of 2012. None offered.

Mayor Boyce closed the public hearing at 7:03 p.m.

Motion #3 by Trustee Just, seconded by Mayor Boyce, that the Board approve the Adoption of Ordinance No. 2, series of 2012, entitled, **“An Ordinance Repealing and Reenacting Chapter 16, Article XVI of the Fairplay Municipal Code Relating to Accessory Uses and Structures.”** Motion carried unanimously.

B. Should the Board Approve Adoption of Resolution No. 13, series of 2012, entitled, “A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Granting Approval to Zone the Property Located at 100 Fourth Street as Restricted Business While Retaining the Historic Overlay Zone as Previously Designated.”?

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 Claudia Werner stating that the public hearing had been noticed and the property was posted in accordance the Fairplay Municipal Code. Staff further explained that the South Park City Museum does not currently appear to have underlying or base zoning only Historic Overlay Zone designation. She explained that approval of Resolution 13 would rectify this situation giving the property a base zoning of Restricted Business similar to the surrounding properties. The Planning Commission reviewed this Zoning Application on May 15th and offered a recommendation of approval.

Staff recommended approval of this application.

Mayor Boyce asked for public comment in favor of or in opposition Resolution No. 13, series of 2012. None offered.

Mayor Boyce closed the public hearing at 7:05 p.m.

Motion #4 by Mayor Boyce, seconded by Trustee French, that the Board approve the Adoption of Resolution No. 13, series of 2012, entitled, "**A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Granting Approval to Zone the Property Located at 100 Fourth Street as Restricted Business While Retaining the Historic Overlay Zone as Previously Designated.**"

Motion carried unanimously.

UNFINISHED BUSINESS

Other Pending Items

No other pending items.

NEW BUSINESS

Other Pending Items

No other pending items.

COMMITTEE AND STAFF REPORTS

Kim Wittbrodt presented a Town of Fairplay Financial Statement for the first quarter of 2012 to the Board.

Jeff Goble updated the Board on Street Repairs, Street Sweeping, the Fishing Dock, Cohen Park, the 2nd Street Pump House Project, Beach Dredging Project and Staircase Project.

Tina Darrah updated the Board on a four page ad placed with Colorado Activity Center entitled, "A Day in Fairplay", showcasing local businesses and attractions in the "What's Happening Summit County" publication. The publication has a distribution of 50,000 copies and the add cost of \$1,500 came out of the marketing budget. She also updated the Board on the Long/Shell Petition for Annexation and requested that the Board hold a Special Meeting on May 23rd at 5:00 p.m. to consider the annexation petition. The Board agreed and the meeting was scheduled.

EXECUTIVE SESSION: Pursuant to C.R.S. 24-6-402 (4) (e) and (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 land purchase.

Motion #5 by Mayor Boyce, seconded by Trustee Lane, that the Board go into executive session at 7:14 p.m. for the purpose of receiving legal advice pursuant to C.R.S. Section 24-6-402 (4) (e) and (b). Motion carried unanimously.

Mayor Boyce announced that the meeting was back to open session at 7:36 p.m. The participants in the executive session were: Mayor Boyce, Trustees French, Lane, Just, Deagan, Town Attorney Phillips, Town Administrator/Clerk Darrah and Town Treasurer Wittbrodt. Mayor Boyce announced that no action was taken in the executive session.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:37 p.m.

Mayor

ATTEST:

Tina Darrah, Town Clerk