

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
May 7, 2012**

WORKSESSION OF THE BOARD OF TRUSTEES – POTENTIAL BLM LAND LEASE – 6:00 p.m.

Keith Berger, BLM Field Manager, explained to the Board of Trustees and Town Staff the process of obtaining a Recreational and Public Purposes (R & PP) lease on the 80 acre BLM parcel lying Southwesterly of the Town of Fairplay and answered questions.

The discussion centered on the compatibility of the Town's potential use and improvements to the property with the existing Destiny Mine lease on the property. Other mining claims are present on the property besides the Destiny Mine site and these may also take precedence over a potential R & PP lease between the Town of Fairplay and BLM as per the 1872 mining rights. The mining law of 1872 does not permit mining operation when there is proof of a negative impact to the general public. BLM is conducting an Environmental Assessment and some preliminary findings are available on their website with final findings and report to follow hopefully by July 1 of this year. When permanent improvements are placed on the property by the R & PP lessee, BLM may deed the property over to the lessee with deed restrictions ensuring that the use is compatible with BLM scope of land use.

Worksession adjourned at 7:02 p.m.

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 7:04 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 Frank Just and John Deagan. Also in attendance were Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner, Town Attorney Lee Phillips and Town Administrator/Clerk Tina Darrah. Trustees LaNita French and Gabby Lane were absent.

AGENDA ADOPTION

Motion #1 by Trustee Deagan, seconded by Trustee Just, that the agenda be adopted as presented. Motion carried unanimously. (Trustees French and Lane were 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** – April 16, 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 \$20,380.14. A roll call vote was taken: Boyce – yes, Just – yes, Deagan – yes. Motion carried unanimously. (Trustees French and Lane were absent.)

CITIZEN COMMENT

None offered.

PUBLIC HEARING

Should the Board Approve the Special Event Liquor License as Applied for by the Town of Fairplay for Special Events to be Held on the Following Dates at 100 Beach Road (the Fairplay Beach): June 22, July 4, July 27 and August 24, 2012 from the hours of 5:00 p.m. – 11:00 p.m.?

Mayor Boyce opened the public hearing at 7:07 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 Tina Darrah stating that the public hearing had been noticed via posting on the property in accordance with state statute and Fairplay Municipal Code. Staff further explained that the Town will partner with non-profits at these events for volunteers and share the proceeds. Full meals are not planned for these events, except for 4th of July BBQ with the American Legion, but light snacks will be on hand per state statute.

Staff recommended approval of this application.

Mayor Boyce asked for public comment in favor of or in opposition to the Special Event Liquor License. None offered.

Mayor Boyce closed the public hearing at 7:10 p.m.

Motion #3 by Trustee Just, seconded by Trustee Deagan, that the Board approve the Special Event Liquor License as applied for by the Town of Fairplay for Special Events to be held on the following dates at 100 Beach Road (the Fairplay Beach): June 22, July 4, July 27 and August 24, 2012 from the hours of 5:00 p.m. – 11:00 p.m. Motion carried unanimously. (Trustees French and Lane were absent.)

UNFINISHED BUSINESS

Other Pending Items

No other pending items.

NEW BUSINESS

Other Pending Items

No other pending items.

MAYOR AND TRUSTEE REPORTS

None offered.

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 #4 by Mayor Boyce, seconded by Trustee Just, that the Board go into executive session at 7:11 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. (Trustees French and Lane were absent.)

Mayor Boyce announced that the meeting was back to open session at 7:19 p.m. The participants in the executive session were: Mayor Boyce, Trustees Just, Deagan, Town Attorney Phillips, and Town Administrator/Clerk Darrah. 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 7:20 p.m.

Mayor

ATTEST:

Tina Darrah, Town Clerk