

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
June 4, 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, 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 Just, 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 21, 2012 and May 23, 2012
- B. APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds
- C.** Should the Board Approve Renewal of a Hotel and Restaurant Liquor License as Requested by Millonzi's Deli & Restaurant dba Millonzi's located at 501 Front Street?
- D.** Should the Board Approve Renewal of a Hotel and Restaurant Liquor License as Requested by Fairplay Valiton Hotel located at 500 Main Street?
- E.** Should the Board Approve Renewal of a Retail Liquor Store Liquor License as Requested by Jerry and Katherine Potts dba Grub N Stuff Liquor located at 379 Hwy 285?

**Motion #2** by Trustee Deagan, seconded by Mayor Boyce, that the consent agenda be adopted as presented with bills in the amount of \$14,230.01. 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 Adoption of Resolution No. 15, series of 2012, entitled, "A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Granting Approval of the Re-Subdivision of Lots 7 & 8, Block 22, Town of Fairplay."?

Mayor Boyce opened the public hearing at 7:02 p.m. and offered a brief opening statement wherein he stated jurisdiction and outlined procedures for the public hearing. He then asked for staff comment, which was offered by Ron Newman and Tina Darrah stating that the public hearing had been noticed in accordance with the Fairplay Municipal Code. Ron stated that the Planning Commission had recommended approval at their November 11, 2008 meeting and recommended waiving the requirement for an SIA agreement because no infrastructure improvements are proposed. Tina read into the record that the title on the Final Plat would be changed to read resubdivision rather than plat amendment and all reference to a waterline easement will be removed from the plat. She also stated that the applicant has a paid water tap for each lot and the water tap for Lot 7 would be relocated to a point to be determined on New Lot 8.

The applicant, Dana Chace, stated that she would like both properties readdressed to have Ninth Street addresses. Jeff Goble stated that this would be taken care of by Town Staff. Dana also stated that she plans to tear down both sheds that currently exist on proposed New Lot 8.

Staff recommended approval of this application.

Mayor Boyce asked for public comment in favor of or in opposition to Resolution No. 15, series of 2012. None offered.

Mayor Boyce closed the public hearing at 7:13 p.m.

**Motion #3** by Trustee Lane, seconded by Mayor Boyce, that the Board approve the Adoption of Resolution No. 15, series of 2012, entitled, "**A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Granting Approval of the Re-Subdivision of Lots 7 & 8, Block 22, Town of Fairplay.**" Motion carried unanimously.

**B.** Should the Board Approve Adoption of Resolution No. 16, series of 2012, entitled, "A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Granting Approval of a Variance Request to the Fairplay Municipal Code Minimum Lot Area Requirement for New Lots 7 & 8, Block 22, Town of Fairplay."?

Mayor Boyce opened the public hearing at 7:14 p.m. and offered a brief opening statement wherein he stated jurisdiction and outlined procedures for the public hearing. He then asked for staff comment, which was offered by Ron Newman stating that the public hearing had been noticed in accordance the Fairplay Municipal Code. Staff further opined that, although the applicant has not shown a hardship in relationship to this variance request, the proposed new lots are 10,500 square feet, the same as the existing lots, instead of the required 11,000 square feet in the R-3 zone district, therefore, Staff recommended approval of this application.

Mayor Boyce asked for public comment in favor of or in opposition to Resolution No. 16, series of 2012. None offered.

Mayor Boyce closed the public hearing at 7:18 p.m.

**Motion #4** by Trustee Just, seconded by Trustee Lane, that the Board approve Adoption of Resolution No. 16, series of 2012, entitled, "**A Resolution of the Board of Trustees of the Town of Fairplay, Colorado Granting Approval of a Variance Request to the Fairplay Municipal Code Minimum Lot Area Requirement for New Lots 7 & 8, Block 22, Town of Fairplay.**" Motion carried unanimously.

### **UNFINISHED BUSINESS**

#### Other Pending Items

No other pending items.

### **NEW BUSINESS**

**A.** Should the Board Approve Adoption of Resolution No. 17, series of 2012, entitled, "A Resolution of the Board of Trustees of the Town of Fairplay, Colorado, Adopting a Three Mile Annexation Plan for the Town of Fairplay."?

Tina Darrah reported to the Board that the Town must have a current 3-Mile Plan prior to approving any annexations and recommended the re-adoption of the 3-mile and annexation plan previously adopted in June 2009.

**Motion #5** by Trustee Lane, seconded by Mayor Boyce, that the Board approve the Adoption of Resolution No. 17, series of 2012, entitled, "**A Resolution of the Board of Trustees of the Town of Fairplay, Colorado, Adopting a Three Mile Annexation Plan for the Town of Fairplay.**" Motion carried unanimously.

**B.** Discussion Regarding FMC 11-4-30 in regards to prohibition of boats/flotation devices on the Fairplay Beach/Reservoir

Tina Darrah requested direction from the Board regarding possible revisions to F.M.C. 11-4-30 prohibiting boats/flotation devices on the Fairplay Beach/Reservoir. She stated that the Rec District has inquired about having the Rocky Mountain Outdoor Education Center host kayak clinics at the Beach. Staff did not recommend allowing motorized boating at the Beach but suggested that non-motorized boats and flotation devices could be permitted for use at the Beach. Lee Phillips had no objection to the possible change.

Board discussion ensued, ending with the Board requesting that Staff complete further research into making these changes and bring this back to them for possible approval.

**C.** Discussion/Action Regarding FAN (Fairplay Arts Now!)

Tina Darrah presented a Staff report with an explanation of the mission of Fairplay Arts Now, attached a copy of minutes from their meetings and recommended a contribution to FAN of \$250 to \$500 from the Town's Board Benevolence fund to help them get started with advertising.

Mayor Boyce explained FAN's background and purpose and requested \$500 contribution from the Town as seed money to get advertising out for the group.

Tina stated that a Front Street store owner has contacted Staff in regards to getting an artist in to occupy his empty store front and offered to waive the first three month's rent to an art related retail business. She asked that the Board help convey that information to any interested renters.

**Motion #6** by Trustee Just, seconded by Trustee Lane, to approve allocating \$500 from the Board Benevolence budget line item to be spent on Fairplay Arts Now advertising expenses. A roll call vote was taken: French – yes, Lane – yes, Boyce – abstained, Just – yes, Deagan – yes. Motion carried with four aye votes and one abstention.

**D. Other New Business**

No other new business.

**MAYOR, TRUSTEE AND STAFF REPORTS**

Tina Darrah reported that the Beautification Committee, consisting of Mayor Boyce, Kate Greising and Linda Twiehaus, met on May 23<sup>rd</sup>. She explained that this line item has approximately \$2800 remaining after the purchase of hanging flowers for the light posts along Main Street and the committee would like potted flowers and benches placed along Front and Main Streets. Committee members Kate and Linda will research the best placement for the flowers and benches and Staff will research the cost of this project. Tina also reported that additional trash cans and doggy waste bag dispensers have already been purchased and the Public Works Department will be placing them around Town in the near future.

Tina updated the Board on Marketing/Events reporting that all bands for the TGI Fairplay Free Concert series have been booked, the summer events posters and Town Maps have been distributed to businesses throughout Town and postcard size events posters will be mailed out to Fairplay, Alma, Como, Hartsel and Jefferson boxholders in the next few days. She reminded the Board that the USA Pro Cycling Tour will be coming through Fairplay on August 24<sup>th</sup> and stated that Staff is working with local non-profits to get the volunteers necessary to cover all of these events. Further, she stated that the Salt Licking Goat and Dale Fitting would both like to use the Town's logo in their marketing and she is working with Lee Phillips on a trademark usage agreement and licensing.

Tina let the Board know that Staff had been contacted by a Stone Creek resident about possible non-compliance with the Stone Creek subdivision improvements agreement and asked for direction from the Board and/or approval to incur expenditures to have Lee Phillips audit this and other subdivisions for compliance.

Trustee Lane stated that he felt this could be readdressed in the Fall after the Town's busy event schedule was drawing to an end. Trustee Just stated his agreement to revisit this issue in the Fall.

Tina informed the Board that Energy Impact Grants are available and she would like to pursue this for completion of the Town's Master Plan update.

Trustee Lane congratulated Chief Gottschalk on his completion of a 10 week continuing education program with Northwestern University. He also thanked Jeff Goble for the cleanup day the Public Works Department held at the Fairplay Cemetery as well as the breakfast at the American Legion that Jeff provided.

Mayor Boyce reported that the McNamara family had contacted him to express their appreciation for the nice job the Town had done with the cemetery cleanup.

Trustee Just encouraged Tina to ask the Flume to write an article on Chief Gottschalk's recent graduation.

**ADJOURNMENT**

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:44 p.m.

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Mayor

ATTEST:

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Claudia Werner, Deputy Town Clerk