

**MINUTES OF THE REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
March 4, 2013**

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 6:30 p.m. in the Council Chambers located in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Also in attendance were Trustees LaNita French, John Deagan and Frank Just as well as staff members Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Gary Donnelly, Police Chief Dave Gottschalk, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner. Also in attendance were Ralph Herzog, Bob Sheets and Susan Simpson.

A. Work Session Regarding Liquor Licensing in the Town of Fairplay

Town Administrator/ Clerk Darrah provided the Board with recent history of discussions on liquor licensing, recent interest in changing distance from school requirements for certain classes/types of liquor licenses. Mayor Boyce polled the remainder of the Board to determine if they were in favor of moving forward with changing the distance requirement for certain types of liquor licenses within 500 feet of schools and the Board expressed interest in doing so and directed staff to draft documents that reflect their desire. It was noted that the types of licenses to allowed in the 500 foot area are those licenses requiring food service as a major component of sales, i.e. Brew Pub, Hotel & Restaurant Retail and Beer & Wine Retail Liquor Licenses. Ralph Herzog, Susan Simpson and Bob Sheets expressed their support for eliminating the 500 foot distance requirement from schools for liquor licensing and shared their plans for their properties and businesses. The Board and staff expressed their desire to talk with the school board and verify that they are not opposed to the changes in liquor licensing requirements within 500 feet of the school campus even though the school's approval is not required, as the Town Board makes all final liquor licensing decisions. Trustee Gabby Lane arrived at 7:03 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 7:00 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 Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Gary Donnelly, Police Chief Dave Gottschalk, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Mayor Boyce, seconded by Trustee Just, that the agenda be adopted as presented. Motion carried unanimously. (Trustee 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 4 and February 11, 2013**
- B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds**
- C. Should the Board Approve Renewal of a Tavern Liquor License as Requested by McCall Enterprises dba McCall's located at 511 Front Street?**

Motion #2 by Trustee Just, seconded by Trustee French, that the consent agenda be adopted as presented. A roll call vote was taken: French – yes, Boyce – yes, Deagan – yes, Just - yes. Motion carried unanimously.

CITIZEN COMMENT

None offered.

UNFINISHED BUSINESS

A. Other Pending/ Outstanding Items

1. Streetlights

Police Chief Gottschalk reported that he has submitted applications for street lights and Xcel Energy engineers are reviewing them.

2. Beach Dredging Project

Public Works Director Donnelly reported that he is waiting on scheduling dredging until Mark Lamb, Colorado Division of Wildlife gets back to him on fish spawning and hatch information.

3. CNG Project

Nothing to report at this time.

4. Way Finding Sign Project

Nothing to report at this time.

B. Other Discussion Items

1. 901 Main Street

Town Administrator/ Clerk Darrah reported that the structural engineer inspected the pole in the new Board room and gave the Town three options for removing it. Town staff went over the options with Ambrose Contracting and chose the least expensive and easiest option, which is placing a steel beam across the ceiling to support the upper levels of the structure. Public Works Director Donnelly will be picking up the steel beam tomorrow and the work to install it will be completed shortly.

2. 400 Front Street

Town Administrator/ Clerk Darrah reported that Park County submitted an offer to purchase the property, the Town Board accepted their offer and staff is now waiting for a Park County's signature on the contract. The Town has met all deadlines outlined in the contract. Park County has had an asbestos test completed with very little asbestos detected. She has been working with a building task force that is working towards getting information on any renovations Park County plans to make to this building to make it the Park County Library. This group will meet again on March 11th.

NEW BUSINESS

A. Discussion Regarding SPKABBQ Request for Donation

Town Administrator/ Clerk Darrah provided a written staff report, wherein she covers the requests made by the South Park Chamber of Commerce for a donation to cover costs associated with the BBQ competition they are hosting on June 21st and 22nd, as well as the coordination and financial contribution of traffic control and marketing funds for their event. In addition, Tina provided the Board with copies of the incomplete applications that staff has received for the Chamber's use of Public Space for a Special Event and their Special Event Liquor License along with her written response regarding both. Staff recommended that if the Board wishes to make a donation that it should not exceed ½ of the cost of portable toilets and on-site dumpsters, as the Chamber has also requested a donation from Park County for the same costs, with a total donation not to exceed \$1100. Tina stated that the Town does not have funds available for making a donation towards marketing costs for this event. The traffic control will cost the Town approximately \$600 in addition to the above referenced donation.

Motion #3 by Trustee Lane, seconded by Trustee Just, to approve a donation not to exceed \$1100 for portable toilets and on site dumpsters as well as the cost to coordinate and pay for traffic control at the intersection of Hwy 9 and 5th Street. A roll call vote was taken: French – yes, Lane – yes, Boyce – yes, Deagan – yes, Just - yes. Motion carried unanimously.

B. Should the Board Approve Adoption of Resolution No. 5, series of 2013, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A LICENSE AGREEMENT WITH AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS FOR THE LAWFUL PERFORMANCE OF THEIR MEMBERS' WORKS."?

Deputy Town Clerk Werner provided a written staff report, wherein she explained that ASCAP had contacted the Town, stating that we were required to have a license agreement with them and pay the annual license fee in the amount of \$327 if we planned to continue hosting concerts in town.

Motion #4 by Trustee Lane, seconded by Trustee Just, that the Board approve adoption of Resolution No. 5, series 2013, entitled, "A Resolution of the Board of Trustees for the Town of Fairplay, Colorado approving a license agreement with American Society of Composers, Authors and Publishers for the Lawful Performance of their Members' Works." and pay them the annual license fee in the amount of \$327. A roll call vote was taken: French – yes, Lane – yes, Boyce – yes, Deagan – yes, Just - yes. Motion carried unanimously.

C. Other New Business.

Town Administrator/ Clerk Darrah reminded the Board that the CML conference is being held in Vail June 18th through the 21st and asked the Board members to let her know who plans to attend so that we can get the registration in by the May deadline.

Town Administrator/ Clerk Darrah reported that we have had 244 survey responses to date (79 from in-town residents, 154 from Park County residents living outside Fairplay town limits and 11 from individuals living outside of Park County). The last day to turn in a survey is March 18th and Western Slope Consulting will present the survey results to the Steering Committee at the March 25th meeting here at Town Hall at 6:30 p.m.

MAYOR AND TRUSTEE REPORTS

Trustee Lane asked if additional help and donations were needed for the Easter Egg Hunt. Town Treasurer Wittbrodt told him to contact the American Legion because they are hosting the event.

Trustee Lane asked if the annual cemetery clean up was scheduled for Memorial Day and Public Works Director Donnelly told him it scheduled to happen again this year.

Trustee Deagan reported that he attended a meeting with the Athletic Complex Committee and they have selected Equilibrium Architects as their architect and JVA as their civil engineer and they should have construction documents by September 1st.

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, Fred Boyce

ATTEST:

Claudia Werner, Deputy Town Clerk