

**MINUTES OF THE REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
April 1, 2013**

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 Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Police Chief Dave Gottschalk, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Mayor Boyce, 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 EXPENDITURES – Approval of bills of various Town Funds

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

CITIZEN COMMENT

Tom Eisenman, Park County Chief Administrative Officer, reported that the purchase contract for 400 Front Street has been signed by Park County and delivered to Fidelity National Title with their earnest money check.

PUBLIC HEARING

A. Should the Board Approve Adoption of Ordinance No. 2013-2, entitled, “A BILL FOR AN ORDINANCE AMENDING, REPEALING AND REENACTING ARTICLE XXVI OF CHAPTER 16 OF THE FAIRPLAY MUNICIPAL CODE CONCERNING THE RETAIL SALE, DISTRIBUTION, CULTIVATION AND DISPENSING OF RECREATIONAL AND MEDICAL MARIJUANA.”?

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 Attorney Phillips. The public hearing was noticed in accordance with state statute and Fairplay Municipal Code.

Staff recommends approval of Ordinance No. 2013-2.

Mayor Boyce asked for public comment in favor of or in opposition to Adoption of Ordinance No. 2013-2. None offered.

Mayor Boyce closed the public hearing at 7:06 p.m.

Motion #3 by Mayor Boyce, seconded by Trustee French, that the Board approve adoption of Ordinance No. 2013-2, entitled, “A BILL FOR AN ORDINANCE AMENDING, REPEALING AND REENACTING ARTICLE XXVI OF CHAPTER 16 OF THE FAIRPLAY MUNICIPAL CODE CONCERNING THE RETAIL SALE, DISTRIBUTION, CULTIVATION AND DISPENSING OF RECREATIONAL AND MEDICAL MARIJUANA. A roll call vote was taken: French – yes, Lane – yes, Boyce – yes, Deagan – yes, Just – yes. Motion carried unanimously.

UNFINISHED BUSINESS

A. Other Pending/ Outstanding Items

1. Beach Dredging Project

Nothing new to report at this time.

2. CNG Project

Trustee Just asked if there was an update on the CNG project. Town Administrator/ Clerk Darrah stated that she was not aware of any changes but would ask Public Works Director Donnelly to send the Board an email update if there is something to report.

3. Way Finding Sign Project

Nothing new to report at this time.

4. Streetlights

Nothing new to report at this time.

B. Other Discussion Items

Mayor Boyce asked for an update on the guard rail along Main Street, adjoining the school property. Town Administrator/ Clerk Darrah reported that the Public Works Department had taken the guard rail down and would be hauling the posts and rail away in the next few days.

NEW BUSINESS

A. Should the Board Approve Adoption of Ordinance No. 2013-3, entitled, "AN ORDINANCE REPEALING AND REENACTING SECTION 10-8-30 OF THE FAIRPLAY MUNICIPAL CODE TO RECONCILE THE FAIRPLAY MUNICIPAL CODE WITH THE RECENTLY ENACTED SECTION 16 OF THE ARTICLE XVIII OF THE COLORADO CONSTITUTION (AMENDMENT 64)."

Town Attorney Phillips gave a brief explanation of the ordinance and offered to answer any questions.

Staff recommends approval of Ordinance No. 2013-3.

Motion #4 by Mayor Boyce, seconded by Trustee Lane, to approve adoption of Ordinance No. 2013-3, entitled, "AN ORDINANCE REPEALING AND REENACTING SECTION 10-8-30 OF THE FAIRPLAY MUNICIPAL CODE TO RECONCILE THE FAIRPLAY MUNICIPAL CODE WITH THE RECENTLY ENACTED SECTION 16 OF THE ARTICLE XVIII OF THE COLORADO CONSTITUTION (AMENDMENT 64)." A roll call vote was taken: French – yes, Lane – yes, Boyce – yes, Deagan – yes, Just – yes. Motion carried unanimously.

B. Other New Business.

No other new business.

MAYOR AND TRUSTEE REPORTS

Trustee Lane inquired about plans for cemetery clean up. Town Administrator/ Clerk Darrah reported that the cemetery clean up day is scheduled for May 18th and a flyer notifying citizens will be in their water bill.

Mayor Boyce inquired about town clean up. Town Administrator/ Clerk Darrah reported that town clean up is scheduled for May 13th through May 18th, curb side pick-up is not generally available to citizens unless they have special needs and schedule it in advance and this will also be noticed in the next two water bills.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:12 p.m.

Mayor Pro Tem, Frank Just

ATTEST:

Claudia Werner, Deputy Town Clerk