

**MINUTES OF THE REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
May 20, 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, Public Works Director Gary Donnelly, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Mayor Boyce, seconded by Trustee French, 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 6, 2013

B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds

Motion #2 by Mayor Boyce, seconded by Trustee Lane, 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

Linda Bjorklund presented the Town with a copy of her new book “A Brief History of Fairplay”. Linda will come to the open house at 901 Main Street on June 3rd and be available for book signing.

Brian Rogers with Breckenridge Cannabis Club spoke to the Board regarding obtaining a special use permit that would allow his company to grow and warehouse marijuana at 100 Platte River Drive.

Town Attorney Phillips stated that the Town’s current ordinances prohibiting this activity would need to be repealed prior to the Board entertaining a special use permit.

Town Administrator/ Clerk Darrah stated that it would be appropriate for Brian to present the proposed business concept to staff. Following staff review, the Board would be informed on what steps would need to be taken if they wish to act on allowing this activity in the Town of Fairplay.

PUBLIC HEARING

A. Should the Board Approve the Special Event Liquor License as Applied for by the South Park Chamber of Commerce for the South Park Kick Ass BBQ Event to be Held on the Following Dates on 5th Street between Front and Main Streets and on Front Street in a portion of the area between 4th and 6th Streets: June 21, 2013 from the hours of 12:00 p.m. – 6:00 p.m. and June 22, 2013 from the hours of 10:00 a.m. – 6:00 p.m.?

Public hearing opened at 7:11 p.m. by Mayor Boyce.

Town Administrator/ Clerk Darrah presented a staff report wherein she states that all necessary documents and fees have been received and the hearing has been noticed in accordance with Colorado Revised Statutes, therefore staff recommends approval of this application,

Dale Fitting, Front Street business owner, spoke in favor of approval of the special events liquor license.

Public Hearing closed at 7:15 p.m. by Mayor Boyce.

Motion #3 by Mayor Boyce, seconded by Trustee Just, that the Board approve the Special Event Liquor License as applied for by the South Park Chamber of Commerce for the South Park Kick Ass BBQ event to be held on the following dates on 5th Street between Front and Main Streets and on Front Street in a portion of the area between 4th and 6th Streets: June 21, 2013 from the hours of 12:00 p.m. – 6:00 p.m. and June 22, 2013 from the hours of 10:00 a.m. and 6:00 p.m. Motion carried unanimously.

UNFINISHED BUSINESS

A. Other Pending/ Outstanding Items

1. Beach Dredging Project

Public Works Director Donnelly provided a written report, wherein he stated that the Public Works Department will be setting up the staging area beginning June 1st, the property has been surveyed for dumping of dredged material and the equipment will arrive July 1st.

2. CNG Project

Public Works Director Donnelly provided a written report, wherein he quoted Robert Burkitt, CNG District Manager, "Tetra Tech is in Town making repairs and is prepared to stay as long as it takes to bring work areas back to original condition".

3. Way Finding Sign Project

Public Works Director Donnelly provided a written report, wherein he stated that sawmill will deliver timbers this week to the town shop and he still doesn't have final locations for the 285 signs and is also waiting for special use permits.

4. Streetlights

Nothing new to report at this time.

B. Other Discussion Items

1. 901 Main Street

Public Works Director Donnelly provided a written report, wherein he stated that this project is rolling along nicely; interior finishes are taking place as town offices are moving in at this time, including the meeting room and exterior finishes continue including landscaping, concrete work, deck repairs, staining and fencing. All work is to be completed by the Public Works Department before the dedication on June 3rd.

2. Town Clean-Up

Public Works Director Donnelly provided a written report, wherein he stated that town clean up was a huge success this year and town's people expressed their gratitude to the Town for continuing this annual event. He also stated that each year there has been less material dumped, so he believes the Town's effort is working towards cleaning up Fairplay.

3. Cemetery Clean Up

Public Works Director Donnelly reported that cemetery clean up was also a great success this year, with a number of volunteers showing up to get the remaining areas cleaned up. When work was completed at the cemetery the group of volunteers was invited to a cook out at the Legion Hut.

Mayor Boyce asked staff to place a thank you in the Fairplay Flume to all of the volunteers that helped with the cemetery clean up.

NEW BUSINESS

A. Should the Board Approve Adoption of Ordinance No. 2013-5, entitled, "AN ORDINANCE AMENDING SECTION 1-4-20 OF THE FAIRPLAY MUNICIPAL CODE RELATING TO THE GENERAL PENALTY FOR VIOLATIONS OF THE CODE."?

Town Attorney Phillips reported that House Bill 13-1060 was signed into law on April 18th and it immediately raises the maximum fine that Colorado municipal courts may impose from \$1,000 to \$2,650. In addition, it also provides that the fine amount will be adjusted for inflation on January 1, 2014 and the first day of year thereafter.

Motion #4 by Trustee Just, seconded by Mayor Boyce, to approve adoption of Ordinance No. 2013-5, entitled, "AN ORDINANCE AMENDING SECTION 1-4-20 OF THE FAIRPLAY NUMICIPAL CODE RELATING TO THE GENERAL PENALTY FOR VIOLATIONS OF THE CODE." Motion carried unanimously.

B. Should the Board Approve Adoption of Resolution No. 8, series of 2013, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW."?

Deputy Town Clerk Werner reported that this resolution changes the Town Hall posting place from 400 Front Street to 901 Main Street and recommends approval.

Motion #5 by Mayor Boyce, seconded by Trustee French, to approve adoption of Resolution No. 8, series 2013 entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW." Motion carried unanimously.

C. Acceptance of Resignations from Trustee John Deagan and Mayor Fred Boyce.

Trustee Lane presented plaques of recognition and appreciation for service to the Town of Fairplay to Mayor Boyce and Trustee Deagan.

Trustee Deagan tendered his resignation from the Board of Trustees effective at the adjournment of tonight's meeting.

Motion #6 by Mayor Boyce, seconded by Trustee Just that the Board accepts Trustee Deagan's resignation effective at the adjournment of tonight's meeting. Motion carried unanimously.

Mayor Boyce tendered his resignation from the Board of Trustees effective immediately.

Motion #7 by Trustee Just, seconded by Trustee Lane, that the Board accepts Mayor Boyce's resignation effective immediately. Motion carried unanimously.

D. Swearing in of New Mayor.

Mayor Pro Tem Just administered the oath of office to Mayor Gabby Lane.

E. Should the Board Approve Adoption of Resolution No. 9, series of 2013, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO DESIGNATING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS."?

Deputy Town Clerk Werner reported that this resolution allows Mayor Lane and Trustee Just to be authorized signers on Town bank accounts to replace previous signers Fred Boyce and John Deagan, who have both tendered their resignation from the Board of Trustees, and recommends approval.

Motion #8 by Trustee Just, seconded by Trustee French, to approve adoption of Resolution 9, series of 2013, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO DESIGNATING THOSE PERSONS WHO ARE AUTHORIZED TO SIGN ON TOWN BANK ACCOUNTS". A roll call vote was taken: French – yes, Lane – yes, Deagan – yes, Just – yes. Motion carried unanimously.

F. Other New Business.

No other new business.

STAFF AND COMMITTEE REPORTS

Town Administrator/ Clerk Darrah provided a written report, wherein she updated the Board on the Comprehensive Plan, Marketing/ Events, Beach Dredging, 901 Main Street and the Family Dollar Store.

Town Treasurer Wittbrodt reported that Tim Mayberry will be here on June 17th to present the 2012 audit.

The South Park Futbol Club thanked the Town of Fairplay for their in-kind sponsorship and support of the club.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:32 p.m.

Mayor, Gabby Lane

ATTEST:

Claudia Werner, Deputy Town Clerk