

**MINUTES OF THE REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
June 17, 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, 901 Main Street, by Mayor Gabby Lane who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Eve Stapp, LaNita French, Ray Douglas 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, Deputy Town Clerk Claudia Werner and Municipal Court Judge Brian Green.

AGENDA ADOPTION

Motion #1 by Trustee Just, 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 20, 2013

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

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

CITIZEN COMMENT

None offered.

UNFINISHED BUSINESS

A. Other Pending/ Outstanding Items

1. Beach Dredging Project

Public Works Director Donnelly provided a written report wherein he stated that the berm is currently under construction and all other site preparations at the dredge site are complete. The dump site is just under a mile from the dredge site and the road to this site is nearly finished, equipment is being mobilized to the sites for the project, and lighting and a job trailer will be added to the dredge site for security.

2. CNG Project

Public Works Director Donnelly provided a written report wherein he stated the list of needed repairs will be recreated and he has enlisted the help of citizens, board members and other interested parties to help compile this list to ensure that all areas are given the attention they deserve.

Trustee Just asked if the Town should track the number of hours staff spends keeping an eye on CNG and making sure these repairs are completed.

Town Attorney Phillips opined that time tracking was a good idea as the Town cannot ask for reimbursement for this time if it is not tracked. He went on to state that CNG has posted a bond, the Town of Fairplay can revoke the franchise agreement with CNG, and the Town also has the option to sue CNG in the event these repairs are not completed to the Town's satisfaction.

3. Way Finding Sign Project

Public Works Director Donnelly provided a written report wherein he states that locates for the signs on Hwy 285 were called in, some signs on the 285 corridor will be erected by July 1. He went on to state that specs for the CDOT breakaway feature were received as well as the final locations for these signs, however the locations may be moved slightly to allow for existing utilities.

4. Streetlights

Nothing new to report at this time.

B. Other Discussion Items Also Addressed by Director Donnelly

1. Street Sweeping has begun and a regular summer sweeping schedule has been established.
2. 901 Main Street is nearly complete and final items like braille bathroom signs are going up.
3. 6th Street Sidewalk Extension from Castello Avenue to Clark Street is undergoing planning and preparations for a 2013 completion.
4. Fireworks Launch Site has been changed with the assistance of the NW Fire District to a site near the river behind the new Town Hall. Preparations for the fireworks display have been made and if the county wide fire ban is lifted the Town will be ready.

NEW BUSINESS

A. Presentation and Acceptance of 2012 Audit – Tim Mayberry, Presenter

Town Treasurer Wittbrodt stated that Tim Mayberry was unavailable to present the audit at tonight's meeting due to a loss in his family. She went on to state that the Board members were given copies of a preliminary audit, followed by the final audit for their review, asked if anyone had questions regarding the audit and recommended its acceptance.

Motion #3 by Trustee Just, seconded by Trustee French, to accept the 2012 Audit. Motion carried unanimously.

B. Should the Board Approve the Modification of Premises as Requested by TAKA Sushi, Inc., dba Millonzi's Deli & Restaurant located at 501 Front Street?

Town Administrator/ Clerk Darrah stated that we have received a modification of premises request from Millonzi's to expand their liquor licensed area to include what is currently their parking lot for outdoor events they have planned for the summer and potentially year-round. They have agreed to contain this additional area using roping, fencing, signage, etc. She went on to state that all paperwork and fees have been received and recommends approval of the modification.

Motion #4 by Trustee Just, seconded by Mayor Lane, to approve the modification of premises as requested by TAKA Sushi, Inc., dba Millonzi's Deli & Restaurant located at 501 Front St. Motion carried unanimously.

C. Discussion/ Direction Regarding Code Enforcement

Town Administrator/ Clerk Darrah stated that Mayor Lane requested that this item be placed on the agenda due to his interest in pursuing a more "proactive" approach to code enforcement. She went on to outline some of the costs associated with taking a more proactive approach to code enforcement, provided information on an approach other towns have adopted and provided the Board with the current Code Enforcement procedures that were put in place prior to June of 2009.

Town Administrator/ Clerk Darrah and Town Attorney Phillips elaborated on the procedures that the Town could use if violations were not corrected by the owner or tenant of the cited properties.

Trustee Just expressed his concern for making properties throughout Town safe.

Municipal Court Judge Green asked for additional information on the abatement process. Appeals would be heard by the Board on building code violations and the Municipal Court Judge would hear appeals on nuisance appeals.

Town Attorney Phillips stated that he could act as the Town Prosecutor under his current contract.

Police Chief Gottschalk stated that the Town does not currently have a building official and Town Attorney Phillips replied that Fairplay and the Park County Building Department have a Memorandum of Understanding that covers the inspection of potentially unsafe buildings.

Motion #5 by Mayor Lane, seconded by Trustee French, to direct staff to be more proactive with Code Enforcement and provide biweekly code enforcement reports to the Board of Trustees. Motion carried unanimously.

Trustee Just requested that Code Enforcement be added to each agenda under Unfinished Business. Frank also asked that staff work closely with Town Attorney Phillips on Code Enforcement.

D. 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, 901 Main Street, Beach Dredging, CNG, Water Decree Case #07CW152, Code Book Updates, Water Meters, CML Conference Reminder, Board Training on June 26 and New Businesses in Fairplay including The Family Dollar Store. In addition, Tina reported to the Board that the Ladies Run organizers would not be applying for a Special Events Liquor License this year.

Police Chief Gottschalk provided a written report wherein he provided Fairplay Police Department statistics and activities for the month of May 2013, as well as updates on Code Enforcement, Street Lights and scheduled Events in Fairplay.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:51 p.m.

Mayor, Gabby Lane

ATTEST:

Claudia Werner, Deputy Town Clerk