

**MINUTES OF THE REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
October 7, 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, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Planner Ron Newman, Public Works Director Gary Donnelly, Police Chief Dave Gottschalk, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner. Trustee LaNita French was absent.

AGENDA ADOPTION

Motion #1 by Mayor Lane, seconded by Trustee Douglas, that the agenda be adopted as presented. Motion carried unanimously. (Trustee French was absent.)

Formally accept the resignation of Trustee LaNita French

Mayor Lane regretfully accepted Trustee French's resignation. He went on to say that the Town of Fairplay is accepting letters of interest from eligible individuals that would like to serve on the Town Board. These letters will be accepted at Town Hall through 4:30 p.m. on Thursday, October 17th.

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 - August 28, 2013
- B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds
- C. Should the Board Approve Adoption of Resolution 2013-12, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ADOPTING THE FAIRPLAY COMPREHENSIVE PLAN”?

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

CITIZEN COMMENT

Stan and Gary Kopunec, with American Safari Ranch, addressed the Board with concerns about their ability to obtain permits from the U S Forest Service, which would allow them to conduct ATV tours on Federal lands. After a lengthy discussion, Mayor Lane offered to make a few calls on Mr. Kopunec's behalf and let him know what he finds out.

PUBLIC HEARING

Should the Board, acting as the Board of Adjustment, Approve the Application for Variance as Applied for by Park County Government for the Construction of a Fence with a Height of 12' rather than the 6' Height Allowed Absent a Variance, for the Property Address 1295 Castello Avenue?

Public hearing opened at 7:22 p.m.

Town Planner Newman presented the application and his staff report.

Jennifer Spencer, Park County Fleet Services, answered Board questions regarding fence height, purpose of fence and definition of the area to be fenced.

Public Hearing closed at 7:36 p.m.

Motion #3 by Mayor Lane, seconded by Trustee Just, that the Board direct staff to prepare a resolution approving the application for a fence height variance at certain real property commonly known and numbered as 1295 Castello Avenue, Fairplay, Colorado and further, to allow Park County to resume work on the fence construction with a valid fence permit. Motion carried unanimously.

UNFINISHED BUSINESS

A. Other Pending/Outstanding Items

1. CNG Project

Public Works Director Donnelly reported that Tetra Tech is currently doing asphalt repairs and these areas are being adequately compacted. Tetra Tech is putting together a list of chip seal repairs that will be completed by November 1st and the Public Works Department continues to supervise all repairs.

Trustee Stapp expressed her concern regarding repairs done during questionable weather which Public Works Director Donnelly did conditional sign offs on. Town Attorney Phillips stated that he is comfortable with the language used on these conditional sign offs and reiterated that all concerns with the repairs should be put in writing to Colorado Natural Gas.

The Board will decide whether CNG will be allowed to continue repairs this fall at their October 21st Board meeting.

2. Streetlights

Police Chief Gottschalk stated that he has resubmitted the application for street lights to Xcel Energy as the engineer he was working with no longer works at the Silverthorne Xcel office and no one there is able to locate the original application.

3. Code Enforcement

Police Chief Gottschalk stated that code enforcement progress continues and one non-responsive offender has been summoned into court and will appear in court later this month.

4. Fee Schedule

Town Treasurer Wittbrodt stated that the fee schedule work will continue once the budget has been completed. The preliminary budget will be delivered to the Board on or before October 21st.

B. Other Discussion Items

1. Beach Dredging Project

Public Works Director Donnelly reported that this project is nearly complete. All that remains is to haul away the remainder of the sludge in the parking area. He also reported that the hatchery has released 3000 trout at the reservoir and people seem to be pleased with the outcome of the project.

2. Sidewalk Installation

Public Works Director Donnelly reported that the 6th Street sidewalk from Main Street to Clark Street will be complete by the end of this week. Work will begin on the 8th Street sidewalk from Hathaway Street to Castello Avenue in the next week or so. The 8th Street sidewalk will include cast iron parts for storm water drainage.

3. Street Maintenance

Public Works Director Donnelly reported that all of the snow removal equipment is ready for the winter and he is pricing salted sand for deicing the roads. The Public Works Department continues to repair potholes in the streets and plans to continue doing this throughout the winter.

NEW BUSINESS

A. Should the Board Approve Adoption of Ordinance No. 2013-8, entitled, "AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY SUSPENSION OF THE PROCESSING AND APPROVAL OF ANY APPLICATION FOR A BUILDING PERMIT IN THE TOWN'S R-B RESTRICTED BUSINESS AND B BUSINESS ZONE DISTRICTS AND DECLARING THE INTENTION OF THE BOARD OF

TRUSTEES TO CONSIDER THE ENLARGEMENT OF THE TOWN'S H HISTORIC DISTRICT OVERLAY ZONE TO INCLUDE ADDITIONAL PROPERTIES LOCATED IN THE R-B RESTRICTED BUSINESS AND B BUSINESS ZONE DISTRICTS"?

Town Attorney Phillips and Town Planner Newman presented this ordinance and answered Board questions.

Motion #4 by Mayor Lane, seconded by Trustee Douglas, that the Board approve adoption of Ordinance No. 2013-8, entitled, "AN EMERGENCY ORDINANCE EXTENDING A TEMPORARY SUSPENSION OF THE PROCESSING AND APPROVAL OF ANY APPLICATION FOR A BUILDING PERMIT IN THE TOWN'S R-B RESTRICTED BUSINESS AND B BUSINESS ZONE DISTRICTS AND DECLARING THE INTENTION OF THE BOARD OF TRUSTEES TO CONSIDER THE ENLARGEMENT OF THE TOWN'S H HISTORIC DISTRICT OVERLAY ZONE TO INCLUDE ADDITIONAL PROPERTIES LOCATED IN THE R-B RESTRICTED BUSINESS AND B BUSINESS ZONE DISTRICTS". A roll call vote was taken: Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

B. Other New Business

No other new business

MAYOR AND TRUSTEE REPORTS

Trustee Stapp thanked Public Works Director Donnelly for his diligence with overseeing the CNG repairs.

Town Treasurer Wittbrodt encouraged the Board to attend the outdoor athletic complex meeting to be held at the Park County School District Re-2 Multipurpose room on Monday, October 14th at 6:00 p.m.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:59 p.m.

Mayor, Gabby Lane

ATTEST:

Claudia Werner, Deputy Town Clerk