

**MINUTES OF THE REGULAR MEETING
OF THE FAIRPLAY BOARD OF TRUSTEES
May 19, 2014**

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, Lynette Barrett, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Mayor Lane, seconded by Trustee Douglas, 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 5, 2014
- B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds
- C. Should the Board Approve Renewal of a Hotel & Restaurant Liquor License as Requested by Taka Sushi Inc DBA Millonzi's Deli & Restaurant, located at 501 Front Street?

Motion #2 by Trustee Just, seconded by Trustee Douglas, that the consent agenda be adopted as presented. Motion carried unanimously.

CITIZEN COMMENT

None offered

PRESENTATIONS

- A. Check to the parents of Kristin Hopkins for fundraising proceeds collected.

Mayor Lane presented Kristin's parents with a check in the amount of \$3,500.00, representing donations made to her fund over the past week.

The parents of Kristin Hopkins, Glen and Connie, gave an update on Kristin's accident and her ongoing recovery. Glen elaborated on Kristin's experiences during the week she spent trapped upside down in her car as well as during her time in the hospital. Glen and Connie expressed their deep appreciation to the community, thanked Hope and Andy Lombard for discovering Kristin's crash site and reporting it, and stated that they will be bringing Kristin to Fairplay once she is able to make the trip.

PUBLIC HEARINGS

- A. Should the Board Approve the Special Event Liquor License as Applied for by the South Park Chamber of Commerce for the BBQ Event?

Public hearing opened at 7:26 p.m. by Mayor Lane.

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,

Public Hearing closed at 7:30 p.m. by Mayor Lane.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board approve the Special Event Liquor License as applied for by the South Park Chamber of Commerce for the BBQ Event. Motion carried unanimously.

B. Should the Board Approve the Special Event Liquor License as Applied for by the South Park Chamber of Commerce for the Timbersports Event?

Public hearing opened at 7:32 p.m. by Mayor Lane.

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,

Public Hearing closed at 7:33 p.m. by Mayor Lane.

Motion #4 by Mayor Lane, 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 Timbersports Event. Motion carried unanimously.

C. Should the Board Approve the Special Event Liquor License as Applied for by the Town of Fairplay for the TGIFairplay Concert Series?

Public hearing opened at 7:34 p.m. by Mayor Lane.

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,

Public Hearing closed at 7:35 p.m. by Mayor Lane.

Motion #5 by Trustee Just, seconded by Trustee Douglas, that the Board approve the Special Event Liquor License as applied for by the Town of Fairplay for the TGIFairplay Concert Series. Motion carried unanimously.

D. Should the Board Approve Adoption of Resolution No. 14, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE AGREEMENT (ESTIP) BETWEEN THE TOWN AND PAUL KEMP FOR THE KEMP PROJECT."?

Public hearing opened at 7:38 p.m. by Mayor Lane.

Town Administrator/ Clerk Darrah presented a staff report wherein she states that while this a public hearing, it was not posted or published as no such requirement exists, the base amount used for this agreement is zero as this is a new business within the Town, and the applicant and the Town will have a 50/50 split with a maximum of \$50,000 in sales tax to be rebated to the applicant over a 5 year period.

Public Hearing closed at 7:42 p.m. by Mayor Lane.

Motion #6 by Trustee Just, seconded by Mayor Lane, that the Board approve Adoption of Resolution No. 14, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE AGREEMENT (ESTIP) BETWEEN THE TOWN AND PAUL KEMP FOR THE KEMP PROJECT." Motion carried unanimously.

UNFINISHED BUSINESS

A. Other Pending/Outstanding Items

1. CNG Project

Public Works Director Donnelly provided a staff report wherein he states that there is approximately 4,000 square feet of chip seal to be repaired/ replaced throughout Town due to the gas line installation project and Summit Utilities has a contractor to do this work. Once the Board approves this contractor, the work can be scheduled as soon as the temperature is consistently above 50 degrees and Gary will supervise the completion of the work.

2. Code Enforcement

Police Chief Gottschalk provided a staff report wherein he states that most residents and businesses contacted have stated they are waiting for Town Clean Up to get rid of excess debris on their property or cited adverse weather conditions as the reason for not completing their clean up projects. Once Town Clean Up is done, the Police Department will conduct a follow up on all of the properties identified as being out of compliance.

3. Capital Improvement Fund

Nothing new to report at this time.

B. Other Discussion Items

No other discussion items.

NEW BUSINESS

A. Discussion regarding referral request from Park County for a Retail Marijuana License at 21950 Highway 285.

Town Administrator/ Clerk Darrah presented the application sent by Park County for the old Hutchison Lumber building. This property is adjacent to the Town boundary and is in a zone district that allows a marijuana cultivation and retail facility as a use-by-right, so this public hearing is only on the license – not the land use or zoning.

The Board discussed the application and Trustee Just suggested that retail marijuana be placed on the November ballot so that the voter's voices can be heard. It was made clear that the potential ballot question has no impact on this application. Trustee Just, with Board consensus, directed staff to prepare a response addressed to Park County reiterating the Town's current position on retail marijuana.

B. Acceptance of Resignation from Trustee Lynette Barrett.

Motion #7 by Trustee Just, seconded by Mayor Lane, that the Board regretfully accept the resignation from Trustee Lynette Barrett. Motion carried unanimously.

C. Other New Business

Trustee Stapp states that Encompass Magazine provided coverage of Living History Days at the South Park City Museum.

STAFF AND COMMITTEE REPORTS

Written staff reports were presented by Town Administrator/ Clerk Darrah, Police Chief Gottschalk and Public Works Director Donnelly covering upcoming events, ongoing projects and various Town efforts.

Trustee Just expressed his appreciation for the funds collected by the Town and donated to the Kristin Hopkins fund.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:20 p.m.

Mayor, Gabby Lane

ATTEST:

Claudia Werner, Deputy Town Clerk