

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
July 21, 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 Scott Dodge, Eve Stapp, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Police Chief Joel Vice, 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 EXPENDITURES** – Approval of bills of various Town Funds

**Motion #2** by Mayor Lane, seconded by Trustee Just, that the consent agenda be adopted as presented with bills in the amount of \$18,243.26. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

**CITIZEN COMMENT**

Frank Gleiforst of 790 Castello Avenue voiced his ongoing concern regarding traffic on Castello Avenue failing to stop at the stop sign located at the corner of Eighth Street and Castello Avenue. Police Chief Vice addressed his concerns and offered to meet with him and discuss his concerns in more detail.

**UNFINISHED BUSINESS**

Other Pending Items

1. CNG – Mayor Lane stated that he had met with Public Works Director Donnelly on site and provided a report wherein he stated that Seal Coat, on behalf of Summit Utilities and Colorado Natural Gas, was working to repair the chip seal in areas damaged during gas line installations.
2. Code Enforcement – Nothing new to report.
3. Capital Improvement Fund – Town Treasurer Wittbrodt stated that she will discuss this with the Board at the first scheduled budget meeting.

Other Discussion Items

No other discussion items offered.

**NEW BUSINESS**

Presentation/ Discussion – Park County Senior Coalition, Bobbi Gore

Bobbi Gore asked the Board for a waiver of the \$10 fee for the use of the meeting room for the Senior Coalition's monthly meetings. In the past she has reported this \$120 annual in kind donation from the Town on grant applications to show local support of their organization. Bobbi went on to state the importance of local representation at the Pikes Peak Area Council of Government meeting and asked the Board to consider designating a member of the Board to attend their meetings and represent the Town of Fairplay.

**Motion #3** by Trustee Just, seconded by Trustee Douglas, to waive the \$10 monthly fee for the use of the meeting room for the Park County Senior Coalition's meetings. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

Should the Board Approve Adoption of Ordinance No. 2014-7, entitled, "AN ORDINANCE AMENDING SECTION 18-1-30 OF THE FAIRPLAY MUNICIPAL CODE RELATING TO AMENDMENTS TO THE INTERNATIONAL BUILDING CODE."?

Town Administrator/ Clerk Darrah provided a written staff report wherein she stated that this proposed amendment stems from discussions during Land Use Code work sessions in regards to demolitions in the Town. Tina went on to state that

both the Public Works Director and Building Inspector have reviewed the amendments and have recommended approval. Town Attorney Phillips presented this ordinance and answered Board questions.

**Motion #4** by Trustee Just, seconded by Trustee Stapp, to approve adoption of Ordinance No. 2014-7, entitled, "AN ORDINANCE AMENDING SECTION 18-1-30 OF THE FAIRPLAY MUNICIPAL CODE RELATING TO AMENDMENTS TO THE INTERNATIONAL BUILDING CODE." A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 16, series of 2014, entitled, "A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION FOR NOVEMBER 4, 2014, SETTING THE BALLOT QUESTION THEREFOR, AND AUTHORIZING THE SAME TO BE HELD AS A MAIL BALLOT ELECTION." AND/OR Should the Board Approve Resolution No. 17, series of 2014, entitled, "A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION FOR NOVEMBER 4, 2014, SETTING THE BALLOT QUESTION THEREFOR, AND AUTHORIZING THE SAME TO BE HELD AS A MAIL BALLOT ELECTION."?

Town Administrator/ Clerk Darrah explained that this item was before the Board per direction from the previous meeting to allow a discussion in regards to whether or not the Board wanted to place question(s) about allowing retail marijuana sales and/ or retail marijuana sales as well as cultivation and manufacture of retail products in Fairplay on the November 2014 Ballot. It was also noted that the deadline to notify the Park County Clerk that the Town wanted to place the ballot question(s) on the November 2014 ballot is July 25<sup>th</sup>.

Discussion ensued among the Board in regards to whether or not they thought one or both of these questions should be placed on the November ballot, wherein Tabor implications, citizen comments from previous meetings, regulation of marijuana businesses if allowed and the recent referral request received from Park County for the Hutchison property were all discussed.

**Motion #5** by Trustee Douglas, seconded by Mayor Lane, to approve adoption of Resolution No. 16, series of 2014, entitled, "A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION FOR NOVEMBER 4, 2014, SETTING THE BALLOT QUESTION THEREFOR, AND AUTHORIZING THE SAME TO BE HELD AS A MAIL BALLOT ELECTION." A roll call vote was taken: Dodge – no, Stapp – no, Lane – no, Douglas – no, Just – no. Motion failed unanimously.

**Motion #6** by Trustee Douglas, seconded by Trustee Stapp, to approve adoption of Resolution No. 17, series of 2014, entitled, "A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION FOR NOVEMBER 4, 2014, SETTING THE BALLOT QUESTION THEREFOR, AND AUTHORIZING THE SAME TO BE HELD AS A MAIL BALLOT ELECTION." A roll call vote was taken: Dodge – no, Stapp – no, Lane – no, Douglas – no, Just – no. Motion failed unanimously.

Should the Board Approve Adoption of Resolution No. 18, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND LINDA COLE FOR THE CHOCOLATE MOOSE FENCE PROJECT."?

Town Administrator/ Clerk Darrah provided a written staff report wherein she stated that the application is for \$1500 towards a privacy fence along the rear and a portion of the side lot line of Linda Cole's property on Front Street. Tina went on to say that this application was reviewed and found to be in compliance at the July 7<sup>th</sup> Board meeting and that the Town has received \$2772.00 in property tax for this property over the past five years.

**Motion #7** by Trustee Just, seconded by Trustee Douglas, that the Board approve adoption of Resolution No. 18, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND LINDA COLE FOR THE CHOCOLATE MOOSE FENCE PROJECT." A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

#### Discussion/ Approval of Amerigas Agreement

Town Treasurer Wittbrodt provided a written staff report wherein she stated that the 12 month fixed price on propane for the water plant from Amerigas is \$2.05 per gallon. Kim went on to say that Amerigas currently provides good service to the Town and she received a quote from a competing company that would cap the price at \$2.89 per gallon.

**Motion #8** by Mayor Lane, seconded by Trustee Just, to accept the 12 month agreement with Amerigas. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

#### Other New Business

No other new business.

### **STAFF AND COMMITTEE REPORTS**

Town Administrator/ Clerk Darrah gave a re-cap of Public Works Director Donnelly's written staff report as well as updating the Board on pending items and upcoming events.

**ADJOURNMENT**

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:18 p.m.

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Mayor

ATTEST:

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Claudia Werner, Deputy Town Clerk