

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
August 4, 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, Public Works Director Gary Donnelly, Police Chief Joel Vice, Town Planner Ron Newman, and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Trustee Just, seconded by Trustee Stapp, 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** – July 7 and July 21, 2014
- B. **EXPENDITURES** – Approval of bills of various Town Funds

Motion #2 by Trustee Just, seconded by Trustee Stapp, that the consent agenda be adopted as presented with bills in the amount of \$21,002.25. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

CITIZEN COMMENT

Police Chief Vice introduced new full time Police Officer Colin Zerby to the Board.

UNFINISHED BUSINESS

Other Pending Items

1. CNG – Public Works Director Donnelly oversaw the contractor's completion of the chip seal repairs and received a one year warranty on the work. He went on to say that the culvert near the intersection of Second and Main Streets was removed by during the gas line installation project but would be replaced. Gary requested that this item be removed from future agendas.
2. Code Enforcement – Police Chief Vice reported that he and Public Works Director Donnelly discussed people living in campers at a few locations in Fairplay. He continues to monitor code violation list. Trustee Just voiced his concern regarding the condition of a small outbuilding across the alley from the South Park Medical Center and a sign on the old courthouse lawn that appears to be falling over.
3. Capital Improvement Fund – Town Treasurer Wittbrodt stated that she will discuss this with the Board at the budget workshop on September 17th.

Other Discussion Items

No other discussion items offered.

NEW BUSINESS

PUBLIC HEARING – Should the Board Approve Adoption of Ordinance No. 2014-8, entitled, “AN EMERGENCY ORDINANCE REPEALING AND REENACTING ARTICLE XXIII OF CHAPTER 16 OF THE FAIRPLAY MUNICIPAL CODE RELATING TO THE TOWN CENTER OVERLAY DISTRICT.”?

Mayor Lane opened the public hearing at 7:12 p.m. and there being no public present to comment, the public hearing was closed at 7:13 p.m. Town Administrator/ Clerk Darrah provided a written staff report and provided a verbal overview on the Town Center Overlay District as well as a staff recommendation for approval.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board Adoption of Ordinance No. 2014-8, entitled, “AN EMERGENCY ORDINANCE REPEALING AND REENACTING ARTICLE XXIII OF CHAPTER 16 OF THE FAIRPLAY MUNICIPAL CODE RELATING TO THE TOWN CENTER OVERLAY DISTRICT.” 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. 19, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ADOPTING DESIGN STANDARDS FOR THE TOWN CENTER OVERLAY DISTRICT AND ESTABLISHING DISTRICT BOUNDARIES."?

Town Administrator/ Clerk Darrah provided a written staff report and gave a verbal overview of this resolution to adopt design standard for the Town Center Overlay District and establish district boundaries. Tina provided a couple of maps outlining the potential boundaries for the overlay district and asked the Board to choose one to be incorporated as part of this resolution. The Board selected the map on page 42 of the Board packet, which includes all of the Town Center, the South Park City Museum and the Old Courthouse Square, as depicted on the "future land use map" in the 2013 Fairplay Comprehensive Plan.

Motion #4 by Trustee Just, seconded by Trustee Dodge, to approve adoption of Resolution No. 19, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ADOPTING DESIGN STANDARDS FOR THE TOWN CENTER OVERLAY DISTRICT AND ESTABLISHING DISTRICT BOUNDARIES." Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 20, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FEE SCHEDULE"?

Town Administrator/ Clerk Darrah provided a written staff report and explained that she recommended amending the Certificate of Appropriateness fee from \$150 to \$0. Tina also recommended billing the applicants for any professional fees incurred in conjunction with the application process.

Motion #5 by Trustee Just, seconded by Trustee Stapp, to approve adoption of Resolution No. 20, series of 2014, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FEE SCHEDULE." Motion carried unanimously.

Discussion Regarding Outdoor Wood Burning Boilers

Town Administrator/ Clerk Darrah provided a written staff report wherein she stated that the Board placed a temporary moratorium on new outdoor wood burning boilers and instituted temporary regulations on existing boilers on April 21st of this year. In addition Tina provided copies of information obtained from Linda Balough, Attorney Phillips and herself on the topic and asked for direction from the Board regarding outdoor wood boilers prior to the expiration of the temporary moratorium on October 21st. Town Attorney Phillips discussed the Board's options and answered their questions.

The Board directed staff to prepare an ordinance prohibiting new outdoor wood boilers and providing regulations/restrictions on the use of existing wood boilers within Fairplay for Board's review at their next meeting.

Discussion Regarding THC Extraction Methods

Town Attorney Phillips provided a written staff report and explained that Colorado Revised Statutes allow local governments to ban the use of compressed, flammable gas as a solvent in the extraction of THC in residential settings and recommended that the Town adopt an ordinance reflecting this prohibition and offered to prepare said ordinance.

The Board directed staff to prepare an ordinance prohibiting the use of compressed, flammable gasses as solvents in the extraction of THC in residential settings.

Other New Business

Town Administrator/ Clerk Darrah asked the Board to schedule a budget work session and September 17th at 6:00 p.m. was selected. Tina also stated that the feasibility study from SEH is 3 – 5 weeks from completion. The Board encouraged an August 22nd deadline for the draft feasibility study to be delivered to the Town or they will discuss additional actions they may take to get this finished up.

MAYOR AND TRUSTEE REPORTS

Trustee Dodge suggested that a crosswalk should be put in at the intersection of Eighth and Main Streets. Police Chief Vice and Public Works Director Donnelly stated that they would look into this with CDOT.

Trustee Stapp congratulated everyone on a successful Burro Days.

Trustee Douglas asked for an update regarding the South Park Senior Coalition and Pikes Peak Area Council of Government meetings. Town Administrator/ Clerk Darrah had nothing new to report. Ray also suggested bringing Greg Winkler with DOLA back for an orientation/ refresher regarding rules, roles and responsibilities of Board members. Town Administrator/ Clerk Darrah will arrange for this.

Trustee Just brought up a staff appreciation dinner hosted by the Board of Trustees on September 19th at 6:00 p.m. at Town Hall.

Mayor Lane praised Special Event Coordinator Julie Bullock on a successful Burro Days and thanked the Board and staff for all of their efforts in ensuring a successful event season in Fairplay. He stated that he has received positive feedback from visitors and vendors alike.

EXECUTIVE SESSION: Pursuant to C.R.S. 24-6-402 (4) (e) and (b) for determining positions relative to matters that may be subject to negotiations; developing strategies for negotiations and instructing negotiators and for the purpose of receiving legal advice pursuant specifically in relation to the dissolution of the Stone River Metropolitan District.

Motion #6 by Mayor Lane, seconded by Trustee Douglas, that the Board go into executive session at 8:12 p.m. for the purpose of receiving legal advice pursuant specifically in relation to the dissolution of the Stone River Metropolitan District pursuant to C.R.S. Section 24-6-402 (4) (e) and (b). Motion carried unanimously.

Mayor Lane announced that the meeting was back to open session at 8:31 p.m. The participants in the executive session were: Mayor Lane, Trustees Just, Douglas, Stapp and Dodge, Town Administrator/Clerk Darrah and Town Attorney Lee Phillips. Mayor Lane announced that no action was taken in the executive session.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:32 p.m.

Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk