

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
October 6, 2014**

CALL TO ORDER

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 Frank Just, Ray Douglas, Eve Stapp, and Scott Dodge. Also in attendance were Police Chief Joel Vice, Public Works Director Gary Donnelly, Town Treasurer Kim Wittbrodt, Town Attorney Lee Phillips and Town Administrator/Clerk Tina Darrah.

AGENDA ADOPTION

Motion #1 by Mayor Lane, seconded by Trustee Just, that the agenda be adopted with the following addition after Mayor and Trustee Reports:

EXECUTIVE SESSION: Pursuant to C.R.S. 24-6-402 (4) (b) and (e) to receive legal advice from the Town Attorney and instruct negotiators in regards to the Fairplay Sanitation District.

Motion carried unanimously.

Trustee Dodge disclosed that the applicant for the liquor license transfer of ownership for the Fairplay Hotel was a client of his companies and asked if that was a potential conflict of interest. Town Attorney Phillips stated that it did not constitute a conflict of interest in this instance.

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 18, 2014

B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$19,834.21.

Motion #2 by Mayor Lane, seconded by Trustee Dodge, that the consent agenda be adopted as presented with bills in the amount of \$19,834.21. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

CITIZEN COMMENT

Maria Sims, Chief Professional Officer of the South Park Boys and Girls Club, was present to thank the Board for their support of the Club through fund raising efforts and partnership programs. She presented the Board with an appreciation gift from the Club.

PUBLIC HEARING

Should the Board Approve a Transfer of Ownership of a Hotel and Restaurant Liquor License as Applied for by Lorna Arnold for the Fairplay Hotel located at 500 Main Street?

Mayor Lane opened the public hearing at 7:04 p.m. and read a brief opening statement stating jurisdiction and outlining procedures for the public hearing. He then asked for staff comment, which was offered by Town Administrator Darrah stating that the application had been deemed complete, fees paid, and that the hearing had been noticed in accordance with Colorado State Statutes. Ms. Darrah offered a staff recommendation of approval.

Applicant, Lorna Arnold, offered a brief comment asking the Board to support her application.

No comments were offered by any others in opposition to or support of the application.

Mayor Lane closed the public hearing at 7:09 p.m.

Motion #3 by Mayor Lane, seconded by Trustee Just, that the Board approve the transfer of ownership for the Hotel and Restaurant Liquor License at the Fairplay Hotel, 500 Main Street, as applied for by Lorna Arnold. Motion carried unanimously.

UNFINISHED BUSINESS

Other Pending Items

1. Code Enforcement – No update offered.
2. Capital Improvement Fund – No update offered.

NEW BUSINESS

Presentation of Proposed 2015 Budget and setting of date(s) for Budget Work Session

Town Treasurer Wittbrodt presented the Board with the proposed 2015 Budget and asked for a budget work session to be scheduled. It was agreed that the Board would have a work session on Wednesday, October 15, 2014 at 4:00 p.m. at the Fairplay Town Hall.

Discussion/ Action Regarding a Request from Sam Mick Regarding Family Dollar ESTIP Agreement.

Town Administrator Darrah explained that Mr. Mick has asked for a modification to his ESTIP agreement wherein he would continue to receive the ESTIP payments for the term of the agreement even in the event that he sold the property. Mr. Mick was present and offered comment to the Board reiterating his request and stating that he understood the ESTIP program was an incentive for development/redevelopment which he did by developing the property and building and leasing it to the Family Dollar Store.

A brief discussion ensued among the Board, Attorney and Staff regarding Mr. Mick's request, the legalities of the amendment and the idea behind the ESTIP program.

Motion #4 by Mayor Lane, seconded by Trustee Dodge, to direct staff to draft an amendment to the Family Dollar ESTIP Agreement with Sam Mick to allow the ESTIP payments to continue to be made to the original developer if the property is sold to a third party and then bring this amendment back to the Board for approval. Motion carried unanimously.

Other New Business

No other new business.

MAYOR AND TRUSTEE REPORTS

The Mayor and Trustees offered comments regarding the success of the staff appreciation dinner.

EXECUTIVE SESSION: Pursuant to C.R.S. 24-6-402 (4) (b) and (e) to

Motion #5 by Mayor Lane, seconded by Trustee Just, that the Board go into executive session at 7:43 p.m. for the purpose of receiving legal advice from the Town Attorney and instructing negotiators in regards to the Fairplay Sanitation District pursuant to C.R.S. Section 24-6-402 (4) (b) and (e). Motion carried unanimously.

Mayor Lane announced that the meeting was back to open session at 8:55 p.m. The participants in the executive session were: Mayor Lane, Trustees Just, Douglas, Stapp and Dodge, Town Administrator/Clerk Darrah, Town Attorney Lee Phillips and Treasurer Wittbrodt. 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 8:56 p.m.

Mayor

ATTEST:

Tina Darrah, Town Clerk