

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
July 6, 2015**

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 Jason Morrison, Police Chief Joel Vice, Town Treasurer Kim Wittbrodt and Deputy Town Clerk Claudia Werner.

AGENDA ADOPTION

Motion #1 by Mayor Lane, seconded by Trustee Just, 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 – June 1, 2015**
- B. **APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$189,065.80.**

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

CITIZEN COMMENTS

Mayor Lane shared an email from Susanne Sener regarding her good experience with the Town's 4th of July celebration.

PUBLIC HEARINGS

- A. **Should the Board Approve a Special Event Liquor License as Applied for by the Town of Fairplay for Burro Days to be Held on July 24, July 25 and July 26, 2015?**

Public hearing opened at 7:07 p.m. by Mayor Lane.

Town Administrator/ Clerk Darrah stated that the TGIFairplay Concert scheduled for July 24th will be held on Front Street as the Fairplay Beach will most likely be inaccessible due to flood damage to Beach Road. Tina also 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,

The Board of Trustees discussed the application. No public was present to voice support or opposition to the liquor license application.

Public Hearing closed at 7:08 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 Town of Fairplay for Burro Days to be held on July 24, July 25, and July 26, 2015. Motion carried unanimously.

- B. **Should the Board Approve a Special Event Liquor License as Applied for by the Town of Fairplay for the Silverheels 100 Endurance Run Event to be Held on August 9, 2015?**

Public hearing opened at 7:11 p.m. by Mayor Lane.

Town Administrator/ Clerk Darrah stated that this is the third of a series of three running events. She 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,

The Board of Trustees discussed the application. No public was present to voice support or opposition to the liquor license application.

Public Hearing closed at 7:12 p.m. by Mayor Lane.

Motion #4 by Trustee Just, seconded by Trustee Stapp, that the Board approve the Special Event Liquor License as applied for by the Town of Fairplay for the Silverheels 100 Endurance Run Event to be held on August 9, 2015. Motion carried unanimously.

UNFINISHED BUSINESS

A. Other Discussion Items

No other discussion items offered.

NEW BUSINESS

A. Presentation of 2014 Audit by Tim Mayberry.

Tim Mayberry, with Holscher, Mayberry & Company, LLC, presented the 2014 audits of the Town of Fairplay and Fairplay Sanitation District financial statements. Tim stated that there are no major issues for either audit and noted that the Colorado Trust Fund caused a budget violation for the Town of Fairplay due to a rule change that staff was unaware of. Appropriate actions have been taken to correct this issue going forward.

Motion #5 by Trustee Just, seconded by Trustee Douglas, that the Board accept the 2014 Audits of all Town of Fairplay and Fairplay Sanitation District funds. Motion carried unanimously.

B. Should the Board Approve a Resolution Declaring a Local Disaster?

Town Administrator/ Clerk Darrah reported that staff sent estimates of damage from the June 12 and 13 flooding to Park County Emergency Operations Manager, Gene Stanley. Gene forwarded these estimates on to State of Colorado Emergency Management Regional Field Manager, Paul Eller, who advised that the Town of Fairplay initiate a disaster declaration. The declaration will Mr. Eller to initiate the application for state or federal assistance. Tina went on to say that even if we don't receive state or federal funds, this process will benefit the Town as we search for other funding opportunities and recommended approval of the Resolution.

Motion #6 by Trustee Stapp, seconded by Trustee Douglas, that the Board approve the Resolution Declaring a Local Disaster. Motion carried unanimously.

C. Discussion/ Decision Regarding a Request for Letter of Support for Linda Balough for Enterprise Zone Application.

Town Administrator/ Clerk Darrah provided a request for a letter of support from Linda Balough for the County's application for Enterprise Zone status and stated that staff is very much in support of the application as E-Zone status would greatly benefit the Town as we look at recruitment and retention of businesses in Fairplay. E-Zone status also supports non-profits by offering a tax incentive for donors contributing to non-profits within the zone designation area.

Motion #7 by Trustee Just, seconded by Trustee Dodge, that the Board direct staff to prepare a letter of support for a Enterprise Zone Application for Park County. Motion carried unanimously.

D. Should the Board Approve a Request from Upper South Platte Water Conservancy District for Assignment of Augmentation Plan?

Town Administrator/ Clerk Darrah stated that the Town entered into an agreement to lease augmentation water from Upper South Platte Water Conservancy District in April to cover the evaporative losses at the Beach Reservoir for 2015. Upper South Platte would like to assign that lease to Headwaters Authority of the South Platte (HASP), as they are the entity that actually holds the water rights we are leasing. The Town's water attorney, Rick Fendel, recommends approval of the assignment as a housekeeping matter for Upper South Platte.

Motion #8 by Trustee Douglas, seconded by Trustee Stapp, that the Board approve the assignment of agreement between Upper South Platte, HASP and the Town of Fairplay as presented. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

E. Discussion/ Direction to Staff Regarding Waiver of Public Use of Town Property Fees for Non-Profit Organizations.

Deputy Town Clerk Werner provided a staff memorandum, wherein she states that the Town's current fee schedule sets the fees for public use of Town property at \$10 for a half day and \$20 for a full day. Staff has received numerous requests from various non-profit organizations for a waiver of these fees. Staff requests direction from the Board regarding their desire to waive these fees for non-profit organizations.

The Board directed staff to prepare a revised fee schedule reflecting staff's ability to waive public use fees for non-profit organizations.

F. Other New Business

No other new business offered.

MAYOR AND TRUSTEE REPORTS

Trustee Dodge expressed how great the Town's last two events were.

Trustee Stapp stated that the fireworks show was great.

Trustee Douglas commended Town Treasurer Wittbrodt on a good job with the audit.

Trustee Just commended staff on a good job with the events.

Mayor Lane stated that he has received a lot of positive feedback regarding the Town's events.

Duane Thompson, 220 Fourth Street, commended the Town on the success of their events.

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 pending ESTIP applications.

Motion #4 by Mayor Lane, seconded by Trustee Just, that the Board go into executive session at 7:42 p.m. for the purpose of 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 pending ESTIP applications 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 8:32 p.m. The participants in the executive session were: Mayor Lane, Trustees Dodge, Stapp, Douglas and Just, Town Administrator/Clerk Darrah, Town Attorney Phillips and ESTIP applicants Tess DeBonis and Thomas DeBonis. 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 8:33 p.m.

Gabby Lane, Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk