

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
March 16, 2015**

CALL TO ORDER

A work session of the Board of Trustees for the Town of Fairplay was called to order at 6:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Gabby Lane who proceeded with 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, Special Events and Business Development Coordinator Julie Bullock and Town Administrator/Clerk Tina Darrah.

WORKSESSION ITEMS:**Events Update**

Special Events Coordinator Bullock offered an update to the Board on the many events planned for the year in Fairplay. She also spoke briefly on marketing plans for 2015 and new businesses so far in 2015.

Code Enforcement Discussion

Police Chief Vice offered staff comment explaining that he requested this work session so he could get a better understanding of what the Board wanted in regards to code enforcement in Fairplay. He explained that currently the staff handles code enforcement issues largely on a complaint basis, unless it is an obvious violation. He asked that this item be removed from pending/ongoing items on every agenda, explaining that he would include code enforcement activities as part of his monthly staff reports. A brief discussion ensued during which it was agreed to continue handling code enforcement on a complaint basis, with the Chief offering monthly activity reports. It was further agreed that when Board Members receive complaints they would continue to route those through the Town Administrator.

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, Town Planner Ron Newman and Town Administrator/Clerk Tina Darrah.

AGENDA ADOPTION

Motion #1 by Trustee Douglas, 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** – January 12 and February 2, 2015
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$88,880.38.

Motion #2 by Trustee Just, seconded by Trustee Douglas, that the consent agenda be adopted as presented with bills in the amount of \$88,880.38. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

CITIZEN COMMENT

No public comment offered.

PUBLIC HEARING

Should the Board Approve Adoption of Resolution No. 2, series of 2015, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE FINAL PLAT OF THE ELK MEADOWS TOWNHOMES, A RESUBDIVISION OF PARCEL I STONE RIVER FILING NO. 1, LOCATED IN THE TOWN OF FAIRPLAY."?

Should the Board, acting as the Board of Adjustment, Approve Adoption of Resolution No. 3, series of 2015, entitled, "A RESOLUTION APPROVING THE APPLICATION FOR A REAR SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 589 PLATTE DRIVE, FAIRPLAY, COLORADO."?

It was noted for the record that the above items would be held as a joint public hearing as they are for the same property and project. No objections were offered.

Mayor Lane opened the public hearing at 7:03 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 Planner Newman explaining the history of the project, the need for the current applications and offering a staff recommendation of approval. He explained that this resubdivision application is to correct a boundary line, allow for individual sale of the townhomes, create a "common" property for the townhome association, and to allow a variance for the existing building to the new property line created by the boundary adjustment. He noted that the boundary adjustment was necessary due to a previous survey error.

Applicant's attorney, Steve Letofsky, offered a brief comment offering to answer any questions of the Board.

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

Mayor Lane closed the public hearing at 7:17 p.m.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board approve Resolution No. 2, series of 2015, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE FINAL PLAT OF THE ELK MEADOWS TOWNHOMES, A RESUBDIVISION OF PARCEL I STONE RIVER FILING NO. 1, LOCATED IN THE TOWN OF FAIRPLAY.**", and Resolution No. 3, series of 2015, entitled, "**A RESOLUTION APPROVING THE APPLICATION FOR A REAR SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 589 PLATTE DRIVE, FAIRPLAY, COLORADO.**" Motion carried unanimously.

UNFINISHED BUSINESS

Other Pending Items

1. Code Enforcement – Update offered during worksession.

NEW BUSINESS

Should the Board Approve Adoption of Resolution No. 4, series of 2015, 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 DEBORAH TROILLET FOR THE TROILLET / DELSETTE EXTERIOR PAINTING PROJECT."?

Staff comment was offered by Town Administrator Darrah explaining that this application is for \$803.45 towards the scraping, sanding, caulking, priming and painting of the house, garage and dog house at 704 Front Street. This is the amount the property owner has paid in property taxes to the Town of Fairplay over the last five years. She further noted that the application, bid and photos were included in the packet for the Board to reference. Property owner Deb Troillet was present and offered a comment thanking the Board for their consideration.

Motion #4 by Mayor Lane, seconded by Trustee Just, that the Board approve Resolution No. 4, series of 2015, 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 DEBORAH TROILLET FOR THE TROILLET / DELSETTE EXTERIOR PAINTING PROJECT.**" A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

Discussion/ Approval of Sam Mick Site Plan for 331 U S Hwy 285

Staff comment was offered by Town Administrator Darrah explaining that this item is before the Board tonight as the Planning Commission for discussion and approval. She explained that the Town – via its Planning Commission - previously approved a parking plan for this location, however, Sam Mick, the developer, has changed the layout somewhat, so staff has asked him to submit a new parking plan. Public Works Director Donnelly stated that he has reviewed the parking layout and number of spaces and has found it to be compliant with the Municipal Code. He offered a staff recommendation of approval.

Ms. Darrah went on to explain that she included in the packet a picture of what Sam has envisioned for the exterior of the building and handed out additional pictures received after the packets were delivered. She noted that this will not be a

metal building and that Mr. Mick had agreed to work with the Town to create an attractive building at this high profile intersection.

A discussion ensued in regards to staff concerns that the wall facing Highway 285 have enough architectural detail during which Mr. Mick reiterated his willingness to work with the Town on an acceptable design plan.

Motion #5 by Mayor Lane, seconded by Trustee Just, that the Board approve the Site/parking Plan as submitted by Sam Mick for the property located at 331 and 351 US Hwy 285, with the request that he work with Town Staff in regards to design options for the proposed new strip mall building. Motion carried unanimously.

Discussion Regarding Survey of Fairplay Beach Tailings – Erica Duvic, South Park National Heritage Area

Comment was offered by Erica Duvic explaining that they (the Park County Historic Preservation Office and South Park National Heritage Area) had received an estimate from Eric Twitty, the same mining historian that completed the nomination for the Paris Mill, for surveying the tailings piles that Fairplay owns north of the beach. She explained that SPNHA can cover the cost of this cultural resource survey and that Twitty believes the site is likely nationally significant and this survey could be the first step in designating the site and/or developing an interpretation program.

A brief staff comment was offered by Town Administrator Darrah noting that this discovery was due to Trustee Stapp's brother and his exploration of the tailings the previous fall. Ms. Darrah recommended that the Board approve moving forward with the cultural resource survey at no cost to the Town, noting that identifying the cultural resources at the site would get the Town one step further to creating the park-like atmosphere discussed along the river with trails and interpretive signage.

Motion #6 by Trustee Stapp, seconded by Trustee Just, that the Board approve the Cultural Resource Survey at the Fairplay Beach area as proposed by Ms. Duvic. Motion carried unanimously.

Should the Board Approve Adoption of Resolution No. 5, series of 2015, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING A REVOCABLE LICENSE AGREEMENT WITH MARK FISHER AND WENDY BRADSHAW OF 691 CLARK STREET FOR THE USE OF TOWN-OWNED PROPERTY."?

Staff comment was offered by Town Administrator Darrah explaining that this item was before the Board for discussion and potential adoption. She explained that over the last several days' staff had heard from Mark and Wendy, owners of the home at 691 Clark Street, their realtor, and the prospective buyer of the property in regards to the driveway used to access the garage on this property. She went on to explain that in 2004, Mark had come before the Planning Commission and received a variance to build the garage in its current location. She noted that it was clear on the map submitted at that time that the driveway was placed on the platted right of way for 7th Street and explained that this was approved, but never made "legal" through any sort of encroachment agreement. Ms. Darrah commented that at that time and up until now it has not been an issue, but the prospective buyer is nervous about it, so she suggested a revocable license similar to what we have done in the past for the Boys and Girls Club and the BMX Track. She noted that Town Attorney Phillips had reviewed the document and approved it to form. She offered a staff recommendation of approval.

Motion #7 by Mayor Lane, seconded by Trustee Stapp, that the Board approve Resolution No. 5, series of 2015, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING A REVOCABLE LICENSE AGREEMENT WITH MARK FISHER AND WENDY BRADSHAW OF 691 CLARK STREET FOR THE USE OF TOWN-OWNED PROPERTY.**" A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

Approval of DOLA Grant Contract

Staff comment was offered by Town Treasurer Wittbrodt explaining that while the Town had not received the grant contract yet from DOLA, we had received the award letter confirming that we were awarded \$174,500 for the Fleet Replacement Program. She explained that it is anticipated that the Town would receive the actual contract prior to the next Board meeting and that DOLA had suggested we gain permission to sign it upon receipt so we can order the two new pieces of equipment as soon as possible. She noted that we cannot order the equipment until the grant contract is signed.

Motion #8 by Trustee Just, seconded by Trustee Douglas, that the Board authorize the Mayor to sign the DOLA Grant Contract in the amount of \$174,500.00. A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

Other New Business

Town Administrator Darrah informed the Board that a new Public Works Director had been selected and that he would begin working for the Town on April 6, 2015. She informed them that his name is Jason Morrison and that he is currently

the Public Works Director for the Town of Nederland. It was noted that the current Public Works Director, Gary Donnelly, has set his retirement date for June 23, 2015, giving Mr. Morrison a little over two months to train with him.

MAYOR AND TRUSTEE REPORTS

Trustee Douglas commented on the parked cars being left on the vacant lot at the corner of 4th and Clark. He asked that staff look into this matter as he had received a citizen complaint about it.

Trustee Dodge suggested that the Town Staff look into forming a “welcoming Committee” for new residents and businesses in Fairplay.

Mayor Lane displayed a plaque that the Town had received from the organizers of Ladies Run acknowledging the Town’s sponsorship of their event.

STAFF AND COMMITTEE REPORTS

Staff did not offer additional comments to the written reports included in the packet materials.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:55 p.m.

Mayor

ATTEST:

Tina Darrah, Town Clerk