

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
July 18, 2016**

**CALL TO ORDER WORK SESSION OF THE BOARD OF TRUSTEES**

A work session of the Board of Trustees for the Town of Fairplay was called to order at 6:07 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Pro-Tem Frank Just. Trustees present were Scott Dodge and Ray Douglas. Also in attendance were Town Administrator Tina Darrah, Police Chief Joel Vice, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner, RE-2 School District President Foss Smith and RE-2 School District Vice President Kim Bundgaard. Mayor Gabby Lane and Trustee Eve Stapp were absent.

**Presentation for RE-2 School District**

Foss Smith and Kim Bundgaard, from the RE-2 School District Board of Directors, presented the District's overall goals as adopted by the School Board. These core goals include providing a safe, productive learning environment with an effective partnership between the school, home and community. Their presentation included more specifics regarding the District's plans to implement and achieve these goals and answered questions raised by staff and the Board.

**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 Pro-Tem Frank Just who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, and Ray Douglas. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Police Chief Joel Vice, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Town Planner Ron Newman. Mayor Gabby Lane and Trustee Eve Stapp were absent.

**AGENDA ADOPTION**

**Motion #1** by Trustee Douglas, seconded by Trustee Dodge, that the agenda be adopted as presented. Motion carried unanimously. (Mayor Lane and Trustee Stapp were absent.)

**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 in the amount of \$76,983.48.

**Motion #2** by Trustee Dodge, seconded by Trustee Douglas, that the consent agenda be adopted with the approval of bills in the corrected amount of \$76,983.48. A roll call vote was taken: Dodge – yes, Douglas – yes, Just – yes. Motion carried unanimously. (Mayor Lane and Trustee Stapp were absent.)

**CITIZEN COMMENTS**

Duane Thompson, of 220 Fourth Street, inquired about the progress of the parking lot to be constructed at the SE corner of Main and Fourth Streets. Town Administrator/ Clerk Darrah contacted Sam Mick and he said that it would be finished soon.

**PUBLIC HEARING**

**A. Should the Board, acting as the Board of Adjustment, Approve Adoption of Resolution No. 17, series of 2016, entitled, "A RESOLUTION APPROVING THE APPLICATION FOR A SIDE AND REAR YARD SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 412 CASTELLO AVENUE, FAIRPLAY, COLORADO."?**

The public hearing was opened at 7:11 p.m. by Mayor Pro-Tem Just.

Town Planner Newman presented the application submitted by Tammy and Andrew Porter for a variance from the minimum side and rear lot line setbacks, for the purpose of placing a shed in the NW corner of their property located at 412 Castello Avenue in the Single Family Residential Zone District.

The Porters were present and explained that the hardship they have is that the shed will not fit on their lot if it is placed outside of the minimum setback area.

There were no public comments in support or opposition to this variance, however staff did receive a request from the Porters neighbors to the East, Paul and Irene Martinez, asking that the applicants do not take down their fence and that no equipment is driven across their property to place the proposed shed.

The public hearing was closed at 7:19 p.m. by Mayor Pro-Tem Just.

**Motion #3** by Trustee Douglas, seconded by Trustee Dodge, that the Board Approve Adoption of Resolution No. 17, series of 2016, entitled , "A RESOLUTION APPROVING THE APPLICATION FOR A SIDE AND REAR YARD SETBACK VARIANCE AT CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 412 CASTELLO AVENUE, FAIRPLAY, COLORADO" with the condition that the shed be moved within legal setbacks or removed from the property upon the Porter's sale of this property. Motion carried unanimously. (Mayor Lane and Trustee Stapp were absent.)

### **NEW BUSINESS**

#### **A. Presentation and acceptance of 2015 Audits – Tim Mayberry**

Tim Mayberry presented both the Town of Fairplay and Fairplay Sanitation District Audits for the year ended December 31, 2015. There were a few minor changes made after the draft documents were submitted to the Town and these changes were explained by Mr. Mayberry.

**Motion #4** by Mayor Pro-Tem Just, seconded by Trustee Douglas to accept the 2015 Audits as presented with minor changes by Tim Mayberry. A roll call vote was taken: Dodge – yes, Douglas – yes, Just – yes. Motion carried unanimously. (Mayor Lane and Trustee Stapp were absent.)

#### **B. Should the Board Approve Adoption of Resolution No. 18, 2016, entitled, "A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF \$225,000 BETWEEN TOWN OF FAIRPLAY AND NBH BANK, PROVIDING LEASE PAYMENTS FROM LEGALLY AVAILABLE FUNDS; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH."?**

Town Treasurer Wittbrodt explained that this item is on the agenda to approve the purchase of the Schlatter Parcel. The resolution approves the Equipment Lease/Purchase Agreement. The lender is NBH Bank, which specializes in government and non-profit financing. The lease purchase uses the Town's equipment and vehicles as collateral for the purchase of the parcel of land.

**Motion #5** by Mayor Pro-Tem Just, seconded by Trustee Dodge, to approve adoption of Resolution No. 18, 2016, entitled, "A RESOLUTION AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE PRINCIPAL AMOUNT OF \$225,000 BETWEEN TOWN OF FAIRPLAY AND NBH BANK, PROVIDING LEASE PAYMENTS FROM LEGALLY AVAILABLE FUNDS; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH." A roll call vote was taken: Dodge – yes, Douglas – yes, Just – yes. Motion carried unanimously. (Mayor Lane and Trustee Stapp were absent.)

#### **C. Other new business**

No other new business offered.

### **UNFINISHED BUSINESS**

#### **A. Other discussion items**

No other discussion items were offered.

### **MAYOR AND TRUSTEE REPORTS**

Trustee Dodge commented that the Town looks beautiful with all of the flowers, etc. He asked for an update on the Second Street water improvements and Town Administrator/ Clerk Darrah stated that this project has been completed successfully.

Trustee Douglas thanked the Town for sending him to the annual CML conference.

Mayor Pro-Tem Just stated that Sam Mick will be here to start construction of the parking lot at the corner of Main and Fourth Streets on July 26<sup>th</sup> or 27<sup>th</sup>. He asked staff for an update on changes to the language regarding storage containers as discussed at the May 16<sup>th</sup> Board work session. He also stated that Colorado Natural Gas has fewer problems with the Fairplay project than anticipated.

### **STAFF AND COMMITTEE REPORTS**

Town Administrator/ Clerk Darrah reminded the Board that volunteers are needed for upcoming Town events.

Police Chief Vice reported that Officer Colin Zerby will be leaving the Fairplay Police Department because he recently accepted a position in Pueblo. Part time Officer Bo Schlunsen has accepted a full time position with the Fairplay Police Department to fill the vacancy left by Officer Zerby.

Public Works Director Mead provided a written staff report, wherein he updated the Board on Wastewater Treatment Plant Performance, the Waste Water System, the Water System and the Public Works Staff.

**ADJOURNMENT**

Mayor Pro-Tem Just, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:20 p.m.

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Frank Just, Mayor Pro-Tem

ATTEST:

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Claudia Werner, Deputy Town Clerk