

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
January 9, 2017**

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 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 pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Vaughn Mead, Police Chief Joel Vice, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Town Planner Ron Newman. Members of the public present were David Nicholson, Patricia Nicholson, Mark Kelly, Julie Burruss, Stanley Obernyer, Joanne Metcalf, Julie Vihstadt, Greg McCallum, Terry Sandmeier, Laurence Burnett, Ed Hartshorn, Josh Voorhis, Duane Thompson and Stewart Larson. Trustee Eve Stapp was absent.

AGENDA ADOPTION

Trustee Dodge asked that the record reflect that he is recusing himself from agenda item VII, "Should the Board approve the Rezone Application for 701, 711 and 715 Clark Street?" due to a potential conflict of interest.

Motion #1 by Trustee Just, seconded by Trustee Douglas, that the agenda be adopted as presented. Motion carried unanimously. (Trustee Stapp was 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 MINUTES** – December 5, 2016
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$35,073.69.

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

CITIZEN COMMENTS

No citizen comments offered.

PUBLIC HEARING

- A. Should the Board approve the Rezone Application for 701, 711 and 715 Clark Street?

Public hearing opened at 6:04 p.m. by Mayor Lane.

Town Planner Newman and Town Attorney Phillips presented the Rezone Application for the applicant, Town of Fairplay, and offered Staff recommendations to the Board. The owner of 711 and 715 Clark Street were represented by Greg McCallum with Colorado Mountain Retreats and Terry Sandmeier with Park Property Management and Sales. The owners of 701 Clark Street were represented by Ed Hartshorn with Hartshorn Law Office LLC.

Greg McCallum, Terry Sandmeier, Ed Hartshorn and Josh Voorhis offered comments in support of the rezone application. David Nicholson, Stan Obernyer, Laurence Burnett, Julie Burruss, Mark Kelly, Joanne Metcalf and Patricia Nicholson offered comments in opposition to the rezone application.

Public hearing was closed at 6:45 p.m. by Mayor Lane.

The Board discussed their options in regards to the rezone application and decided that they needed additional time to reach a decision.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board continue this matter until a special meeting set for Wednesday, January 11, 2017 at 4:00 p.m. Motion carried unanimously. (Trustee Stapp was absent and Trustee Dodge recused himself from this agenda item.)

UNFINISHED BUSINESS

- A. Xcel LED Lighting Discussion

Town Administrator/ Clerk Darrah provided a staff memorandum, wherein she covered previous discussions regarding this agenda item, program details provided by Xcel Energy and listed answers to all of the questions the Board had for Xcel Energy in regards to the LED Street Light conversion program.

The Board members stated that they felt the 70 Watt bulbs were too bright for residential areas of Fairplay and would like to go with 45 Watt bulbs in those areas, if available. At the conclusion of the Board discussion, Staff was directed to go with Xcel Energy's Option A, with no upfront cost, and to have Xcel Energy use 45 Watt bulbs if available.

B. Other discussion items

No other discussion items were offered.

NEW BUSINESS

- A. Should the Board Approve Adoption of Resolution No. 1, series 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW."?**

Motion #4 by Trustee Dodge, seconded by Trustee Just that the Board Approve Adoption of Resolution No. 1, series 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING A DESIGNATED PUBLIC PLACE FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW." Motion carried unanimously. (Trustee Stapp was absent.)

B. Other new business

No other new business offered.

MAYOR AND TRUSTEE REPORTS

Trustee Dodge commented on the prompt plowing of all Town streets during the past few storms and reminded staff that parts of 5th Street still drift and build ice. He also thanked Public Works Director Mead and Police Chief Vice for running their departments effectively.

Trustee Douglas stated that he feels the Town needs to recognize Katie Young for her years of service to Park County. Town Administrator/ Clerk Darrah asked if a plaque was appropriate and the Board concurred. He also commented that there are a lot of speeders coming through Town in the morning. Police Chief Vice stated that he will consider adjusting the Police Department schedule to address this issue.

Mayor Lane stated that he is looking forward to another great year in Fairplay.

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

Motion #5 by Trustee Just, seconded by Trustee Dodge, that the Board go into executive session at 7:21 p.m. for the purpose of receiving legal advice from the Town Attorney and instructing negotiators in regards to a potential land purchase pursuant to C.R.S. Section 24-6-402 (4) (b) and (e). Motion carried unanimously. (Trustee Stapp was absent.)

Mayor Lane announced that the meeting was back to open session at 7:45 p.m. The participants in the executive session were: Mayor Lane, Trustees Just, Douglas 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 7:46 p.m.

Gabby Lane, Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk