

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES**

June 5, 2017

SITE VISITS AT 249 US HWY 285, 1101 MEADOW DRIVE AND 1151 BULLET ROAD

The Board of Trustees for the Town of Fairplay met at 6:00 p.m. at the Fairplay Town Hall, 901 Main Street and left from there for the first site visit. Those present were Mayor Lane, Trustees Frank Just, Scott Dodge, Eve Stapp and Ray Douglas. Also present were Town Administrator/ Clerk Tina Darrah and Town Planner Ron Newman.

The group met at The Riverside Inn located at 249 U S Hwy 285, Fairplay, Colorado. Town Planner Newman gave a general overview of the Special Use Permit application submitted by the owner, Stan Kopunec. The Board conducted a visual inspection of the containers located on the subject property.

Next the group met at Colorado Natural Gas located at 1101 Meadow Drive, Fairplay, Colorado. Town Planner Newman gave a general overview of the Special Use Permit application submitted by the business owner's representative, Bill Shaw. The Board conducted a visual inspection of the containers located on the subject property.

Lastly, the group met at Fairplay Storage located at 1151 Bullet Road, Fairplay, Colorado. Town Planner Newman gave a general overview of the Special Use Permit application submitted by the owner's representative, Pete Werner. The Board conducted a visual inspection of the existing structures and discussed the proposed plans for construction of 3 additional 40' x 120' storage buildings on the subject property.

CALL TO ORDER WORK SESSION @ 6:30 P.M. – CDOT – TPR Meeting Update

Trustee Dodge gave an update to the Board and Staff regarding the CDOT meeting that he and Trustee Stapp attended on May 22nd in the Town Hall meeting room. Representatives from CDOT presented preliminary plans for the section of the 285 corridor running through Park County at the May 22nd meeting, which was attended by various Park County agencies and government officials.

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 Vaughn Mead, Acting Police Chief Bo Schlunsen, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Town Planner Ron Newman.

AGENDA ADOPTION

Motion #1 by Trustee Douglas, 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** – May 1, 2017
- B. **APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$55,245.79.

Motion #2 by Trustee Dodge, seconded by Trustee Stapp, 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

Charles Schultz, who lives at 227 Little Baldy Road, introduced his idea to bring affordable housing to Fairplay and presented a letter of intent to donate land from the Park County Board of County Commissioners. Mr. Schultz stated that the donated land consisting of 4 lots and he is looking at a project that would include 1 bedroom units of approximately 1000 square feet each. He is considering "step up housing" units that would rent for approximately \$1000 per month.

Dale Fitting, who lives at 369 Looney Lane, was present to remind the Board and Staff that Rocky Mountain Rural Health has circulated a petition to have the proposed South Park Health Services District on the November ballot. The proposal is to impose a 1% sales tax to aid in bringing health care and a doctor back to South Park. Attorney Phillips stated that the Board of County Commissioners voted 3 – 0 to put these ballot questions on the November ballot.

PUBLIC HEARINGS

Town Administrator/ Clerk Darrah stated for the record that the Board conducted site inspections of the three properties listed on the agenda under Public Hearings, items B through D. These site inspections were conducted at 6:00 p.m. today.

- A.** CONTINUED - Should the Board Approve Adoption of Resolution No. 6, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR LINDA PLUE."?

Public hearing re-opened at 7:12 p.m. by Mayor Lane.

Town Planner Newman presented the Special Use Permit Application for the applicant, Linda Plue at the May1st Board meeting, at which time he stated that the application appears to be in substantial compliance with the Fairplay Comprehensive Plan.

The owner of 411 U S Hwy 285, Linda Plue, spoke on behalf of her Special Use Permit application.

There were no comments in favor of or in opposition to this application.

Public hearing was closed at 7:20 p.m. by Mayor Lane.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board Approve Adoption of Resolution No. 6, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR LINDA PLUE." Motion carried unanimously.

- B.** Should the Board Approve Adoption of Resolution No. 11, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR STAN KOPUNEC."?

Public hearing opened at 7:23 p.m. by Mayor Lane.

Town Planner Newman presented the Special Use Permit Application for the applicant, Stan Kopunec, and stated that the proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan. He also stated that the UDC states that signage should be taken under consideration as criteria for approval or denial.

Derek Kopunec, representing Stan Kopunec, spoke on behalf of his father's Special Use Permit application and stated that the applicant prefers moving the containers behind the hotel rather than screening them from public view.

Bob Brands provided a letter of support for the Special Use Permit.

There were no comments in opposition to this application.

Public hearing was closed at 7:34 p.m. by Mayor Lane.

The Board discussed the Special Use Permit application, the containers location on the property and the signage on the containers and decided to grant conditional approval. The conditions are to be that the Special Use Permit does not run with the land, the approval is for the existing containers only and no signage shall be permitted on the containers, so the containers will need to be painted an earth tone approved by the Board, all containers will

be screened from public view or moved to less visible location approved by the Town, and the containers shall be locked at all times.

Motion #4 by Trustee Just, seconded by Trustee Dodge, that the Board approve adoption of Resolution No. 10, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR STAN KOPUNEC" with conditions. Motion carried unanimously.

- C. Should the Board Approve Adoption of Resolution No. 11, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR COLORADO NATURAL GAS."?

Public hearing opened at 7:49 p.m. by Mayor Lane.

Town Planner Newman presented the Variance Application for the applicant, Colorado Natural Gas, and stated that the proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan. He also stated that the UDC states that signage should be taken under consideration as criteria for approval or denial.

Matt Brooks, representing Colorado Natural Gas, was available to answer Board questions.

The Board asked Mr. Brooks if the owner of the real estate was aware of the metal shipping containers on the property and he was not sure.

Town Attorney Phillips advised the Board to continue this public hearing to the June 19th agenda to allow the applicant to obtain a letter of authorization from the real property owners.

There were no comments in favor of or in opposition to this application.

Motion #5 by Mayor Lane, seconded by Trustee Dodge, that the Board continue this hearing until the next regular meeting set for June 19, 2017 at 7:00 p.m. Motion carried unanimously.

- D. Should the Board Approve Adoption of Resolution No. 12, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR PETE WERNER."?

Public hearing opened at 8:56 p.m. by Mayor Lane.

Town Planner Newman presented the Special Use Permit Application for the applicant, Pete Werner, and stated that the proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan.

Pete Werner spoke on behalf of the Special Use Permit application and answered Board questions regarding the proposed site development.

There were no comments in favor of or in opposition to this application.

Town Attorney Phillips suggested that the Special Use Permit should include the two existing storage unit buildings located on the site, which are legal non-conforming.

Public hearing was closed at 9:06 p.m. by Mayor Lane.

Motion #6 by Trustee Just, seconded by Trustee Douglas, that the Board approve adoption of Resolution No. 12, series of 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR PETE WERNER." with conditions as recommended by Attorney Phillips. Motion carried unanimously.

UNFINISHED BUSINESS

- A. Other discussion items

No other discussion items were offered.

NEW BUSINESS

- A. Should the Board Approve Adoption of Resolution No. 13, series of 2017, 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 DALE FITTING FOR THE HAND HOTEL SIDING REPLACEMENT PROJECT.”?

Town Administrator/ Clerk Darrah presented the Hand Hotel PIIP application for siding replacement and stated that staff finds it in compliance with the PIIP rules and regulations. She went on to say that the amount requested is \$5,708 towards a project estimated to cost \$40,953 for labor and materials. Staff stated that \$11,786 is left in the 2017 budget for this line item and recommended approval of the PIIP application for this highly visible project.

Motion #7 by Trustee Just, seconded by Trustee Dodge, that the Board Approve Adoption of Resolution No. 13, series of 2017, 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 DALE FITTING FOR THE HAND HOTEL SIDING REPLACEMENT PROJECT.” A roll call vote was taken: Dodge- yes, Stapp – yes, Lane – yes, Douglas – yes, Just - yes. Motion carried unanimously.

- B.** Should the Board Approve Adoption of Resolution No. 14, series of 2017, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND MIKE FRIEDRICH FOR THE DEPOT PROJECT.”?

Town Administrator/ Clerk Darrah stated that while this a public hearing, it is not posted or published as no requirement exists for that level of notification.

Mike Friedrich gave a brief description of the retail business that he is opening in the Depot building located at 601 Main Street.

Town Administrator/ Clerk Darrah stated that the base amount for this new business is zero and the agreed amount of sales tax to be rebated over a five year period, at a 50/50 split, is \$25,000. The start date for this ESTIP agreement is July 1, 2017.

Motion #8 by Trustee Just, seconded by Trustee Douglas, that the Board Approve Adoption of Resolution No. 14, series of 2017, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF AN ENHANCED SALES TAX INCENTIVE PROGRAM (ESTIP) AGREEMENT BETWEEN THE TOWN AND MIKE FRIEDRICH FOR THE DEPOT PROJECT.” A roll call vote was taken: Dodge – yes, Stapp – yes, Lane – yes, Douglas – yes, Just – yes. Motion carried unanimously.

- C.** Should the Board Approve Adoption of Resolution No. 15, series of 2017, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZAING THE EXECUTION OF A CONTRACT WITH PAVEMENT MAINTENANCE SERVICES, INC FOR WORK TO BE PERFORMED IN THE TOWN OF FAIRPLAY, COLORADO.”?

Public Works Director Mead stated which portions of streets would be paved with a 3 inch asphalt overlay if this resolution and agreement were approved by the Board. He stated that the \$96,009.16 bid included 49,207 square feet of roadway that would be improved and recommended approval of the agreement with Pavement Maintenance Services.

The Board stated that they are committed to making these sort of street improvements each year and improving the street standards throughout town.

Motion #9 by Trustee Just, seconded by Trustee Douglas, that the Board Approve Adoption of Resolution No. 15, series of 2017, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZAING THE EXECUTION OF A CONTRACT WITH PAVEMENT MAINTENANCE SERVICES, INC FOR WORK TO BE PERFORMED IN THE TOWN OF FAIRPLAY, COLORADO.” A roll call vote was taken: Dodge- yes, Stapp – yes, Lane – yes, Douglas – yes, Just - yes. Motion carried unanimously.

- D.** Discussion/ Direction Regarding Referral Response Request from Park County Planning Department for High-Speed Aggregate Rezoning Application

Town Planner Newman went over his written staff report in response to a rezoning request within Park County that may have impact on Town properties and stated that Park County will integrate the town’s comments into the public record regarding the High Speed Aggregate application.

The Board discussed the information included with the application and Attorney Phillips suggested that they may want to respond to Park County, saying that the Board gives authorization for Trustees Dodge and Douglas to speak and act on behalf of the Board at the Park County Planning Commission and Park County Board of County Commissioners' upcoming meetings on this application. After additional Board discussion, Town Administrator/ Clerk Darrah was directed to provide a letter to Park County addressing buffering, use of public roads, neighborhood impact, reclamation and a possible impact fee for road repairs.

E. Other new business

No other new business was offered.

MAYOR AND TRUSTEE REPORTS

Trustee Dodge expressed his gratitude to all those that participated in Town Clean Up. He stated that he would like the Town to place a thank you ad in the Fairplay Flume. Trustee Dodge also thanked the Dale and Katherine Fitting, the Board of Trustees and everyone else that has been fighting to bring health care back to Park County.

Trustee Just stated that he appreciates the effort that goes into keeping the Town's website and Facebook page up to date. He said that his wife gets the Town's information out to the people that come to the South Park Senior Center.

Mayor Lane thanked Public Works Director Mead and all of the volunteers that helped with Cemetery Clean Up.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 9:23 p.m.

Gabby Lane, Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk