

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

October 2, 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 Pro Tem Frank Just who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp and Ray Douglas. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Vaughn Mead, Acting Police Chief Bo Schlunsen, Deputy Town Clerk Claudia Werner and Town Planner Ron Newman. Mayor Gabby Lane was absent.

AGENDA ADOPTION

Motion #1 by Trustee Douglas, seconded by Trustee Stapp, that the agenda be adopted as presented. Motion carried unanimously. (Mayor Lane 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** – July 17, 2017 and August 7, 2017
- B. APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$595,054.35.

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

CITIZEN COMMENTS

No citizen comments were offered.

PRESENTATIONS

- A. Presentation by Gretchen Panicucci/ High School Students**

No one from the South Park High School was present to give the presentation.

PUBLIC HEARINGS

- A. Should the Board Approve the Application for a Resubdivision of Parcels B through F, Samuel Mick Subdivision?**

Public hearing opened at 6:06 p.m. by Mayor Pro Tem Just.

Town Planner Newman presented the Resubdivision Application for the applicants, Sam Mick and Richard Carroll, and stated that the proposal appears to be in substantial compliance with the Fairplay Comprehensive Plan and Unified Development Code. He also stated that the UDC allows for existing subdivisions to be reconfigured provided that all procedures are followed, a final plat is submitted for staff and Board review, and that a subdivision improvement agreement is not required if no changes are made to the original subdivision improvement agreement.

Sam Mick spoke on behalf of the Resubdivision application and answered Board questions regarding the application and corresponding final plat.

Bob Brands provided a letter in support of the Resubdivision of Parcels B through F, Samuel Mick Subdivision.

There were no comments in opposition to this application.

Public hearing was closed at 6:18 p.m. by Mayor Pro Tem Just.

Motion #3 by Trustee Dodge, seconded by Trustee Douglas, that the Board direct staff to draft a resolution, Granting Approval of the Application for a Resubdivision of Parcels B through F, Samuel Mick Subdivision. Motion carried unanimously. (Mayor Lane was absent.)

- B. Should the Board Approve the Application for a Special Use Permit for Richard M Carroll, Middle Fork RV Park?

Public hearing opened at 6:21 p.m. by Mayor Pro Tem Just.

Town Planner Newman presented the Special Use Permit Application for the applicant, Richard Carroll, and stated that the proposal to allow the continued use of a metal shipping container appears to be in substantial compliance with the Fairplay Comprehensive Plan, the proposal to amend the current SUP to allow for storage of RVs should be limited to a certain number of vehicles and should be specified on the site plan, the proposal to set aside 5 spaces for seasonal workers to stay in the park for up to six months would be difficult to monitor and enforce, the proposal to amend the current site plan by adding Parcel D and E of the Samuel Mick Subdivision is a reasonable request for future expansion and when these parcels are developed a site plan would be required to show design, layout and access. He also recommended that the Board impose standard conditions on the SUP in regards to the metal shipping container.

Richard and Michelle Carroll spoke on behalf of the Special Use Permit application and answered Board questions regarding the application.

Sam Mick from Salida spoke in favor of the SUP application. Cassandra Hunt from Michigan and Andrea and Andy Bartels from Alabama spoke in favor of the application and expressed that it would be a hardship to them if the Board denied the request to allow seasonal workers to stay in the RV Park for up to six months. Bob Brands provided a letter in substantial support of the Special Use Permit for the Middle Fork RV Park.

There were no comments in opposition to this application.

Motion #4 by Trustee Douglas, seconded by Trustee Dodge, to continue the public hearing to the October 16, 2017, regular Board of Trustees meeting to allow the applicant time to submit an amended site plan for the RV Park showing ingress, egress and the location of the RV spaces for seasonal workers to stay for up to six months. Motion carried unanimously. (Mayor Lane was absent.)

UNFINISHED BUSINESS

- A. Other discussion items

No other discussion items were offered.

NEW BUSINESS

- A. Discussion Regarding Request from Dave Bellon to Place a Bench on Town-Owned Property

Town Administrator/ Clerk Darrah presented a request from Dave Bellon to place a Memorial Bench in honor of Neva Bellon near the staircase to the beach on Front Street and provided a picture of the bench he is proposing to purchase. Staff recommended approval of his request.

Motion #5 by Trustee Douglas, seconded by Trustee Stapp, that the Board approve the request from Dave Bellon to Place a Bench on Town-Owned Property. Motion carried unanimously. (Mayor Lane was absent.)

- B. Should the Board Approve Adoption of Ordinance No. 1, series 2017, entitled, "AN ORDINANCE AMENDING SUBSECTION 10-10-40(3) OF THE FAIRPLAY MUNICIPAL CODE RELATING TO EXCESSIVE NOISE."?

Town Administrator/ Clerk Darrah presented the ordinance, which limits excessive noise from construction activities to 7am-7pm rather than 7am-9pm, per Board direction at the last work session. Town Attorney Phillips drafted the ordinance and answered Board questions regarding it.

Motion #6 by Trustee Dodge, seconded by Trustee Stapp, that the Board approve adoption of Ordinance 1, series 2017, entitled, "AN ORDINANCE AMENDING SUBSECTION 10-10-40(3) OF THE FAIRPLAY MUNICIPAL CODE RELATING TO EXCESSIVE NOISE". Motion carried unanimously. (Mayor Lane was absent.)

C. Should the Board Approve Adoption of Resolution No. 18, series 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPROVING PARTICIPATION IN AN INTERGOVERNMENTAL AGREEMENT FOR A REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING."?

Town Administrator/ Clerk Darrah explained that this resolution approves the Town's participation in the Regional Planning Commission for Transportation Planning. Trustees Dodge and Stapp are the Town's representatives on the committee but without the approved IGA, the Town does not have a voice on the committee.

Motion #7 by Trustee Douglas, seconded by Mayor Pro Tem Just, that the Board approve adoption of Resolution No. 18, series 2017, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPROVING PARTICIPATION IN AN INTERGOVERNMENTAL AGREEMENT FOR A REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING." Motion carried unanimously. (Mayor Lane was absent.)

D. Discussion Regarding Request to Amend the Town's Unified Development Code to Include Dog Training Facilities as an Allowed Use in Certain Zone Districts.

Town Planner Newman presented the proposal to amend the UDC to allow dog training facilities. He stated that a dog training business with no kennels or boarding has been proposed in the Town Center Zone district and because this use is not listed in the UDC table of uses, the Board should consider adding it and determine whether it should be a permitted use, a special use or be prohibited and in which zone districts these designations should apply. The Town Planner encouraged the Board to designate "Dog Training Facility" as a special use in Town Center zoning and a permitted use in Commercial and Light Industrial zoning and reminded the Board that as a special use, conditions of approval could be placed on each application to protect the character of the neighborhoods.

Town Attorney Phillips stated that he would draft an ordinance for the Boards review and consideration at their October 16, 2017, regular meeting.

E. Discussion/ Approval of a Contract with Betone Civil Constructors for the 8th Street Drainage Project.

Public Works Director Mead reported that bid documents for the 8th Street Drainage Project were sent to three local contractors with a July 12th bid deadline. No bids were received by the deadline and therefore it was extended to July 26th, but this still did not result in the Town receiving any bids. On August 4th, Frank Just, Chip Wittbrodt and Public Works Director Mead met at the intersection of Main and 8th Streets to discuss a different course of action. Frank Just with Betone Civil Constructors stated that his company can complete the project for a maximum price of \$8,000 and complete the work this fall. While the Town does not normally contract with Town employees or elected officials, Public Works Director Mead felt it was necessary to contract with Betone Civil Constructors due to the fact that this project really needs to be completed in 2017 and the Town has not been successful in getting other contractors to bid it.

Motion #8 by Trustee Dodge, seconded by Trustee Stapp, that the Board approve a contract with Betone Civil Constructors to complete the 8th Street Drainage Project for a cost not to exceed \$8,000. A roll call vote was taken: Dodge- yes, Stapp – yes, Douglas – yes. Motion carried 3-0. (Mayor Pro Tem Just recused himself and Mayor Lane was absent.)

F. Other new business

No other new business was offered.

MAYOR AND TRUSTEE REPORTS

Mayor Pro Tem Just commented that it was a great summer in Fairplay, with great activities. He went on to say that other communities strive to do things similar to Fairplay.

STAFF REPORTS

Town Planner Newman provided a written staff report updating the Board on the status of approved SUPs for shipping containers in Commercial Zoning. When field inspections were done on September 28th, 1st American Woodcrafters was the only one of the six properties in compliance. Colorado Natural Gas, Calamity's Cabin, and South Park True Value still needed to complete the removal of all signage and/or lettering on their containers.

Riverside Inn needed to move two of the shipping containers that are visible from U S Hwy 285 and lettering needed to be removed from all four of their containers. Middle Fork RV Park is still in the process of obtaining a Special Use Permit to allow the continued use of their shipping container.

The Board directed staff to notify the Special Use Permit holders that were out of compliance, that they needed to be compliant prior to the October 16th regular Board meeting or the Town would take action to revoke their SUPs.

Acting Police Chief Schlunsen provided a written staff report covering updates on Lexipol, year to date police department case report, accident, arrest and citation activities, shipping container compliance, and Park County Sheriff's Department assistance with Town of Fairplay police coverage. He also stated that the data from the speed sign installed near the entrance to Town Hall seems to be skewed and he will ask CDOT for assistance in retrieving and deciphering the data.

Public Works Director Mead provided a written staff report covering updates on the wastewater treatment system, the water distribution system, various public works department activities including updates on their 2017 work plan, and a year to date accounting of building permit activity in the Town of Fairplay.

Town Administrator/ Clerk Darrah provided the Board with updates on the 2018 Budget presentation that is scheduled for the October 16th Board meeting, the Best and Brightest Intern Program, the Fairplay Police Chief selection process and Acting Chief Schlunsen's excellent work in the meantime, Summit Stage shuttle service potential expansion to include Alma and Fairplay, school based healthcare system meetings, Rec Center group meetings regarding May ballot question, and Spruce Hill discussions. She also stated that Visitor Center volunteers have been invited to the Board's October 16th meeting, where they will be individually recognized and appreciated. The non-profit partners that worked with the Town during the summer events will be recognized and receive their checks at the same meeting.

ADJOURNMENT

Mayor Pro Tem Just, noting that there being no further business before the Board, declared that the meeting be adjourned at 8:40 p.m.

Frank Just, Mayor Pro Tem

ATTEST:

Claudia Werner, Deputy Town Clerk