

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

**February 5, 2018**

**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, Eve Stapp, Ray Douglas and Frank Just. Also in attendance were Legal Counsel Erin Smith, Town Administrator/ Clerk Tina Darrah, Interim Police Chief Bo Schlunsen, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Assistant to the Town Administrator Mason Green. Public Works Director Vaughn Mead joined the meeting in progress.

**AGENDA ADOPTION**

**Motion #1** by Trustee Just, seconded by Trustee Douglas, 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 22, 2018
- B. APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$18,113.42.

**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, Stapp – yes, Lane – yes, Douglas – yes, Just - yes. Motion carried unanimously.

**CITIZEN COMMENTS**

No citizen comments were offered.

**PUBLIC HEARING**

- A. Continued** – Consideration of a Special Use Permit application as submitted by Stan Kopunec for the property located at 249 U S Hwy 285 to allow manufacturing, fabrication and assembly of log homes and to allow the continued use of the existing shipping container located on the Commercial (C) zoned property.

The Public Hearing was re-opened by Mayor Lane at 6:05 p.m.

This public hearing was continued from the December 4, 2017, January 8, 2018 and January 22, 2018, Board of Trustees meetings to allow the applicant, Stan Kopunec, to provide additional information to the Board prior to a motion to approve or deny the application. Town Administrator/ Clerk Darrah presented the additional information provided by the applicant. The applicant wishes to obtain this Special Use Permit to allow for up to three log kit homes being assembled or completed on the 20 acre parcel, known as Parcel B, River Business Park, Filing 1, at any one time over the next two years. The log kit homes will provide screening for the existing shipping container on the property so that it is no longer visible from U S Highway 285.

Derek Kopunec and Rick Bohlken answered Board questions and spoke on behalf of the applicant, Stan Kopunec, who was unable to attend the meeting. The log kit homes, as soon as practical, and shipping container will be locked or secured at all times for public safety. Building materials will be stored in the shipping container. The applicant will use the Riverside Inn restrooms and refuse collection/ removal service. Existing access to this property is provided by the access easement on the Highway 285 frontage as well as a road that enters the property from the south and crosses the 20 acre parcel behind the Riverside Inn.

There were no comments in opposition to this application.

The Board stated that the applicant and/or those operating the log kit assembly business will need to use quiet generators and other equipment and the hours of operation should be limited to 7 a.m. to 7 p.m., Monday through Saturday and there shall be no operation of the log kit home assembly on Sundays and holidays. The property will be kept neat and orderly at all times and all tools, equipment, building materials, trash, etc will be disposed of or stored in the shipping container prior to end of operations each day.

Public hearing was closed at 6:26 p.m. by Mayor Lane.

**Motion #3** by Trustee Just, seconded by Trustee Dodge, that the Board approve the Special Use Permit for Parcel B, River Business Park, Filing No. 1, to allow the log kit assembly operation and the shipping container with conditions and directing staff to prepare a resolution stating such approval to be considered at the March 5th meeting. Motion carried unanimously.

- B.** Consideration of a Special Use Permit application as submitted by Stan Kopunec for the property located at 249 U S Hwy 285 to allow two shipping containers for storage of various hotel supplies and materials on the Commercial (C) zoned property.

The Public Hearing was opened by Mayor Lane at 6:27 p.m.

Town Administrator/ Clerk Darrah presented the application and stated that Mr. Kopunec has re-applied for the special use permit to allow two conex containers on his property at the Riverside Inn Hotel. The applicant was granted a special use permit for these containers on June 5, 2017, but failed to comply with the special use permit conditions and therefore it was revoked on November 6, 2017. The conditions of the previous special use permit have now been met and the applicant wishes to keep them for the hotel's use.

Derek Kopunec answered Board questions and spoke on behalf of the applicant, Stan Kopunec, who was unable to attend the meeting.

There were no comments in opposition to this application.

Public hearing was closed at 6:35 p.m. by Mayor Lane.

**Motion #4** by Trustee Just, seconded by Trustee Douglas, that the Board approve the Special Use Permit for 249 U S Highway 285, to allow the shipping containers with conditions and directing staff to prepare a resolution stating such approval to be considered at the March 5th meeting. Motion carried unanimously.

**UNFINISHED BUSINESS**

- A.** Other discussion items

No other discussion items were offered.

**NEW BUSINESS**

- A.** Request for Letter of Support/Financial Support for Park County Land and Water Trust Fund Grant Application.

Town Administrator/ Clerk Darrah presented the request from Misi Ballard and Josh Voohis for a letter of support and funding for the restoration of three different sites on National Forest lands in the Fairplay area, to be done this summer. The three sites are the Selkirk Basin/ North Tarryall Creek, Beaver Creek and Sheep Creek and the Board was provided with a description of work to be performed, a cost breakdown and maps showing the areas to be rehabilitated. Staff stated that the funding request was for \$1,000.00 and stated the amount available in the 2018 budget for these types of requests.

**Motion #5** by Trustee Dodge, seconded by Trustee Just, that the Board approve the letter of support and funding for these projects in the amount of \$1,000. A roll call vote was taken: Dodge - yes, Stapp – yes, Lane – yes, Douglas – yes, Just - yes. Motion carried unanimously.

- B.** Request for Letter of Support from CUSP for Park County Land and Water Trust Fund Grant Application.

Town Administrator/ Clerk Darrah presented the request from Coalition of the Upper South Platte for a letter of support for a grant application to the Park County Land and Water Trust Fund, provided a draft letter of support and stated that Staff recommends approval of the request.

**Motion #6** by Trustee Just, seconded by Trustee Douglas, that the Board approve the letter of support for the Coalition of the Upper South Platte's Upper South Platte Mine Study-9 Element Watershed Plan grant application. Motion carried unanimously.

**C. Request from Brandon Sanders to Talk to the Board Regarding an Automotive Shop at 420 Front Street.**

Town Administrator/ Clerk explained that Mr. Sanders spoke to Staff on January 29<sup>th</sup> regarding the zoning of 420 Front Street and that he informed us that he was planning to open an automotive repair shop at this address. Staff explained to him that this use is prohibited on the property because it lies within the Town Center Zone District and Staff showed him zone districts within Fairplay where this use would be allowed by right or with a special use permit. Mr. Sanders asked to speak to the Board regarding a change to the code, which would allow this use in the Town Center Zone District. Staff also provided the Board with various options to try and accommodate this business at 420 Front Street.

Brandon Sanders was present with his partner, Jeff (no last name provided), to explain his situation and ask for Board assistance. Legal Counsel Smith advised the Board to consider this use in the Town Center Zone District and not at this specific property address.

The Board deliberated and decided that because of the onerous process that was undertaken to develop and approve the Town of Fairplay Comprehensive Plan and Unified Development Code, they did not feel that it was appropriate to allow an automotive shop in the Town Center Zone District. Mayor Lane advised Mr. Sanders to work with Staff on other available options.

**D. Other new business**

No other new business was offered.

**STAFF REPORTS**

Interim Police Chief Schlunsen provided a written staff report, updating the Board on cases dealt with in January, code enforcement, assistance from the Park County Sheriff's Department on call coverage, police officer recruitment efforts and offered to answer any Board questions.

Public Works Director Mead provided a written staff report, covering wastewater treatment plant performance, waste water system, water system, additional Public Works Department operations and offered to answer any Board questions. He also stated that Mountain Peaks Controls is putting in new equipment at the Sanitation Plant and also said that Tom with High Country Engineering is still working on recommendations for a Town PRV near the pump house on Second Street.

Town Administrator/ Clerk Darrah reminded the Board that a meeting for merchants will be held at the Fair Barn tomorrow night at 6 p.m. She stated that 54 surveys were distributed among Fairplay merchants and 36 of them were completed and returned by the deadline. Tina Darrah and Mason Green will be out of the office for the Manager's Conference from the afternoon of February 7<sup>th</sup> through February 9<sup>th</sup>. She also offered an update on the plans to add a Summit Stage route to Fairplay and stated that CDOT has authorized the use of the old CDOT shop on Hathaway Street for this route and said that the Town would entertain a lease of the shop for this purpose.

**MAYOR AND TRUSTEE REPORTS**

Trustee Dodge stated that he and Trustee Stapp attended a great meeting with CDOT Division 2, where they discussed improvements to the Highway 9 and 285 intersection, the Bustang bus program, and the monitoring by Colorado State Patrol of the route through the Fairplay area and especially the stop light at the intersection of Highways 9 and 285, when I70 is closed.

Trustee Just thanked the Public Works Department for removing the tourist information signs, directing traffic to Front Street, and for their handling of snow removal this winter. He went on to say that Summit County officials are frustrated with some of the roundabouts in their County. Trustee Just provided an update on the plan to bring a Summit Stage route to Fairplay and said that it may happen as early as the summer of 2018.

Mayor Lane stated that he plans to attend an El Pomar Foundation meeting with Town Attorney Lee Phillips on February 15<sup>th</sup>.

Trustee Stapp stated that a group, calling themselves Save South Park and opposing mining in our area, is advertising a fund raising event to be held in Summit County.

**ADJOURNMENT**

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:18 p.m.

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Gabby Lane, Mayor

ATTEST:

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Claudia Werner, Deputy Town Clerk