

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

December 3, 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 6:03 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, by Mayor Frank Just who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp, Ray Douglas, and Cindy Bear. Also in attendance were Town Administrator/Clerk Tina Darrah, Town Attorney Paul Wisor, Police Chief Marcus Woodward, Town Treasurer Kim Wittbrodt, Public Works Director Jim Brown and Assistant to the Town Administrator/Deputy Clerk Mason Green.

AGENDA ADOPTION

Motion #1 by Trustee Dodge, seconded by Trustee Douglas, that the agenda be with the following amendment: *remove the presentation of the Blueprint 2.0 Grow Your Outdoor Recreation Industry Marketing Plan and replace it with a presentation of a check to the South Park Food Bank.* 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** – November 19, 2018
- B. APPROVAL OF EXPENDITURES** – Approval of bills of various Town Funds in the amount of \$26,140.40

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

CITIZEN COMMENTS

PRESENTATIONS

Kenny Shaw, President of the South Park Food Bank accepted a check for monies raised for the South Park Food Bank by the Town of Fairplay via the Hazel Miller concert which took place on December 1st as a part of the Real Colorado Christmas Celebration. The check totaled \$849.00.

Mayor Just informed Mr. Shaw that he would personally donate \$151.00 to bring the total donated amount to \$1,000.

PUBLIC HEARINGS

- A.** (Continued) 2018 Amended Budget and 2019 Proposed Budget

Mayor Just opened the Public Hearing for the 2018 Amended Budget and the 2019 Proposed Budget at 6:13pm.

Mayor Just asked for public comment, to which there was none, before closing the Public Hearing at 6:15pm.

Motion #3 by Trustee Douglas, seconded by Trustee Stapp, to approve adoption of Resolution No. 43, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2018 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO.”** A roll-call vote was taken. Dodge - yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. Motion carried unanimously.

Motion #4 by Trustee Stapp, seconded by Trustee Bear, to approve adoption of Resolution No.44, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY,**

COLORADO, FOR THE AMENDED 2018 BUDGET.”? A roll-call vote was taken. Dodge - yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. Motion carried unanimously.

Motion #5 by Trustee Dodge, seconded by Trustee Stapp, to approve adoption of Resolution No.45, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2019 AND ENDING ON THE LAST DAY OF DECEMBER 2019.”?** A roll-call vote was taken. Dodge - yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. Motion carried unanimously.

Motion #6 by Trustee Dodge, seconded by Trustee Stapp, to approve adoption of Resolution No.46, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2018 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FAIRPLAY, FOR THE 2019 BUDGET YEAR.”?** A roll-call vote was taken. Dodge - yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. Motion carried unanimously.

Motion #7 by Trustee Douglas, seconded by Trustee Dodge, to approve adoption of Resolution No. 47, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO FOR THE 2019 BUDGET YEAR.”?** A roll-call vote was taken. Dodge - yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. 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. 48, series of 2018, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE PLACEMENT OF UTILITY LIENS.”?

Town Treasurer Wittbrodt introduced the topic and stated that there are five delinquent water/sewer accounts that will have a lien placed upon them if this Resolution is passed. Town Treasurer Wittbrodt stated that her 2018 list had begun with 25 accounts.

Town Administrator Darrah stated that the Town had begun contacting these individuals in September of 2018 and those that remain are those that have not made a sufficient payment or engaged in a payment plan.

Trustee Dodge asked when the money is collected off the lien. Town Treasurer Wittbrodt stated that collection occurs at the time at which property tax is collected.

Mayor Just asked Town Attorney Wisor why the Town hands the lien over to the County. Town Attorney Wisor informed Mayor Just that, as the primary property taxing entity, the County handles liens as they relate to property tax.

Motion #8 by Trustee Stapp, seconded by Trustee Douglas, to approve adoption of Resolution No. 48, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE PLACEMENT OF UTILITY LIENS.”** A roll call vote was taken. Dodge – yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. Motion carried unanimously.

B. Should the Board Approve Adoption of Resolution No. 49, series 2018, 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 MEGAN SEBASTIAN FOR THE SOUTH PARK DISTILLING PROJECT.”?

Town Administrator Darrah introduced the topic, stating that the agreement proposed a 50/50 split of any accrued sales tax over the amount of \$0 between the Town of Fairplay and South Park Distilling for a period of five-years, or for a total amount of \$20,000. Town Administrator Darrah further explained that South Park Distilling was able

to apply for an ESTIP as the ESTIP requirements allowed businesses to apply which had been in operation for less than one-year.

Mayor Just opened the floor to public comment.

Megan Sebastian, owner of South Park Distilling, spoke about her business and how she hopes the South Park Distilling Tasting Room would help to get more people to Front Street.

Paul Kemp, co-owner of the South Park Brewery, stated that he very much enjoys the ESTIP program and that it has been very beneficial to his brewery. Mr. Kemp further stated that the ESTIP payments he receives generally go back into the brewery.

There was no public comment against the execution of an ESTIP agreement between the Town and South Park Distilling.

Trustee Bear stated that she believes that both Mr. Kemp and Ms. Sebastian are committed members of the Town of Fairplay.

Motion #9 by Trustee Bear, Seconded by Trustee Douglas, that the Board approve Resolution No. 49, series of 2018, 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 MEGAN SEBASTIAN FOR THE SOUTH PARK DISTILLING PROJECT.** A roll call vote was taken. Dodge—yes, Stapp— yes, Just— yes, Douglas— yes, Bear— yes. Motion carried unanimously.

- C. Should the Board Approve Adoption of Resolution No. 50, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN SOUTH PARK HEALTH SERVICES DISTRICT (SPHSD) AND THE TOWN OF FAIRPLAY FOR THE USE OF 525 HATHAWAY STREET.”?**

Town Administrator Darrah introduced the topic, stating that approving this amendment would make the term of lease between the Town of Fairplay and the SPHSD, and the sub-lease between SPHSD and Health One, run concurrently. Town Administrator Darrah further stated that this is why there are no dates filled in on the new lease, as SPHSD and Health One are currently negotiating.

Trustee Dodge asked Town Attorney Wisor if he could further clarify how the lease operated.

Town Attorney Wisor stated that the Town of Fairplay would remain the landlord over the property at 525 Hathaway as the Town leased the building to SPHSD who then will sub-lease the property to Health One.

Trustee Douglas asked the Town Board and staff if the Town would ever consider selling the building to SPHSD and if so, whether the price would be fair market value.

Town Administrator Darrah stated that a decision to sell the building at 525 Hathaway Street would be a policy decision of the Board of Trustees in office at that time.

Motion #10 by Trustee Douglas, seconded by Trustee Stapp, that the Board approve adoption of Resolution No. 50, series of 2018, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE SOUTH PARK HEALTH SERVICES DISTRICT (SPHSD) AND THE TOWN OF FAIRPLAY FOR THE USE OF 525 HATHAWAY STREET.”** A roll-call vote was taken. Dodge - yes, Stapp – yes, Just – yes, Douglas – yes, Bear – yes. Motion carried unanimously.

D. Other new business

There was no other new business presented.

BOARD OF TRUSTEES AND STAFF REPORTS

Assistant to the Town Administrator/Deputy Clerk Mason Green informed the Board that the students from the OEDIT Blueprint 2.0 Grow Your Outdoor Recreation Grant had tried to complete the marketing report for the Town of Fairplay in time to present at this meeting but failed to do so. Assistant to the Town Administrator/Deputy Clerk Green stated that it was likely that the students would present to interested parties the week of December 17.

Police Chief Marcus Woodward informed the Board that CDOT has re-installed and re-adjusted the speed radar signs along HWY 9. Chief Woodward also informed the Board that he had spoken with Colorado State Patrol regarding portable weigh-stations. Further, Chief Woodward urged those present at the meeting to speak with their neighbors about; not parking 'for-sale' cars on HWY 9, as CDOT policy directs CDOT workers to tow those vehicles; and to lock their cars at night due to a rash of car break-ins that have occurred recently and primarily affected un-locked vehicles. Lastly, Chief Woodward informed those present that two new Town of Fairplay Police Officers would be starting work in the month of December.

Public Works Director Jim Brown informed the Board that the signage changes to 7th Street, in front of the school, had been completed. Public Works Director Brown further stated that his staff was currently focused on the installation of backflow preventers.

Town Administrator Darrah reported that there is a meeting on Wednesday with DHM Design to present the new preliminary designs for the Fairplay River Park. Town Administrator Darrah further stated that Trustee Dodge aided her in getting a reply from CDOT and that she now has a meeting set up to talk about the Summit Stage and CDOT leasing the Bus Barn to the Town of Fairplay. Town Administrator Darrah informed the Board that there is a meeting on Tuesday December 4th to discuss Affordable Housing. Lastly, Town Administrator Darrah informed the Board that Town Attorney Paul Wisor is going to go forward in terms of filing the necessary documents at the Park County Offices, at 10:00am, to dissolve the Sanitation District.

Trustee Dodge stated that he had attended the CDOT regional meeting for the Town of Fairplay's region earlier in the day. Trustee Dodge stated that there is not a lot of money budgeted to the Town's CDOT region and that priority projects for this CDOT region included the addition of a passing lane on HWY 285 south of Town. Lastly, Trustee Dodge reported that there was no funding to address the intersection of HWY 9 and HWY 285.

Trustee Douglas stated that he is excited about the two new hires for the Police Department and gave kudos to the Town Building Inspector Gerrits Kasper for his live Christmas Tree idea.

Trustee Bear stated that it will take a period of time for Town of Fairplay residents to learn about the new one-way direction on 7th street.

Mayor Just stated that the Summit Stage is coming to this side of Hoosier Pass April 21st. Mayor Just also thanked Trustee Douglas for his service on the Town of Fairplay Board of Trustees as he will vacate his seat next meeting after winning the election to become the new Park County Commissioner.

ADJOURNMENT

Mayor Just, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:20 p.m.

Frank Just, Mayor

ATTEST:

Mason Green, Assistant to the Town Administrator/Deputy Clerk