

**MINUTES OF A REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
November 1, 2021**

CALL TO ORDER

A Regular Meeting of the Board of Trustees for the Town of Fairplay was called to order by Mayor Frank Just on Monday, November 1, 2021 at 6:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 901 Main Street, having previously been posted in accordance with Colorado Open Records law.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Mayor Just proceeded with the pledge of allegiance, followed by the roll call which was answered by Mayor Pro Tem Scott Dodge, Mayor Frank Just and Trustees Josh Voorhis and Peter Lynn. Mayor Just announced that Trustee Stapp was ill.

Staff in attendance were Town Treasurer Kim Wittbrodt, Police Chief Bo Schlunsen, Public Works Director Donovan Graham, Town Attorney Nina Williams and Town Administrator/Clerk Janell Sciacca.

APPROVAL OF AGENDA

Motion #1 by Trustee Dodge, seconded by Trustee Voorhis, that the agenda be adopted as written. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CONSENT AGENDA

- A. **APPROVAL OF MINUTES** – October 18, 2021
- B. **APPROVAL OF EXPENDITURES**—Approval of bills of various Town funds in the amount of **\$21,098.53.**

Motion #2 by Trustee Dodge, seconded by Trustee Lynn, that the Consent Agenda be approved as presented. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS

None.

UNFINISHED BUSINESS

- A. Continued Board and Staff Discussion Regarding Regulation of Short-Term Rentals within Fairplay Town Limits.

Town Attorney Williams presented providing an overview of the Staff Report and briefly reviewing the different policy options. She advised the Town should also require a separate application and license, applicable code inspections and higher fees. Town Administrator Sciacca advised that following the last discussion regarding “banning” the use, Staff felt that since there were already multiple licenses granted, that a cap was more appropriate but wanted to verify this was the direction of the Board. Mayor Just felt the consensus was to implement at least a 3-month moratorium giving the Board time to make a more definite decision. Trustee Voorhis agreed with the temporary moratorium and stated he did not want to see a large amount come through the door and he liked the idea of regulations by district/zones. Just stated his main concern was the lack of inspections required by the homeowner which was a safety issue for renters. Treasurer Wittbrodt thought it would be a good idea that the Town be consistent with Park County. Administrator Sciacca advised she had those regulations but was not aware of any cap. Following

additional discussion it was agreed that Staff would present an emergency ordinance for the Board's consideration at the November 15, 2021 meeting and then schedule a Work Session to go over all the options and related licensing forms.

PUBLIC HEARINGS

A. 2021FY Amended and 2022FY Proposed Budgets for All Funds of the Town of Fairplay, Colorado. Just opened the Public Hearing at 6:29 PM. Treasurer Wittbrodt advised the only real changes to this version were those discussed at the Work Session and presentation on October 18. She then requested advice on the purchase of a road grader and what amount the Board felt comfortable putting in the budget. Following discussion, the Board generally felt \$150,000 was acceptable. Administrator Sciacca advised that Staff would look for a quality, yet affordable, machine and if one could not be found in 2022 the purchase might have to be pushed back into 2023.

There were no public comments made in favor or opposition of the amended or proposed budgets. Sciacca then advised that Staff was working on a couple items that would be brought back to the Board at the next meeting for discussion. Just inquired about finishing the fence at the Sanitation Plant and Graham advised it had never been done but should be. It was agreed to get the pricing and put a funding in the 2022 budget.

Motion #3 by Trustee Voorhis, seconded by Trustee Lynn, that the Public Hearing on the 2021 FY amended and 2022FY Proposed Budgets be continued to November 15, 2021. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

NEW BUSINESS

- A. Should the Board Approve Resolution No. 24, Series of 2021, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO APPROVING A MEMORANDUM OF AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF TOWN OWNED RIGHT-OF-WAY AND GRANTING OF TEMPORARY EASEMENTS FOR THE US 285 AND STATE HIGHWAY 9 INTERSECTION IMPROVEMENTS AND WIDENING PROJECT STA M420-001.”**?

Town Administrator Sciacca presented reviewing the Staff Report and recommended approval of Resolution No. 24, Series 2021, as presented. Mayor Just stated he reviewed the drawings and determined the acquisition of the right-of-way on US 285 would not impact the road and parking area as significantly as previously advised by DHM engineering. He felt a vertical wall could be installed allowing for the alignment of the access road to be retained. Following discussion, it was agreed to postpone this item to the December 6 meeting and after the November 18, 2021 CDOT US 285 & Hwy 9 Improvement Project Open House which would allow Staff and the Board to further research and discuss the matter with CDOT representatives.

- B. Should the Board Approve Ordinance No. 6, Series of 2021, entitled, **“AN ORDINANCE OF THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 2, ARTICLE III, SECTION 2-3-40 THE MUNICIPAL CODE.”**?

Town Administrator Sciacca presented reviewing the Staff Report and recommended approval of Ordinance No. 6, Series 2021, as presented. Mayor Just reminded in 2009 when former Administrator Darrah was hired, she commuted from Buena Vista. He added that this part of the code section came up during interviews with many of the candidates during the 2021 hiring process. It is outdated and can affect the Town's ability to attract and retain Staff so he supported its removal.

Motion #4: by Trustee Lynn, seconded by Trustee Voorhis to approve Ordinance No. 6, Series 2021, as presented. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

BOARD OF TRUSTEE AND STAFF REPORTS

Chief Schlunsen reported that the background investigation had come back for the Officer he would like to hire and now the psychological evaluation was in progress.

Public Works Director Graham presented an overview of his Staff Report as contained in the packet.

Town Administrator Sciacca presented an overview of her Staff Report as contained in the packet. She noted the CDOT flyer in the packet for the upcoming Open House on November 18 for the US 285 and Highway 9 Improvement Project.

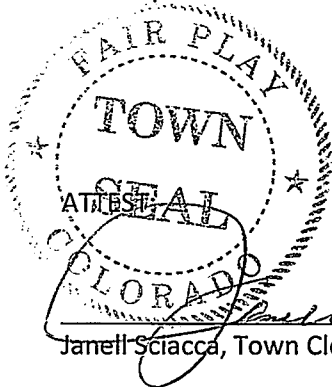
Trustee Dodge advised there were some street-lights out through town. He also stated that he thought there were some new storage containers around town that may not be permitted and requested Staff follow up. Mayor Just stated that the Board only approved 4 and Administrator Sciacca advised she would review the history and conduct inspections. Dodge also advised there was a Transportation Planning Region on Monday he would be attending by Zoom.

Trustee Voorhis advised he had been told there was an RV someone had moved in around 5th and Castello and it appeared someone might be living there. He also noted the tee pee site in that same location and felt more materials and items were being moved in and he inquired as to when the Stone Building between Main and Hathaway was supposed to be moved. Administrator Sciacca advised Staff would investigate the RV, and that they were trying to contact the homeowner with the tee pee in order to gain access to the structure for inspections. There had been multiple issues surrounding the move and Staff was working with the contractor and museum on permits and a schedule.

Mayor Just thanked the Staff and Treasurer Wittbrodt for getting the budget put together and for listening to the Board and reflecting their direction. Thanked Administrator/Clerk Sciacca for stepping in and taking over and hitting the ground. He also felt Public Works Director Graham was fitting into the family well.

ADJOURNMENT

There being no further business before the Board, Mayor Just declared that the regular meeting adjourned at 7:24 p.m.



Janell Sciacca
Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

Frank Just

Frank Just, Mayor