

**MINUTES OF A REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
MAY 17, 2021**

CALL TO ORDER

A 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 Frank Just. Mayor Just proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Nate Fidler and Josh Voorhis. Also in attendance were Public Works Director/Asst. Town Administrator Mason Green, Town Treasurer Kim Wittbrodt, Police Chief Bo Schlunsen and Town Administrator/ Clerk Tina Darrah. Trustee Eve Stapp was absent.

AGENDA ADOPTION

Motion #1 by Trustee Voorhis, seconded by Trustee Fidler, that the agenda be adopted as presented. Motion carried unanimously. (Trustee Stapp 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 – April 5, 2021

B. APPROVAL OF EXPENDITURES—Approval of bills of various Town funds in the amount of **\$166,442.24.**

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

CITIZEN COMMENTS

No citizen comment was offered.

PUBLIC HEARINGS

Should the Board Approve an Application for a new Hotel and Restaurant Liquor License as Applied for by KB's Kakery and Dorothy's Tamales at 3631 Hwy 285, Units A and B in Fairplay, Colorado?

Town Administrator/Town Clerk Darrah recused herself from this item and left the Board room due to potential conflict of interest as the holder of a liquor license in the Town of Fairplay.

Mayor Just opened the Public Hearing at 6:06 pm and offered a brief opening statement stating jurisdiction and outlining procedures for the public hearing. He then asked for staff comment, which was offered by Town Treasurer Wittbrodt, explaining that the application before them was from Karen and Wayne Albers for a Hotel and Restaurant Liquor License at KB'S Kakery and Dorothy's Tamales, LLC located at Units A & B, 331 US Highway 285, in Fairplay. Ms. Wittbrodt went through the staff investigation and findings, ending with a recommendation of approval. She noted that the public notices were done in accordance with State Statutes and the municipal code, and that no remonstrance's had been filed.

Mayor Just asked for applicant comment which was offered by Karen Albers, encouraging the Board to approve their application, and offering to answer any questions that the Board might have.

Mayor Just asked for public comment in favor of or opposition to the application. No comments offered.

Mayor Just closed the public hearing at 6:13 p.m. and asked for Board deliberation and a motion.

After a brief discussion, the following motion was offered:

Motion #3 by Trustee Dodge, seconded by Trustee Fidler, that the Board approve the application for a Hotel and Restaurant Liquor License as applied for by Karen and Wayne Albers, for KB's Bakery and Dorothy's Tamales located at Units A and B, 331 US Highway 285, in Fairplay. A roll call vote was taken: Dodge – yes, Just – yes, Voorhis – yes, Fidler – yes. Motion carried unanimously. (Trustee Stapp absent.)

UNFINISHED BUSINESS

Other Discussion Items

None offered.

NEW BUSINESS

Should the Board Approve Adoption of Ordinance No. 3, series of 2021, entitled, "AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 6-2-100 OF THE FAIRPLAY MUNICIPAL CODE CONCERNING ALCOHOLIC BEVERAGES."?

Town Administrator/Town Clerk Darrah recused herself from this item and left the Board room due to potential conflict of interest as the holder of a liquor license in the Town of Fairplay.

Staff comment was offered by Treasurer Wittbrodt explaining that this ordinance creates a 100-foot restriction for all on-premises liquor licenses from the school/school property and maintains the 500-foot limit for all off-premises liquor licenses as imposed by state statute. She explained that this will allow almost every commercially zoned property on Main Street the ability to apply for an on-premises liquor license should they be developed in such a way. She stated that staff recommended approval of the ordinance.

The Board briefly discussed and public comment was solicited. No public comments were offered.

Motion #4 by Trustee Dodge, seconded by Trustee Voorhis, that the Board approve adoption of Ordinance No. 3, series of 2021, entitled, "**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 6-2-100 OF THE FAIRPLAY MUNICIPAL CODE CONCERNING ALCOHOLIC BEVERAGES.**" A roll call vote was taken: Dodge – yes, Just – yes, Voorhis – yes, Fidler – yes. Motion carried unanimously. (Trustee Stapp absent.)

Should the Board Approve Adoption of Resolution No. 11, series of 2021, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH THE COLORADO HEALTH FOUNDATION FOR THE COHEN PARK PROJECT IN THE TOWN OF FAIRPLAY, COLORADO."?

Staff comment was offered by Assistant Town Administrator/Public Works Director Green stating that this resolution formally approved the Grant Contract with the Colorado Health Foundation for the \$195,698 grant the Town had recently been awarded for upgrades to Cohen Park. He reminded them that this grant required no match money from the Town. Mr. Green informed the Board that RFPs were out for the project and that he would be distributing the draft

sketch for the project to the Board and that public input would be solicited once a design/builder had been selected. He explained that he would be bringing the proposals to the Board at the next meeting for discussion/selection.

The Board thanked Mason for his hard work on this project and for applying for and receiving the grant.

Motion #5 by Trustee Dodge, seconded by Trustee Voorhis, that the Board approve adoption of Resolution No. 11, series of 2021, entitled, **"A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE EXECUTION OF A GRANT CONTRACT WITH THE COLORADO HEALTH FOUNDATION FOR THE COHEN PARK PROJECT IN THE TOWN OF FAIRPLAY, COLORADO."** A roll call vote was taken: Dodge – yes, Just – yes, Voorhis – yes, Fidler – yes. Motion carried unanimously. (Trustee Stapp absent.)

Should the Board Approve Adoption of Resolution No. 12, series of 2021, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING THE SIGNING OF, AND PARTICIPATION IN, THE 2021 PARK COUNTY COMPREHENSIVE EMERGENCY OPERATIONS PLAN."?

Staff comment was offered by Mr. Green explaining that this resolution approves the Town's participation in Park County's Emergency Operations Plan and further noting that this is important in the event the Town ever needs to apply for FEMA funds as it maintains the Town's eligibility for those funds.

Motion #6 by Trustee Fidler, seconded by Trustee Dodge, that the Board approve adoption of Resolution No. 12, series of 2021, entitled, **"A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AUTHORIZING SIGNING OF, AND PARTICIPATION IN, THE 2021 PARK COUNTY COMPREHENSIVE EMERGENCY OPERATIONS PLAN."** A roll call vote was taken: Dodge – yes, Just – yes, Voorhis – yes, Fidler – yes. Motion carried unanimously. (Trustee Stapp absent.)

Should the Board Approve Adoption of Resolution No. 13, series of 2021, 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 TINA DARRAH FOR THE 889 STEINFELT PARKWAY PARKING LOT PROJECT."?

Town Administrator/Town Clerk Darrah and Mayor Just recused themselves from this item and left the Board room due to potential conflict of interest as the applicant (Ms. Darrah) and contractor (Mr. Just) for the PIIP application.

Staff comment was offered by Treasurer Wittbrodt explaining that this application is for \$4,606.00 towards the paving of the parking lot located at Even in the End Liquor Store, 889 Steinfeld. This is the amount the property owner has paid in property taxes to the Town of Fairplay over the last five years. She further noted that the application, bid, and photos were included in the packet for the Board to reference.

Motion #7 by Trustee Voorhis, seconded by Trustee Fidler, that the Board approve adoption of Resolution No. 13, series of 2021, 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 TINA DARRAH FOR THE 889 STEINFELT PARKWAY PARKING LOT PROJECT."** A roll call vote was taken: Dodge – yes, Just – yes, Voorhis – yes, Fidler - yes. Motion carried unanimously. (Trustee Stapp absent.)

Other New Business

None offered.

BOARD OF TRUSTEE AND STAFF REPORTS

Trustee Fidler offered a brief report on a bill before the state legislature to allow traffic fines to be paid to certain 501C3 non-profit organizations. He promised to keep Police Chief Schlunsen updated on the status of it.

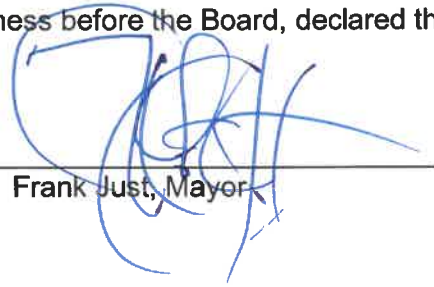
Trustee Voorhis updated the Board on the meeting he had attended with the Fire Chief and Sheriff about the allowance of certain types of outdoor grills in the Town limits during a fire bans, noting that while no decision had been made, he felt as though it was being considered. He also inquired about time limits on building permits in Town.

Trustee Dodge reminded the Board that Cemetery Clean-Up was scheduled for Saturday, May 22nd.

Mayor Just reminded the Board about Town Clean-Up, June 4th, 5th, and 6th, and stated that all was going very well with the planning for the Brat-T Gras event.

ADJOURNMENT

Mayor Just, noting that there being no further regular business before the Board, declared that the regular meeting be adjourned at 6:55 p.m.



Frank Just, Mayor

ATTEST:



Tina Darrah, Town Clerk