

**FAIRPLAY BOARD OF TRUSTEES
REGULAR MEETING MINUTES
January 3, 2022**

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, January 3, 2022 at 6:00 p.m. in the Board Room 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 Frank Just, Mayor Pro Tem Scott Dodge and Trustees Eve Stapp, Josh Voorhis and Peter Lynn.

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

- A. **APPROVAL OF MINUTES – November 15, 2021 and December 6, 2021.**
- B. Should the Board Approve Adoption of Resolution No. 1, Series of 2022, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING DESIGNATED PUBLIC PLACES FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW.**"?

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

NEW BUSINESS:

- A. Should the Board Approve Adoption of Resolution No. 2, Series of 2022, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO APPROVING A SERVICE AGREEMENT BETWEEN THE TOWN OF FAIRPLAY AND UTILITY ASSOCIATES, INC FOR BODYWORN CAMERA EQUIPMENT AND SERVICES FOR THE FAIRPLAY POLICE DEPARTMENT.**"?

Town Administrator Sciacca presented the Staff Report and recommended approval following any questions. Trustee Voorhis inquired if the cameras are worn at all times. Chief Schlunsen replied they are and come on anytime there is a call or contact made. He added that the vehicle cameras activate automatically when sirens are turned on while the body cameras turn on when a weapon is drawn or the Officer exits the vehicle. The Chief advised video is owned by the Town and kept in the cloud so the Town will also have to create a retention policy regarding regular destruction unless part of a case. Mayor Just stated how thankful he was the Town could afford to provide these tools for its Police Department.

Motion #3 by Trustee Voorhis, seconded by Trustee Stapp, to approve Resolution No. 2, Series 2022, as presented. A roll call vote was taken: Stapp – Aye, Dodge – Aye, Just – Aye, Voorhis – Aye, Lynn – Aye. Motion carried unanimously.

- B. Should the Board Approve Adoption of Resolution No. 3, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WARM SPRINGS CONSULTING, L.L.C. FOR OPERATOR IN RESPONSIBLE CHARGE (ORC) SERVICES FOR THE TOWN OF FAIRPLAY WATER TREATMENT FACILITY.”?**

Town Administrator Sciacca presented the Staff Report, which encompassed both items B. and C. She recommended approval following any questions and commented how extremely fortunate the Town was to have such well-qualified operators as Deline and Chisholm working for them with over 80 years of experience between the two.

Motion #4 by Trustee Dodge, seconded by Trustee Voorhis, to approve Resolution No. 3, Series 2022, as presented. A roll call vote was taken: Stapp – Aye, Dodge – Aye, Just – Aye, Voorhis – Aye, Lynn – Aye. Motion carried unanimously.

- C. Should the Board Approve Adoption of Resolution No. 4, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WARM SPRINGS CONSULTING, L.L.C. FOR OPERATOR IN RESPONSIBLE CHARGE SERVICES (ORC) FOR THE TOWN OF FAIRPLAY WASTEWATER TREATMENT FACILITY.”?**

Town Administrator Sciacca presented the Staff Report and recommended approval following any questions. She noted that there had been no fee increase proposed by Hunn since he was hired by the Town in 2018 and the nominal fee was being requested at this time was due to inflation and cost of living as well as to be more consistent with rates charged to other clients.

Motion #5 by Trustee Voorhis, seconded by Trustee Stapp, to approve Resolution No. 4, Series 2022, as presented. A roll call vote was taken: Stapp – Aye, Dodge – Aye, Just – Aye, Voorhis – Aye, Lynn – Aye. Motion carried unanimously.

- D. Should the Board Approve an Amendment to the Professional Services Agreement with Hunn Planning & Policy L.L.C. regarding proposed rate increases.

Motion #6 by Trustee Dodge, seconded by Trustee Lynne, to approve the Amendment to Professional Services with Hunn Planning & Policy L.L.C. as presented. A roll call vote was taken: Stapp – Aye, Dodge – Aye, Just – Aye, Voorhis – Aye, Lynn – Aye. Motion carried unanimously.

- E. Should the Board Approve an Amendment to the Professional Services Agreement with Hahn Water Resources, L.L.C. agreeing to an extension of the term to February 28, 2022.

Town Administrator Sciacca presented the Staff Report and recommended approval following any questions. She reported the 2-month extension was being requested due to circumstances beyond the Town and Hahn’s control and that there were no other to the scope or costs. She advised that Staff and Hahn hoped to complete testing of the infiltration gallery within the next few weeks and then Hahn would be scheduled to present his report shortly thereafter.

Motion #7 by Trustee Dodge, seconded by Trustee Voorhis, to approve the Amendment to the Professional Services Agreement with Hahn Water Resources, L.L.C. as presented. A roll call vote was taken: Stapp – Aye, Dodge – Aye, Just – Aye, Voorhis – Aye, Lynn – Aye. Motion carried unanimously.

F. Review of and discussion regarding Town of Fairplay Fee Schedule.

Town Administrator Sciacca provided a brief overview of the first DRAFT of the revised Fee Schedule. She noted the items in red were those that were either not previously on the Fee Schedule but found in the Code, were notes added for informational purposes or were being proposed to be changed. She also noted that a column was being added that provided information on the Town's authority for assessing and collecting such fees. There was discussion on multiple items but no decisions were made. Town Treasurer Wittbrodt reminded the Board of their previous discussions about increasing the fees for Commercial Fly Fishing or eliminating it altogether. She then introduced Scott Boettcher of N.S. Adventure Inc. in Dillon who provided information regarding the fees his company pays to the State of Colorado, Denver Water and the Town of Dillon for use of their public water resources. He advised that in Dillon they paid \$28,500 to the Denver Recreation Committee to fund law enforcement. He said the Town was not out of line for asking for a use fee. He said in December they did about 22 sessions at the Fairplay Beach with about 105 people resulting in about \$9,000 in revenue. He advised they pay 3% gross to the US Forest Service, %5 to Colorado State Parks, Dillon/Denver is 8% and they pay 2% back to the Town of Dillon. Mayor Just thanked Boettcher for sharing this information. Trustee Voorhis inquired if Boettcher preferred a one-time fee or by service-use day? Boettcher advised it really did not matter to him, but most other entities he dealt with were a percentage of revenue structure and he said the Town would base its decision on whether or not it wanted to limit use which could be done by a steep per/time fee or limit of days/year. He did advise that limiting days could be a regulatory nightmare and also encouraged the Board to look at ice fishing separately versus summer fishing due to the contained nature with the use of huts. Mayor Just thanked Boettcher for sharing the information and for being a good neighbor. He asked Staff to put together and bring back a proposal for the Board's consideration. Treasurer Wittbrodt asked for guidance on allowing Boettcher to continue his Ice Fishing business as well as granting of licenses for several other parties who were already inquiring for their summer. The Board generally agreed to allow Boettcher a license for Ice Fishing through April 15 for the current Commercial Fly Fishing fee of \$150.00. Boettcher thanked the Board and advised that if it was decided there would be a % or per-user fee to be implemented and made retroactive he would pay that fee to the Town. Mayor Just advised it was his preference that the Fee Schedule discussion be brought back as part of a Work Session so as to allow for more in-depth review and discussion.

BOARD OF TRUSTEE AND STAFF REPORTS

Chief Schlunsen reviewed his written report on Code Violations as contained in the packet.

Public Works Direction Graham reviewed his written report as contained in the packet and responded to questions of the Board.

Town Administrator Sciacca provided a brief overview of her written report as contained in the packet.

Trustee Dodge advised the next CDOT TPR meeting was scheduled for Monday, January 24 and he would be attending as there would be some matters being voted on.

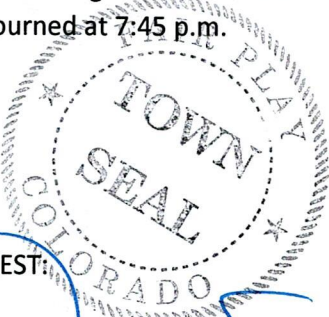
Trustee Voorhis advised he was able to get some of his questions regarding the upcoming Hwy 285 & 9 widening project answered at the Open House, but he was still concerned about the speed limits through Town. He asked if the Town could send a letter or something to request lower limits. Town Administrator Sciacca advised she would reach out to them as well as some of the other communities that had been successfully

Trustee Lynn advised he received a question from a neighbor regarding the Town's policy on allowing vehicles to remain in the Town lot. He was specifically inquiring about the Ford Bronco. Town Administrator Sciacca advised that she spoke to Lynn's neighbor and advised the Town had not written policy but as part of past practice has allowed citizens and residents to park there. It is a public parking lot and the Town just asked that people taking advantage of the taxpayer-provided lot let Staff at Town Hall know in case there would be an issue. She also advised that the Town accepted no responsibility for vehicles left in the lot. After additional discussion, the Board generally agreed that the current practice was acceptable, and the Town would install "Park At Your Own Risk" signs. Lynn also advised he received comments about the plowing over the weekend and why the Town needed to purchase a grader. Public Works Director Graham advised that part of his shift was out due to COVID but he did call some in and quarantine them to their Trucks. He also advised the Grader will be a huge help with snow plowing and removal and he could clear the Town in half the time it takes now.

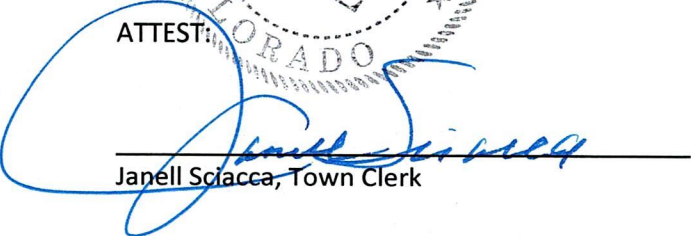
Mayor Just advised he spent a great deal of time on the phone with School representatives discussing crosswalks and the safety of students. He advised that the Town had no jurisdiction over Highway 9 but would be proceeding to install crosswalks and signs on the appropriate Town streets. He was forming a group that would be collaboratively working together on this matter to hopefully resolve it once and for all. Sciacca advised that she had not heard back from CDOT yet on whether or not the School legends painted on the highway and she would report back as soon as she received word one way or the other. Mayor Just relayed a personal experience he had with a driver going the wrong way on 9th and flipping him off when he pointed out the driver was going the wrong way. He stated the mindset of people needed changing and that he would continue to work toward a successful resolution on this matter.

ADJOURNMENT

There being no further business before the Board, Mayor Just declared that the Regular Meeting adjourned at 7:45 p.m.

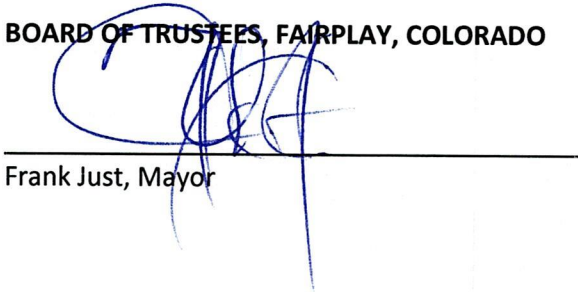


ATTEST:



Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO



Frank Just, Mayor