

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
February 7, 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, February 7, 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 Josh Voorhis and Peter Lynn. Trustee Stapp was excused due to illness.

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 Mayor Pro Tem Dodge, 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 – January 4, 2022.**
- B. **APPROVAL OF EXPENDITURES—Approval of bills of various Town funds in the amount of \$366,920.40**

Trustee Voorhis inquired about a Worker’s Compensation expense and Treasurer Wittbrodt explained the amount shown was the annual premium paid to CIRSA. Trustee Lynn inquired about expenses to Dana Keppner for valves. Wittbrodt explained the payment was for parts for the Town’s blockhouse project and a leak that was being repaired there. Lynn also inquired why the Town contracted with an independent company for snow removal at the CDOT barn where the Summit Stage buses were kept instead of Town Staff doing this. Wittbrodt replied it had to do with the Bus schedules which conflicted with the Town Staff making sure school routes and high traffic streets were taken care of.

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

**CITIZEN COMMENTS** – None.

**PRESENTATIONS**

- A. Presentation regarding Managed IT Services by Phoenix Technology Group, Inc.

Mike Fisher and Ward Thorne of Phoenix Technology Group, Inc. reviewed what Managed IT Service companies do and what Phoenix specifically in terms of support, security, and overall IT management. Fisher also reviewed their pillars of service – Quality of Service, Customer Service, Proactive Prevention,

and Happy Customers. He then reviewed their 3 levels of program pricing for the different customer bases served and answered several questions from the Board who also thanked them for their presentation. Staff was given general direction to move forward to obtain quotes for switching the Town to a managed IT program.

**NEW BUSINESS**

- A. Should the Board Approve adoption of Emergency Ordinance No. 1, Series of 2022, entitled, **“AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO EXTENDING A TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF APPLICATIONS FOR ALL SHORT-TERM RENTAL LICENSES, AND DECLARING AN EMERGENCY.”?**

Town Administrator Sciacca summarized the Staff Report and recommended approval of Ordinance No. 1 to extend the current moratorium 90 days from February 7, 2022.

**Motion #3** by Trustee Voorhis, seconded by Mayor Pro Tem Dodge, to approve Emergency Ordinance No. 1, Series of 2022 as presented. Motion carried unanimously.

- B. Should the Board Approve adoption of Ordinance No. 2, Series of 2022, entitled, **“AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 16 OF THE FAIRPLAY MUNICIPAL CODE, REGARDING THE UNIFIED DEVELOPMENT CODE, TO ADDRESS CHANGES TO FAMILY CHILD CARE HOMES REQUIRED BY RECENT STATE LEGISLATION.”?**

Town Administrator Sciacca summarized the Staff Report and advised that Town Planner Scot Hunn reviewed the proposed regulations and felt the Town Attorney had appropriately addressed the needed update.

**Motion #4** by Mayor Pro Tem Dodge, seconded by Trustee Lynn, to approve Ordinance No. 2, Series of 2022 as presented. Motion carried unanimously.

- C. Should the Board Approve adoption of Ordinance No. 3, Series of 2022, entitled, **“AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 2 OF THE FAIRPLAY MUNICIPAL CODE REGARDING REGULAR MEETINGS OF THE BOARD OF TRUSTEES.”?**

Town Administrator Sciacca summarized the Staff Report and advised the recommended change was a matter of housekeeping to update the code to the correct meeting time that had been observed by the Town since the end of 2014.

**Motion #5** by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve Ordinance No. 3, Series of 2022 as presented. Motion carried unanimously.

- D. Should the Board Approve adoption of Resolution No. 5, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ADOPTING A PUBLIC WORKS MANUAL.”?**

Town Administrator Sciacca summarized the Staff Report and briefly addressed the importance of the document as it relates to land development. She noted Matt Hutson of SGM, the document’s preparer, was in attendance and then recommended approval as presented. Hutson advised this document makes review of projects simpler and more straightforward.

**Motion #6** by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve Resolution No. 5, Series of 2022 as presented. Motion carried unanimously.

- E. Should the Board Approve adoption of Resolution No. 6, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ADOPTING AN UPDATED FAIRPLAY PERSONNEL HANDBOOK.”?**

Town Treasurer Wittbrodt provided an overview of the Staff Report advising the proposed changes were to bring the Town into compliance with the Colorado Family Cares Act and Public Health Emergency Leave. She noted several other non-substantive wording changes included as well. Wittbrodt requested approval as presented and advised that each Town employee would receive an updated copy.

**Motion #7** by Mayor Pro Tem Dodge, seconded by Trustee Lynn, to approve Resolution No. 6, Series of 2022 as presented. Motion carried unanimously.

- F. Should the Board Approve adoption of Resolution No. 7, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO DETERMINING THAT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON APRIL 5, 2022 SHALL BE CANCELED.”?**

Town Administrator Sciacca presented reviewing the Staff Report. She reported that upon approval, she would post notice of the cancelation in accordance with the Municipal Code and also make sure to get the word out utilizing the monthly utility billing announcements. Sciacca recommended approval of Resolution No. 7 to cancel the April 5, 2022 election.

**Motion #8** by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve Resolution No. 7, Series of 2022 as presented. Motion carried unanimously.

- G. Should the Board Approve adoption of Resolution No. 8, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A PERMANENT EASEMENT AGREEMENT DEPARTMENT OF TRANSPORTATION FOR PROJECT STM 0091-046- FAIRPLAY/ALMA ADA CURB RAMPS CONSTRUCTION SH 9.”?**

Town Administrator Sciacca presented an overview of the Staff Report and noted this project would be completed in conjunction with the widening project starting the summer of 22 for US 285. She advised the Town would receive \$1,500 of unanticipated revenue for the easement and recommended approval of Resolution No. 8 approving the permanent easement with CDOT for ADA improvements at 501 Main Street.

**Motion #9** by Trustee Voorhis, seconded by Trustee Lynn, to approve Resolution No. 8, Series of 2022 as presented. Motion carried unanimously.

**OTHER BUSINESS:**

- A. Annual Job Performance Evaluation of the Town Administrator performed by Mayor.

Mayor Just directed the Board to the evaluation and stated the Town was very lucky in getting a fine Administrator. Trustee Voorhis commented the Town has been lucky a number of times while Sciacca stated she too was lucky and loved working for the Town. Mayor Just read the summary Comments into the record and advised this review was being done as required by Code.

## **BOARD OF TRUSTEE AND STAFF REPORT**

Chief Schlunsen advised the junk issue on Witcher was cleaned up and Administrator Sciacca advised she would be meeting with Officer Schlaff to discuss the process for the other identified code enforcement issues. Mayor Just requested Staff reach out to the neighbor Mr. Elliott who appeared before the Board on this matter to let him know the resolution and complimented the PD. Sciacca advised another matter that had been ongoing and resulted in a citation would be coming into Court this week.

Public Works Director Graham reviewed the written Staff Report in the packet. The Board discussed the outstanding improvements related to Cohen Park and Administrator Sciacca advised the contract was actually expired and the Town Attorney was looking at how best to move forward in order to get the project done and protect the Town. Mayor Pro Tem Dodge suggested signs be erected advising visitors the project was not done and could not be used. Graham said he would follow up with the contractor and make sure signs were installed. Mayor Pro Tem Dodge inquired if the grader was used to cut ice on the sidewalks during the last storm and Graham replied he was able to get the articulating plow working. It was noted it had been out of service for a few years. Mayor Just advised he was very complimentary of the Public Works Department and felt the Staff did the best job of plowing he had seen in a while. There was discussion regarding the removal of vehicles in the right-of-way and Graham suggested the Town adopt a snow-related ordinance. Trustee Lynn inquired about a specific snow storage area for the CDOT bus barn and Graham advised he would have the contractor make sure he was plowing that facility correctly. Graham also advised that the cables Staff had installed at the parking lot across the river had been torn down in some fashion so they would be installing rocks until gates could be installed in the summer.

Treasurer Wittbrodt advised she was getting ready for the audit and would start uploading documents to the Auditor's system.

Town Administrator Sciacca advised her report was in packet and stated the Board needed to schedule a special meeting for the Habitat public hearing on Thursday, February 24 and a work session or two to continue short-term rental discussions. The Board agreed to hold a work session on February 14 on short-term rentals and another one on February 24 prior to the Habitat meeting. Sciacca congratulated Graham on 1 year of service with the Town. She noted it would be a good time to resurrect the Economic and Business Development Advisory Board and that following the swearing-in and seating of the Mayor and Trustees at the 2<sup>nd</sup> meeting in April, she would be scheduling CIRSA general counsel to conduct an Ethics and Elected Official liability training. She also advised she was working with the State and hoped to be moving forward for a new website with SIPA.

Trustee Voorhis advised he spoke with retiring Alma Town Manager Nancy Comer-Baker and requested she talk to Staff about Fairplay's recent hiring process. Wittbrodt advised that she did have a conversation with Comer-Baker and provided her information.

Mayor Pro Dodge thanked Mayor Just for putting together last Monday night's presentation to the School regarding the traffic concerns and felt the Town did a great job. He also shared that in a recent CDOT TPR meeting the only site identified for a transit facility was the current bus barn so if anyone had ideas for another feasible site those should be looked at and shared with CDOT.

Mayor Just echoed Dodge's comments regarding the meeting with the School and CDOT and felt eyes were opened relative to the problems and headway would finally be made. The Action Committee for RE-2 (ACRE-2) he formed had several members drive through the area to witness the issues. Just also advised he met with the School maintenance supervisor about snow removal on the sidewalk and felt changing mindsets would make the difference and could be augmented by the changing of signs which included CDOT moving the flashing crossing sign on the north end of Main Street closer to the school. Just said he was proud of everyone coming together for the common purpose. He closed by reminding everyone the Fairplay Mountain Mardi Gras would be taking place on Saturday, February 26.

Just recognized 2 guests attending the meeting and asked they stand and introduce themselves. Dustin Ballard and Jill Butryn of Advantage Excavating advised they have a Biomass Burner and were starting this new business out of the London Mill site. He stated they were also volunteering to help with the Beach project and had a lot of materials to donate.

A. Staff presentation regarding proposed changes for 2022 Town of Fairplay Marketing Plan.

This presentation was continued to be conducted on February 14, 2022 as part of the work session that evening.

**ADJOURNMENT**

There being no further business before the Board, Mayor Just declared that the Regular Meeting adjourned at 8:03 p.m.



Janell Sciarca, Town Clerk

**BOARD OF TRUSTEES, FAIRPLAY, COLORADO**

Frank Just, Mayor