

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

APRIL 4, 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, April 4, 2022 at 6:00 p.m. in the Board Room located in the Fairplay Town Hall at 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 Eve Stapp, Josh Voorhis and Peter Lynn.

Staff in attendance were Town Treasurer Kim Wittbrodt, Police Chief Bo Schlunsen, Town Attorney Nina Williams (virtually by Zoom) and Town Administrator / Town Clerk Janell Sciacca.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- A. APPROVAL OF EXPENDITURES**—Approval of bills of various Town funds in the amount of \$45,451.83.

Motion #2 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve the Consent Agenda as written. A roll call vote was taken: Stapp – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS – None.

UNFINISHED BUSINESS

Town Administrator Sciacca noted an unscheduled item that was being brought back up from earlier in the year when the person the Town was to recognize was not able to attend. She then turned the floor back over to Mayor Just who announced recognition of Town Treasurer Kim Wittbrodt for 10 years of service as of February 28, 2022. Just presented her with a plaque and the Board thanked her for her dedication to the Town of Fairplay. Wittbrodt thanked the Board for the honor.

NEW BUSINESS

- A.** Should the Board approve the adoption of Resolution No. 12, Series of 2022, 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 BRIAN BECK FOR THE 450 HWY 285 RE-ROOF PROJECT.”?**

Town Treasurer Wittbrodt provided an overview of the Staff Report and application from Brian Beck for improvements to the building which will house Otto’s. She recommended approval as presented. Applicant Brian Beck stated he was happy to be in Fairplay, happy to have this business and was

appreciative of all his interactions so far with the Town. He also hoped to accomplish the project prior to his planned opening in early May. Beck also noted the addition of the commercial freezer unit outside and stated he would work with the Town at a future date on how best to deal with that. There were no comments for or against the application and there were no questions from the Board.

Motion #3 by Trustee Voorhis, seconded by Trustee Stapp to approve adoption of Resolution No. 12, Series of 2022, as presented authorizing a PIP with Brian Beck for the 450 Hwy reroof. A roll call vote was taken: Stapp – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

B. Should the Board Approve the adoption of Resolution No. 13, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HARDESTY ENGINEERING & MAPPING, LLC FOR PHASE II ENGINEERING SERVICES FOR THE BEAVER CREEK WATER TREATMENT PLANT PROJECT.”?

Town Administrator Sciacca presented an overview of the Staff Report. She noted that Staff and the contractor met virtually the previous week with State of Colorado Revolving Loan Fund Staff to discuss loans and grants and the updating of the Town’s prequalification status for facilities. She also reported Staff would also be submitting Congressionally Directed Spending Grant applications for this and the project to Senators Bennet and Hickenlooper. Mayor Just pointed out that this would take the Town to 60% of design and development of the entire project and to get from 60-95% would be an additional cost. This phase’s cost is \$59,541.00 and is a very reasonable cost. He commended Hardesty for the proposal and requested direction be given to the team to do anything possible to accelerate the project so it does not become a has to. Sciacca replied at this time the only thing that would speed it up is self-funding and the Board generally agreed that was not the desire route at this time. Lynn commented on making sure Staff is up to speed with how to manage all the facilities if/when they are realized. Sciacca advised that the young Staff of the Town was very interested learning and obtaining certifications and the Town supported this as well as rewarded them for

Motion #4 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve adoption of Resolution No. 13, Series of 2022, approving a Professional Services Agreement with Hardesty Engineering and Mapping, LLC 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 the adoption of Resolution No. 14, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A LEASE AGREEMENT WITH THE SOUTH PARK FOOD BANK FOR USAGE OF A PORTION OF 501 MAIN STREET.”?

Town Administrator Sciacca presented an overview of the Staff Report. She noted that Staff was recommending automatic renewal and requested the Board’s direction to modify to remove that if they desired. Mayor Just reminded that a past Town Attorney recommended not doing automatic renewals in the interest of transparency and not committing another Board to something they did not vote on. He also recommended that all such agreements have January renewals making it easier to budget for and track. He also wanted to see presentations from each as to statistics, accomplishments, etc. Trustee Lynn commented that he would like to make sure overall expectations were clearly communicated and financial obligations properly accounted for by the Town. Treasurer Wittbrodt advised all she billed leaseholders and payments were tracked in a revenue line. There was a short discussion regarding the heating expense and Mayor Just suggested turning the thermostat down from 60 to 50 degrees.

Motion #5 by Trustee Voorhis, seconded by Trustee Lynn, to approve adoption of Resolution No. 14, Series of 2022, approving a Lease Agreement with the South Park Food Bank for use of 501 Main as amended. A roll call vote was taken: Stapp – aye; Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

D. Should the Board Approve the adoption of Ordinance No. 5, Series of 2022, entitled, “**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING ARTICLE IV OF THE FAIRPLAY MUNICIPAL CODE RELATED TO COMMERCIAL FISHING OPERATORS.**”?

Town Administrator Sciacca presented an overview of the Staff Report noting this was a housekeeping item brought up during the budget process and recommended by Trustee Voorhis to change the title of the permit to Commercial Fishing License. Trustee Dodge inquired if this would be published in the paper and Sciacca replied yes, all code changes require publication. Trustee Voorhis requested clarification that the 5% was based on use of the Town’s facility only and not overall earnings. Sciacca replied that was correct and the Town would be setting up a special line to account for those reviews which would be strictly dedicated to improvements at the Beach. She also noted that she and Town Treasurer Wittbrodt also worked together to revised the application accordingly.

Motion #6 by Mayor Pro Tem Dodge, seconded by Trustee Stapp, to approve adoption of Ordinance No. 5, Series of 2022, amending Article IV of the Fairplay Municipal Code. A roll call vote was taken: Stapp – aye; Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

E. Should the Board Approve the adoption of Ordinance No. 6, Series of 2022, entitled, “**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 18 – BUILDING REGULATIONS OF THE FAIRPLAY MUNICIPAL CODE RELATED TO MOVING AND SETTING STRUCTURES WITHIN TOWN BOUNDARIES.**”?

Town Administrator Sciacca presented an overview of the Staff Report reminded of the situation that transpired during the summer with the moving of the stone building down Main Street to the South Park City Museum. She reminded that at that time it was discovered by Staff that the previously existing portion of the code that addressed building moves was overwritten with the adoption of the UDC. This was another housekeeping item to recodify the previously existing process and requirements and was being moved to Chapter 18 under Building Regulations. Mayor Just commended Sciacca for discovering that there was no required interaction with any of the regulating agencies and protecting the Town.

Motion #7 by Trustee Voorhis, seconded by Trustee Lynn, to approve adoption of Ordinance No. 6, Series of 2022, amending Chapter 18 of the Municipal Code as presented. A roll call vote was taken: Stapp – aye; Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

OTHER BUSINESS – None.

BOARD OF TRUSTEE AND STAFF REPORTS

Mayor Just asked if there were any questions regarding Staff Reports. Mayor Pro Tem Dodge asked if Treasurer Wittbrodt knew why the Cigarette Tax was up. Wittbrodt did not and Sciacca advised it was probably vaping related.

Dodge also stated he was looking forward to all the Public Works cleaning that was coming up and he was looking forward to the Town Clean Up Day and Cemetery Clean Up. Sciacca stated that Staff did have a

question regarding the Cemetery Clean Up, specifically related to the Legion. Events Coordinator Bullock reached out to Mark Zeigler about whether or not they wanted to help again this year. He was indifferent noting that many of their members had aged out of being able to help but they would still put flags on the graves. Just provided some history and stated he was in favor of letting the Staff perform the clean up at their schedule instead of waiting for a specific time but Dodge could certainly organize a group to help as well as perform general clean up throughout the year.

Mayor Just noted the addition of full-time Officer Amanda Orcutt who was previously with the Town of Alma. He stated she had worked part time for the Town and was a great fit and allowed the Town to provide 24/7 coverage as well assist the County with calls in this area. He also thanked Public Works Director Graham for organizing the Town crew to put down road base at the Habitat Project site for the groundbreaking. He noted that there were multiple comments about how nice the site looked and it was a great kick off for event.

Town Administrator Sciacca reported that CDOT would be replacing the signs around the school during the upcoming 2 weeks if the weather held out. Mayor Just added that he and Superintendent Bear had talked and felt the overall improvements would make a significant difference once completed.

Town Administrator Sciacca advised that she requested an official notice from CDOT that the Town could share advising of the US 285 and Highway 9 project so it could be shared in newsletters and on social media to let everyone know it was being postponed.

Mayor Just reported that the current design of the deck for the building at 501 Main had been discovered by him to be in the CDOT right-of-way and he asked Sciacca to obtain the CAD drawings to confirm so it could be moved and redesigned to fit inside the property line.

Mayor Pro Tem Dodge advised that he was walking his dog in the Beach area and he notice how bad it was and might be coming to the Town for trash bags. Trustee Voorhis noted the School Honor Society also was looking to do clean up in that area. Administrator Sciacca stated she preliminarily inquired with Staff about purchasing trash grabbers and dog poop scoopers that could be kept at Town Hall and checked out.

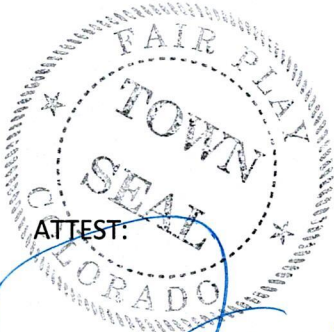
Trustee Lynn reported that his friend Eric from Summit Rolloffs, and his associate Kathryn Slaughter, had contacted him about the potential of starting a recycling program in Fairplay. He asked for direction on how to proceed. He also noted there was significant interest in a Community Garden but according to CSU Extension Director Barbie Garnett there was no room at the County Fairgrounds. Lynn said this year would probably be the planning and grant writing phases.

Trustee Voorhis thanked Staff for picking up and disposing of the chair in front of the condos on Castello. He inquired about the status of water and sewer fee changes. Sciacca advised that Staff was still working on this and SGM Engineer Deron Dirksen was going to share a report he was working on for Buffalo Mountain Metro District that would provide Fairplay information of current fees being charged by other entities for and Staff would bring recommendations back to the Board as soon as all information was obtained. Voorhis also expressed concern about the Fire District and lack of response from the Fire Marshal. He had contacted the Fire District on behalf of the USFS and did not get a response and suggested the Town write a letter to the Board. Following additional discussion, Sciacca was directed to contact a Board member about the ongoing lack of response but also move forward to obtain information on the potential of contracting plan review and fire inspection services out in order to protect the Town.

Mayor Just adjourned the Regular Meeting at 7:20 PM. Trustee Stapp excused herself and the Board moved into the Work Session.

WORK SESSION – Preliminary discussion regarding Workforce/Attainable Housing in Fairplay.

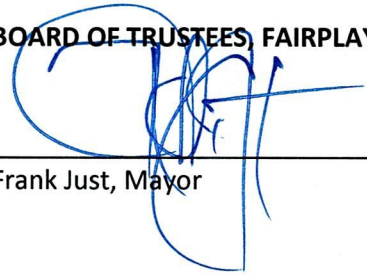
Town Attorney Nina Williams joined the meeting virtually via Zoom. Town Administrator Sciacca provided an introduction and Town Attorney reviewed the DOLA Local Government Affordable Housing Incentives Grant Program Guideline which outlined the List of Qualifying Strategies for grant eligibility. The Board provided direction to Williams to draft a resolution to memorialize the existing fee waiver policy, other resolutions to implement appropriate programs and appropriate and applicable ordinances for code changes and bring them back to future meetings. Mayor Just shared that Commissioner Elsner made a promise to him at the Habitat event relative to scheduling a meeting between the County and Fairplay to discuss where we go from here. Sciacca shared that she received an exciting call on Friday afternoon from CDOT representative John Lorme proposing a Workforce Housing project in Fairplay and they wanted to meet next week on-site for a preliminary meet and greet and discussion. The project would be similar to the one going up in Frisco. The Work Session was adjourned at 8:01 PM with Sciacca advising that she and Williams would begin bringing action items back to the Board as directed.



ATTEST:


Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO



Frank Just, Mayor