

AGENDA

for the Board of Trustees of the Town of Fairplay, Colorado
Monday, March 19, 2018 at 6:00 p.m. at the Fairplay Town Hall Meeting Room
901 Main Street, Fairplay, Colorado

- I. CALL TO ORDER REGULAR MEETING @ 6:00 P.M.**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. 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 – March 5, 2018**
 - B. APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$369,589.27**
- VI. CITIZEN COMMENTS**
- VII. UNFINISHED BUSINESS**
 - A. Other Discussion Items**
- VIII. NEW BUSINESS**
 - A. Request for Donation from the American Legion for the Annual Easter Egg Hunt**
 - B. Should the Board Approve Adoption of Resolution No. 11, series of 2018, 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 PETER LYNN FOR THE LYNN SIDING PROJECT.”?**
 - C. Discussion Regarding Open Carry Restriction on Town-Owned Property/ Right-Of-Ways, Immediately Adjacent to the School Property in Fairplay.**
 - D. Other New Business**
- IX. STAFF REPORTS**
- X. MAYOR AND TRUSTEE REPORTS**
- XI. ADJOURNMENT**

Upcoming Meetings/Important Dates:

Fairplay Easter Egg Hunt presented by American Legion @ South Park City Museum	April 1, 2018 @ 12 p.m.
Board of Trustees Meeting	April 2, 2018 @ 6 p.m.
Town of Fairplay Election Day	April 3, 2018 from 7 a.m. to 7 p.m.
Spud Fest presented by Friends of the Fairplay Community @ Hand Hotel	April 13, 2018
Board of Trustees Meeting	April 16, 2018 @ 6p.m.
Spring Tea Party presented by Friends of the Fairplay Community @ Hand Hotel	May 6, 2018
Board of Trustees Meeting	May 7, 2018 @ 6 p.m.
South Park City Museum opens for the season	May 15, 2018
Fairplay Cemetery Clean Up	May 19, 2018 @ 9 a.m.
Board of Trustees Meeting	May 21, 2018 @ 6 p.m.
Fairplay Town Clean Up Days	June 1 – 3, 2018 from 7:30 a.m. to 6 p.m.
Board of Trustees Meeting	June 4, 2018 @ 7 p.m.

This Agenda May Be Amended.

Posted at Fairplay Town Hall, Fairplay Public Library, Fairplay Post Office, and Town of Fairplay Website on Thursday, March 15, 2018

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
March 5, 2018**

CALL TO ORDER REGULAR MEETING OF THE BOARD OF TRUSTEES

The 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 Gabby Lane who proceeded with the pledge of allegiance, followed by the roll call which was answered by Trustees Scott Dodge, Eve Stapp, Ray Douglas and Frank Just. Also in attendance were Town Attorney Lee Phillips, Town Administrator/ Clerk Tina Darrah, Public Works Director Vaughn Mead, Planning Consultant Scott Hunn, Town Treasurer Kim Wittbrodt, Deputy Town Clerk Claudia Werner and Assistant to the Town Administrator Mason Green.

AGENDA ADOPTION

Motion #1 by Trustee Just, seconded by Trustee Douglas, that the agenda be adopted as presented. Motion carried unanimously.

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 – February 5, 2018**
- B. **APPROVAL OF EXPENDITURES – Approval of bills of various Town Funds in the amount of \$79,527.75.**
- C. **Should the Board Approve Adoption of Resolution No. 3, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR CERTAIN REAL PROPERTY COMMONLY KNOWN AS RIVER BUSINESS PARK, PARCEL B, FAIRPLAY, COLORADO."?**
- D. **Should the Board Approve Adoption of Resolution No. 4, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE APPLICATION FOR A SPECIAL USE PERMIT FOR STAN KOPUNEC."?**

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

CITIZEN COMMENTS

Mike Brown introduced himself to the Board and stated that he is running for Park County Sheriff. He also offered some comments regarding his experience with Active Shooter Training.

PUBLIC HEARING

- A. **Should the Board Approve Adoption of Resolution No. 5, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE EXTENSION OF A SPECIAL USE PERMIT FOR CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 249 U S HIGHWAY 285, FAIRPLAY, COLORADO."?**

The Public Hearing was opened by Mayor Lane at 6:04 p.m.

Town Administrator/ Clerk Darrah presented the application for extension of a Special Use Permit for Stan Kopunec. The Special Use Permit was originally granted by the Board of Trustees on March 21, 2016 to allow the display and sale of Park Model RV's (I. E. Camp Cabins, Tiny Houses) and had an expiration date of March 21, 2018. The applicant has requested that the permit be extended for an additional five years with no additional

changes to the permit. Staff has had no complaints/issues filed in regard to the current special use permit and therefore recommends approval of the requested extension.

Derek Kopunec, on behalf of Stan Kopunec, was present to answer Board questions but had nothing further to add regarding the application to extend the special use permit.

There were no comments in favor of, or in opposition to, this application.

Public hearing was closed at 6:09 p.m. by Mayor Lane.

Motion #3 by Trustee Just, seconded by Trustee Douglas, that the Board approve adoption of Resolution No. 5, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, GRANTING APPROVAL OF THE EXTENSION OF A SPECIAL USE PERMIT FOR CERTAIN REAL PROPERTY COMMONLY KNOWN AND NUMBERED AS 249 U S HIGHWAY 285, FAIRPLAY, COLORADO." Motion carried unanimously.

UNFINISHED BUSINESS

A. Other discussion items

No other discussion items were offered.

NEW BUSINESS

A. Should the Board Approve Adoption of Resolution No. 6, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING A REVOCABLE LICENSE AGREEMENT WITH DALE AND KATHERINE FITTING FOR THE USE OF PRIVATELY-OWNED PROPERTY FOR PLACEMENT OF A TOWN CHRISTMAS TREE."?

Town Administrator/ Clerk Darrah stated that the revocable license agreement with Dale and Katherine Fitting will allow the Town to place a live tree on the Fitting's property next to the Hand Hotel. This tree will act as the Town Christmas Tree and staff has already picked it out.

Town Attorney Phillips answered Board questions regarding the Revocable License Agreement.

Motion #4 by Trustee Douglas, seconded by Trustee Just, that the Board Approve Adoption of Resolution No. 6, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING A REVOCABLE LICENSE AGREEMENT WITH DALE AND KATHERINE FITTING FOR THE USE OF PRIVATELY-OWNED PROPERTY FOR PLACEMENT OF A TOWN CHRISTMAS TREE." A roll call vote was taken: Dodge - yes, Stapp - yes, Lane - yes, Douglas - yes, Just - yes. Motion carried unanimously.

B. Should the Board Approve Adoption of Resolution No. 7, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN AMENDED REVOCABLE LICENSE AGREEMENT WITH SAM MICK FOR THE PROPERTY LOCATED AT 401 MAIN STREET."?

Town Administrator/ Clerk Darrah stated that the amended revocable license agreement with Sam Mick will expand the Town's allowable use of the property at 401 Main Street to include placement of temporary signage and placement and operation of a temporary food vending cart, in addition to the Town's use of the property as a parking lot. The food vendor cart will be operated by a third-party approved by the Town. The Town is working with a vendor that first approached Sam Mick and will present a separate use agreement with the vendor at a later Board meeting, after the details of that arrangement are worked out.

Town Attorney Phillips and Town Administrator/ Clerk Darrah answered Board questions and offered clarification of both the revocable license agreement and the resolution approving it.

Motion #5 by Mayor Lane, seconded by Trustee Stapp, that the Board Approve Adoption of Resolution No. 7, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN AMENDED REVOCABLE LICENSE AGREEMENT WITH SAM MICK FOR THE PROPERTY LOCATED AT 401 MAIN STREET." A roll call vote was taken: Dodge - yes, Stapp - yes, Lane - yes, Douglas - yes, Just - yes. Motion carried unanimously.

C. Should the Board Approve Adoption of Resolution No. 8, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, DELEGATING AUTHORITY AND RESPONSIBILITY TO THE TOWN CLERK TO APPOINT ELECTION JUDGES."?

Town Administrator/ Clerk Darrah stated that this resolution authorized the Town Clerk to appoint election judges for the April 3, 2018 election. Four judges would be appointed to work on Election Day from 2:00 p.m. to approximately 9:00 p.m. She also stated that the Fairplay Sanitation District election will be cancelled because only three nomination petitions have been received for the three available seats.

Motion #6 by Trustee Just, seconded by Trustee Dodge, that the Board Approve Adoption of Resolution No. 8, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, DELEGATING AUTHORITY AND RESPONSIBILITY TO THE TOWN CLERK TO APPOINT ELECTION JUDGES." Motion carried unanimously.

D. Should the Board Approve Adoption of Resolution No. 9, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HUNN PLANNING & POLICY, LLC FOR CONSULTANT PLANNING SERVICES FOR THE TOWN OF FAIRPLAY."?

Town Administrator/ Clerk Darrah stated that this resolution authorizes a professional services agreement with Scot Hunn of Hunn Planning and Policy, LLC. Scott Hunn was available to discuss any details of the agreement and answer Board questions. Staff recommends approval.

Motion #7 by Mayor Lane, seconded by Trustee Douglas, that the Board Approve Adoption of Resolution No. 9, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HUNN PLANNING & POLICY, LLC FOR CONSULTANT PLANNING SERVICES FOR THE TOWN OF FAIRPLAY." A roll call vote was taken: Dodge - yes, Stapp - yes, Lane - yes, Douglas - yes, Just - yes. Motion carried unanimously.

E. Should the Board Approve Adoption of Resolution No. 10, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FEE SCHEDULE."?

Town Treasurer Wittbrodt stated that this resolution will update the fee schedule to add a fee for weekly gold panning permits, as directed by the Board.

Motion #8 by Trustee Just, seconded by Trustee Douglas, to Approve Adoption of Resolution No. 10, series of 2018, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FEE SCHEDULE." Motion carried unanimously.

F. Other new business

No other new business was offered.

STAFF REPORTS

Town Treasurer Wittbrodt stated that the audit was conducted last week and it went very well.

Interim Police Chief Schlunsen provided a written staff report, which was read into the record by Mayor Lane.

MAYOR AND TRUSTEE REPORTS

Trustee Just expressed his appreciation for the Active Shooter Training that the Fairplay Police Department will be conducting at the Fairplay campus for the Park County RE-2 School District.

Trustee Douglas expressed his appreciation for Interim Police Chief Schlunsen taking the initiative to help residents clean up their properties by going out with his own vehicle, helping them load their unwanted appliances, and getting them moved to a metal recycling pile at the Town Shop.

Trustees Stapp and Dodge echoed Trustee Douglas's appreciation for Interim Police Chief Schlunsen's efforts and offered to assist him going forward.

ADJOURNMENT

Mayor Lane, noting that there being no further business before the Board, declared that the meeting be adjourned at 6:49 p.m.

Gabby Lane, Mayor

ATTEST:

Claudia Werner, Deputy Town Clerk



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Kim Wittbrodt, Treasurer

RE: Paid Bills

DATE: 3/14/2018

Agenda Item: Bills

Attached is the list of invoices paid through March 14, 2018.

Total Expenditures: \$369,589.27 (\$350,000.00 was a transfer to savings)

Upon motion to approve the consent agenda, the expenditures will be approved.

Please contact me with any questions.

Report Criteria:

Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
03/14/2018	13617	Fairplay Fume	ads	1	02/28/2018	175.00	105130
03/14/2018	13617		legal ads	2	02/28/2018	35.60	106125
03/14/2018	13617		legal ads	3	02/28/2018	25.28	617330
Total 868:						235.88	
03/08/2018	13603	Main Street Garage	Tahoe repair	1	03/05/2018	634.44	105420
Total 1336:						634.44	
03/14/2018	13619	Mountain View Waste	2 yd 2 monthly	1	02/28/2018	75.00	617167
Total 1414:						75.00	
03/08/2018	13605	Park County Clerk & Recor	Recording fees-kopunec	1	03/06/2018	59.00	105105
Total 1558:						59.00	
03/08/2018	13607	Riverside Trophies	engraved plaques	1	03/08/2018	12.50	105030
Total 1804:						12.50	
03/08/2018	13609	Town of Fairplay	sewer-shop	1	02/28/2018	60.00	507390
03/08/2018	13609		sewer-shop	2	02/28/2018	60.00	105650
03/08/2018	13609		sewer-town hall	1	02/28/2018	60.00	105023
03/08/2018	13609		525 hathaway	1	02/28/2018	171.90	105190
03/08/2018	13609		sewer fuller drive	1	02/28/2018	60.00	105095
03/08/2018	13609		water-san district	1	02/28/2018	36.00	617104
Total 2134:						447.90	
03/08/2018	13611	Utility Notification Center	RTL Transmissions	1	02/28/2018	4.35	507230
03/08/2018	13611		RTL Transmissions	1	02/28/2018	4.35	617340
Total 2194:						8.70	
03/08/2018	13612	Xcel Energy	street lights	1	03/01/2018	201.04	105640
Total 2296:						201.04	
03/08/2018	13610	True Value	Supplies	1	02/27/2018	212.48	105630
03/08/2018	13610		Supplies	2	02/27/2018	64.02	105670
03/08/2018	13610		Supplies	3	02/27/2018	77.70	105025
03/08/2018	13610		Supplies	4	02/27/2018	7.99	617140
03/08/2018	13610		Supplies	5	02/27/2018	17.97	507155
03/08/2018	13610		Supplies	6	02/27/2018	15.56	105027
03/08/2018	13610		Supplies	7	02/27/2018	3.99	105625
03/08/2018	13610		tools	8	02/27/2018	936.99	105635
Total 2405:						1,336.70	
03/14/2018	13613	AmeriGas	Propane	1	02/28/2018	513.35	507103

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2468:						513.35	
03/08/2018	13600	Goldstar Products Inc.	enviromelt	1	02/12/2018	1,150.55	105670
Total 2471:						1,150.55	
03/08/2018	13601	Java Moose	Food for Meetings	1	02/26/2018	64.00	105070
03/08/2018	13601		hand towels	2	02/26/2018	27.98	105027
Total 2477:						91.98	
03/14/2018	13614	CARD SERVICES	trailer parts	1	03/01/2018	349.51	105630
03/14/2018	13614		display keypad	2	03/01/2018	592.08	617155
03/14/2018	13614		Postage	3	03/01/2018	7.62	507310
03/14/2018	13614		Carbonite backup	4	03/01/2018	71.99	617303
03/14/2018	13614		Conferences	5	03/01/2018	507.84	105015
03/14/2018	13614		food for meeting	6	03/01/2018	27.30	105070
03/14/2018	13614		Conference	7	03/01/2018	152.83	105110
03/14/2018	13614		Postage	8	03/01/2018	16.67	105445
03/14/2018	13614		Postage	9	03/01/2018	16.67	105035
03/14/2018	13614		Postage	10	03/01/2018	33.33	507310
03/14/2018	13614		Postage	11	03/01/2018	33.33	617310
03/14/2018	13614		food for meeting	12	03/01/2018	65.08	105070
03/14/2018	13614		baseball equipment	13	03/01/2018	2,877.00	105830
03/14/2018	13614		brochure rack	14	03/01/2018	222.95	105120
03/14/2018	13614		flower pots	15	03/01/2018	686.92	105134
03/14/2018	13614		registration fee	16	03/01/2018	10.00	105162
03/14/2018	13614		website hosting	17	03/01/2018	14.99	105164
03/14/2018	13614		Conference	18	03/01/2018	1,091.63	105015
03/14/2018	13614		Office Supplies	19	03/01/2018	29.54	105130
03/14/2018	13614		Office Supplies	20	03/01/2018	4.64	105120
03/14/2018	13614		Postage	21	03/01/2018	8.20	105162
03/14/2018	13614		Office Supplies	22	03/01/2018	150.94	507303
03/14/2018	13614		Office Supplies	23	03/01/2018	150.94	617303
03/14/2018	13614		training	24	03/01/2018	275.00	507050
03/14/2018	13614		Supplies	25	03/01/2018	10.00	617140
03/14/2018	13614		tent repair parts	26	03/01/2018	266.63	105162
03/14/2018	13614		training	27	03/01/2018	279.00	105635
Total 2503:						7,952.43	
03/08/2018	13598	Fidelity National Title Co.	refund water & sewer - 351	1	03/08/2018	21.86	501017
Total 2585:						21.86	
03/14/2018	13615	Colorado Activities Center	summit city rack cards	1	03/08/2018	1,830.00	105130
Total 2606:						1,830.00	
03/08/2018	13595	CenturyLink	7198362445	1	02/19/2018	92.21	617320
03/08/2018	13595		alarm line-525 Hathaway	1	02/19/2018	39.01	105190
03/08/2018	13595		7198362622355B	1	02/19/2018	443.84	105065
03/08/2018	13595		acct 719-836-4609 502B	1	02/19/2018	55.42	507320
03/08/2018	13595		acct 82239760	1	02/23/2018	34.29	105065

(tenant water account)

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2814:						664.77	
03/08/2018	13602	Kasper, Gerrits	mileage reimburse	1	03/01/2018	94.61	105635
Total 2747:						94.61	
03/08/2018	13599	ghVALLEY.NET	internet service	1	03/01/2018	30.12	105065
03/08/2018	13599		internet service	2	03/01/2018	30.12	105455
Total 2753:						60.24	
03/08/2018	13596	Clearwater Cleanup Comp	clean valve box	1	03/01/2018	545.00	507155
Total 2859:						545.00	
03/14/2018	13616	Colorado Analytical Lab	water testing	1	03/09/2018	23.00	507140
Total 2864:						23.00	
03/14/2018	13620	The Phillips Law Offices, L	Legal	1	02/28/2018	130.00	105057
Total 2886:						130.00	
03/08/2018	13604	Municode	update code book	1	12/12/2017	225.00	105075
Total 2890:						225.00	
03/08/2018	13606	Rise Broadband	internet	1	03/01/2018	95.68	617320
Total 2900:						95.68	
03/08/2018	13597	Fairplay Auto Supply	supplies	1	02/28/2018	79.64	105625
Total 2948:						79.64	
03/02/2018	13594	Colotrust-Colo Local Gov't	tsf from checking	1	03/02/2018	350,000.00	101003
Total 3070:						350,000.00	
03/08/2018	13608	Roger & Rebecca Anderso	refund street cut bond	1	03/08/2018	2,000.00	102120
Total 3176:						2,000.00	
03/14/2018	13618	Hipster Mama Productions	band for 4th	1	03/06/2018	1,100.00	105171
Total 3177:						1,100.00	
Grand Totals:						369,599.27	

transfer to Savings

Report Criteria:
 Detail report type printed



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Claudia Werner, Deputy Town Clerk
RE: Request for Donation from the American Legion
DATE: March 14, 2018

The American Legion has submitted a letter asking for a donation of \$100.00 from the Town for the annual Easter Egg Hunt hosted by the Legion. The Board has historically donated this amount to the event, along with Public Works time and equipment to help prepare South Park City Museum for the event. You have \$1,500 remaining in your donation line item for 2018.

Should the Board decide to donate, this will require a motion and roll call vote.

Claudia Werner

From: R.J. Goble [rjgoble41@gmail.com]
Sent: Tuesday, March 06, 2018 5:16 PM
To: cwerner@fairplayco.us; tdarra@fairplayco.us
Subject: Easter Egg hunt
Attachments: Easter Flyer 2018.pub; 2018 easter egg donation request.docx

Good Afternoon,

I hope this message finds you both well. It is that time of year again for the annual Easter Egg hunt that is loved by so many. Please find attached to this message our letter of monetary and material donation request, along with a flyer. I respectfully request that this be placed on the next available agenda of the Town Trustees meeting. Please let me know the date of that meeting and we will be sure to have a representative of the Post attend. If you have any questions or concerns, please don't hesitate to contact me. Thank you and have a great day.

Best Regards,

Jeff Goble

rjgoble41@gmail.com



SOUTH PARK AMERICAN LEGION, CARL DUNCAN MEMORIAL POST #172

PO BOX 505 / 601 CLARK STREET FAIRPLAY CO 80440

March 7, 2018

Mayor Lane, Board of Trustees

Town of Fairplay

PO Box 267

Fairplay, CO 80440

Greetings,

First, please allow me to apologize for the tardiness of this request, it would seem that Easter snuck up on us this year and we neglected to get this to you in a timely fashion. At this time we respectfully request the Board of Trustees consider donating \$100 to help us defray some of the costs we will incur. In addition to the donation we would like to request that the Public Works department clear the snow in front of the gate, if any, on Front Street and possibly make one pass with a plow down the center of South Park City if needed. Last year, the Town secured the key for the gate to get us into the venue and we would like to see if someone from the Town could again secure that key for us as we are not sure who the contact is.

We will begin stuffing at least 800 eggs with candy on Saturday, March 10th and we have booked the Easter Bunny once again this year. We are looking forward to having nice weather and a great turnout this year. We would like to thank you all for your continued financial and material support of this well liked and well attended Fairplay tradition. If anyone has any questions please do not hesitate to contact me at 719-839-1236. Thank you very much and Happy Easter to the Fairplay community.

Best Regards,

Jeff Goble

Sergeant At Arms / Finance officer

American Legion Post #172



Fairplay Annual Easter Egg Hunt

Head over to South Park City for the annual

Easter Egg Hunt brought to you by the

Carl Duncan Memorial American Legion Post #172,

South Park City,

and the Town of Fairplay.



Sunday, April 1st, 2018

12:00 p.m.

South Park City Museum

Easter Egg hunt is open to children 10 years
and under





MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Kim Wittbrodt, Treasurer
RE: Resolution Approving PIIP Agreement with Peter Lynn
DATE: March 14, 2018

This resolution approves an agreement with Peter Lynn for the Lynn Siding Project. Staff has reviewed his application and found it in compliance with the PIIP rules and regulations.

This application is for \$611 towards exterior upgrades to the property at 851 Hathaway Street as shown in the attached agreement. The property has paid in \$611 in property taxes to the Town of Fairplay over the last five years. You have \$20,000 left in your PIIP line item for 2018.

Approval of this will require a motion, second and roll call vote.

**TOWN OF FAIRPLAY, COLORADO
RESOLUTION NO. 2018- 11**

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 PETER LYNN FOR THE LYNN SIDING PROJECT.

WHEREAS, the Town Board of the Town of Fairplay specifically finds that entering into this PIIP Agreement will enhance the appearance of the property thereby enhancing the appearance of the Town as a whole; and

WHEREAS, the Town Board finds that enhancing the appearance of the property and the Town promotes the public welfare including the expansion of retail sales tax and/or property tax generating business and expanded employment opportunities; and

WHEREAS, the Board of Trustees has reviewed the PIIP Agreement and finds it to be in compliance with the provisions of Section 4-9-80 of the Fairplay Municipal Code.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, that the Mayor is authorized to enter into this agreement between the Town of Fairplay and Peter Lynn as described in the agreement, attached hereto as "Exhibit A", and to execute the same on behalf of the Town.

RESOLVED, APPROVED, and ADOPTED this 19st day of March, 2018.

TOWN OF FAIRPLAY, COLORADO

(Seal)

Gabby Lane, Mayor

ATTEST:

Tina Darrah, Town Clerk

**PROPERTY IMPROVEMENT INCENTIVE PROGRAM AGREEMENT
(Lynn Siding Project)**

THIS PROPERTY IMPROVEMENT INCENTIVE PROGRAM AGREEMENT (Lynn Siding Project) (hereafter referred to as the "Lynn Siding Project PIIP Agreement") is made and executed this 19th day of March, 2018, by and between the TOWN OF FAIRPLAY, COLORADO, a Colorado statutory municipal corporation, (hereafter referred to as the "Town"), and Peter Lynn, (hereafter referred to as the "Owner").

WITNESSETH

WHEREAS, the Owner is the owner of certain real property in the Town commonly described as 851 Hathaway Street, (the "Property"); and

WHEREAS, the Owner proposes to improve the Property by replacing siding, windows and doors on the house and garage, which improvement will enhance the appearance of the Property and of the Town; and

WHEREAS, in entering into this PIIP Agreement, the Town Board of the Town specifically finds that the criteria for approval of a PIIP Agreement set forth in Section 4-9-80 of the Fairplay Municipal Code are met; and

WHEREAS, the parties hereto wish to set forth in full their agreement as to the nature and extent of the improvements which shall be constructed and installed by the Owner within and upon the Property, and the manner for and extent of the reimbursement to the Owner for a portion of the cost of such construction and installation; and

WHEREAS, the parties wish to memorialize all aspects of their agreement as to the terms and conditions of such reimbursement in this PIIP Agreement.

NOW THEREFORE, the parties hereto, for themselves, their successors and assigns (to the extent this PIIP Agreement is assignable, as specified hereinafter), in and for the consideration of the performance of the mutual covenants and promises set forth herein, the receipt and adequacy of which are hereby acknowledged, do hereby covenant and agree as follows:

1. **Authority.** This PIIP Agreement is entered into in compliance with the provisions of Article 9, Chapter 4 of the Fairplay Municipal Code.

2. **Scope of Work.** The parties hereby mutually agree that Owner shall construct, or cause to be constructed, the improvements to the Property set forth in **Exhibit A** hereto (the "Work" or the "Project"). Such work shall be completed to the reasonable satisfaction of the Town prior to any reimbursement pursuant to this PIIP Agreement. Any change in the Scope of Work shall require the prior written approval of the Town and may result in a decrease in the amount of the reimbursement should the Town reasonably determine that the change diminishes the cost or value of the improvements. The construction or installation of the improvements shall commence no later than May 1, 2018, and shall be completed no later than October 31, 2018. Should the work not commence or not be completed by the dates specified above this PIIP Agreement shall terminate and be of no further force or effect and the Town shall have no further obligations hereunder.

3. **Cost of Project.** The estimated cost of the Project is Thirteen Thousand Nine Hundred Seventy Two Dollars and 78/100 (\$13,972.78).

4. **Contractor.** The contractor performing the work will be Peter Lynn, whose address is PO Box 771, Fairplay, CO 80440. Any change of contractor shall require prior Town approval.

5. **Property tax rebate and matching funds.** The parties hereby mutually agree that the maximum amount of real property taxes to be rebated to Owner by the Town shall be Six Hundred Eleven Dollars (\$611) and that such amount does not exceed the amount of real property taxes paid on the Property to the Town during the preceding five years. Owner shall pay not less than an amount equal to fifty percent (50%) of the total cost of the Project. Should the cost of the Project decrease during the Work the property tax rebate provided by the Town shall be reduced to assure that the Owner contributes at least fifty percent (50%) of the total cost of the Project.

6. **Maintenance of improvements.** Owner shall maintain the improvements in good condition and repair for a period of five years from and after the date of completion. Should Owner not perform this maintenance obligation Owner shall, upon written demand from the Town, refund to the Town all monies rebated to the Owner by the Town pursuant to this PIIP Agreement.

7. **Completion of work and payment of rebate.** Upon completion of the Work, Owner shall notify the Town of such completion and the Town shall perform an inspection of the improvements. If the improvements are completed in a satisfactory and workmanlike manner the Town shall accept same and shall, within thirty (30) days following such acceptance, rebate to the Owner the amount required by Paragraph 5 above.

8. **Annual appropriation.** The parties specifically acknowledge and agree that no undertaking on the part of the Town to rebate property taxes as specified herein constitutes a debt or obligation of the Town within any constitutional or statutory provision. The Town's obligations hereunder shall be subject to annual appropriation by the Town Board unless and until approved by the Town's electors.

9. **Assignment/Third party beneficiaries.** None of the obligations, benefits, and provisions of this PIIP Agreement shall be assigned in whole or in any part without the express written authorization of the Fairplay Town Board. In addition, no third party may rely upon or enforce any provision of this PIIP Agreement, the same being an agreement solely between the Town and the Owner, and which agreement is made for the benefit of no other person or entity.

10. **Successors and assigns.** This PIIP Agreement may be recorded and shall be binding on Owner's successors and assigns.

11. **Amendments.** This PIIP Agreement shall be subject to amendment only by a written instrument executed by each party. Any such amendment shall require the approval by the Town Board of the Town of Fairplay at a regular or special meeting of the Town Board, and execution thereof by the Mayor and attestation by the Town Clerk.

12. **Notices.** Any written notices provided for or required in this PIIP Agreement shall be deemed delivered when either personally delivered or mailed, postage fully prepaid, certified or registered mail, return-receipt requested, to the parties at the following addresses:

To the Town: Town Administrator
Town of Fairplay
PO Box 267
Fairplay, CO 80440

With a copy to: Lee Phillips
PO Box 1046
Fairplay, CO 80440

To the Owner: Peter Lynn
PO Box 771
Fairplay, CO 80440

EXECUTED the day and year first above-written.

THE TOWN OF FAIRPLAY, COLORADO

Gabby Lane, Mayor

Tina Darrah, Town Clerk

OWNER:

Peter Lynn

3/14/18

TOWN OF FAIRPLAY

Property Improvement Incentive Program (PIIP)

APPLICATION for CONSIDERATION

Name of Applicant (Must be Property Owner): Peter J. Lynn

Property Address: 851 Hathaway ST. Fairplay, CO 80440

Mailing Address: P.O. BOX 771 Fairplay, CO 80440

Phone: (970) 389-1095 work (719) 838-0332 Personal

Email: blackcat.lynn@gmail.com

Description of Project (attach photo of current property/project area, description and/or drawings of proposed improvements, estimates/bids, further narrative if needed, etc.): _____

Exterior remodel: redning siding, windows & doors in house and garage

Siding estimate inc windows/doors is \$13,970.78

Estimated Cost of Project: \$13,970.78

Amount of PIIP Funds Applied for (cannot exceed amount of property tax paid to the Town of Fairplay over the last five years): \$611.31

Amount of Matching Funds from Applicant (must be at least 50% of the cost of the project): \$16,139.53

Upon submission of this completed application a meeting will be scheduled for you to meet with the Town Staff regarding your application and the program.

By signing this application you certify that you have received and read the rules and regulations of the PIIP Program - Ordinance No. 1, 2014.

Applicant signature: [Signature] Date: 3/13/18



851 Hathaway ST. Exterior Remodel

Peter Lynn
 (970) 589-1095 work
 (719) 838-0332 cell



Cost Break Down:

windows & doors	\$3768.26	
Siding - Board & Baton, metal	= \$3,204.52	
Misc - parts, supplies, flashing	= \$1,000.00	
Labor - Demo/tear off siding & installation of windows, doors, siding	\$7,972.78	material
	+6,000.00	labor
	<u>\$13,972.78</u>	total Estimated Cost

Colors = Board & Bat = Blue/Grey, semi transparent stain
 Main Trim = Dark Brown/coffee color
 metal = eventual rust color
 Doors = burgandy / wine red/purple
 Door Trim = cream/off white ^{22/34}
 - lite / . PA 1.10

WARRANTY DEED

THIS DEED, made this 22nd day of April, 2005, between

JACK R. WIENS, JR. AND CONNIE D. WIENS
whose address is PO Box 1566, Fairplay, CO 80440, GRANTOR(S), and

KERRIE L. LYNN AND PETER J. LYNN
whose address is PO Box 5441, Breckenridge, CO 80424, GRANTEE(S):

WITNESS, that the grantor(s), for and in consideration of the sum of ONE HUNDRED FORTY THREE THOUSAND AND 00/100 DOLLARS (\$143,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantees, grantee's heirs and assigns forever, not in tenancy in common but IN JOINT TENANCY, all the real property, together with improvements, if any, situate, lying and being in the County of Park and State of Colorado, described as follows:

Lot 15 and 16, Block 13, Replatting of Block 13 of the TOWN OF FAIRPLAY

also known by street and number as: 851 Hathaway, Fairplay, CO 80440

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appurtenant, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, grantee's heirs and assigns forever. The grantor, for the grantor, grantor's heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantee, grantee's heirs and assigns, that at the time of the ensembling and delivery of these presents, grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except general taxes for the current and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, grantee's heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Handwritten signatures of Jack R. Wiens, Jr. and Connie D. Wiens.
Jack R. Wiens, Jr.
Connie D. Wiens

State of Colorado
County of Summit

The foregoing instrument was acknowledged, subscribed and sworn to before me this 22nd day of April, 2005 by JACK R. WIENS, JR. AND CONNIE D. WIENS
Witness my Hand and Official Seal
My Commission Expires: 3-3-08

Handwritten signature of Jen H. Schilling, Notary Public.



TOWN OF FAIRPLAY RE-SIDING PERMIT APPLICATION

Fairplay Building Department
PO Box 267 Fairplay, CO 80440
719-836-2622 fax 719-836-3279

Application No.: RS

Please Type or Print Legibly

Date Received: 3/13/18

Tax Schedule No: 460 Project Address: 851 Hathaway St.

Legal Description: Subdivision: T09R775335E4 Lot: ¹⁵¹16 Block: 13 Filing: Unit:

Applicant/Contractor: <u>Peter Lynn</u>	Park County License No: <u> </u>
Mailing Address: <u>P.O. Box 771</u>	Phone: <u>(719)838-0332</u>
City: <u>Fairplay</u>	State: <u>CO</u> Zip: <u>80440</u>
Owner: <u>Peter Lynn</u>	Phone: <u>(719)838-0332</u>
Mailing Address: <u>P.O. BOX 771</u>	
City: <u>Fairplay</u>	State: <u>CO</u> Zip: <u>80440</u>

Building Type: Dwelling Garage Shed Deck Commercial
 Re-side Other(specify)

Construction Type: Frame Log Masonry Steel Post & Beam Pole
 Other (specify)

Existing Siding Material: Aluminium

Proposed Siding Material: Pine Board & Baton, Corrugated metal bottom

Will the existing siding be removed? Yes No

Method of fastening proposed siding: screws

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give the authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Peter Lynn 3/13/18
Applicant/Contractor Date

Peter Lynn 3/13/18
Owner Date

BLACK CAT PUMPING LLC
P.O. BOX 771
FAIRPLAY, CO 80440
PH. 970-389-1005

2051
82-157/1021

3/13/18 DATE

PAY TO THE ORDER OF Town of Fairplay \$ 110.00
One hundred ten ⁰⁰/₁₀₀ DOLLARS

TBK BANK

TBK BANK 888 | FAIRPLAY, CO 80440

FOR Siding Permit 

⑆ 111909579⑆ 16784232010 2051



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Bo Schlunsen, Acting Police Chief
RE: Discussion Regarding Open-Carry Restriction Request
DATE: March 15, 2018

We have recently had a situation come up at the school that is disconcerting to some parents, school staff and school Board Members. Included in your packet is a document being distributed by a parent who is the organizer of this "security movement" titled P4. I am also including state statute in regard to limitations on open carry and an emergency ordinance drafted by our Town Attorney showing how legislation could look if the Board decided to act on the concern.

After many conversations with the Superintendent, Joe Torres, and several school Board Members, prohibiting open carry on the town right of way (sidewalks and streets) immediately adjacent to the school has come up as a potential solution to the concerns of the school in regard to having armed individuals patrolling around the school property. I will have a map showing this area at the meeting for discussion purposes. We have discussed not including any section of Hwy. 9 (Main Street) in this zone. Joe Torres will be at the meeting to further discuss the school's concerns.

If the Board decides to move forward with a legislative action, an ordinance can be adopted as an emergency allowing immediate enforcement. This can be done at a regularly scheduled meeting or a special meeting.

Discussion points should include enforcement/penalties, signage, potential gun-free zone, and school safety resources.

P4

**PARENTS.
PERIMETER.
PROTECTION.
PLAN.**

OUR MISSION

**“TO UTILIZE
EVERY RESOURCE
AND ASSET
AVAILABLE IN
ORDER TO
PROTECT OUR
SCHOOLS”**

3/11/17

To All Concerned!

We are not looking to debate or change any current law(s). We simply don't have time to do so. We need to take action immediately.

Over the next few years our elected officials will be debating the best approach to protect our vulnerable children in Public Schools. Hopefully, more than ever! The volunteers/members of P4 are taking action TODAY!

The only requirement for membership is a desire to keep our Schools safe. We are asking those who ARE concerned about our schools to put all political views aside for a moment and realize if we don't do something right now we are all continuing to subject our schools to another tragedy. P4 members aren't waiting any longer.

This is the concept. Being that we are an open carry state we not only have the right, but we believe, we have the responsibility to keep our community safe. We understand it is unlawful to possess a firearm on school property. Therefore, we are seeking assistance from our Sheriff's Department, our Town Hall, and our School Districts to be very clear as to where the property boundaries are located.

We are not asking for permission. We do not need to do so. But we are seeking clarity as to our legal boundaries and/or limitations. The eligible members of P4 will be establishing an armed perimeter encompassing school owned properties where permissible and deemed necessary. We are currently having conversations with the Fairplay Police Department as well as the Park County Sheriff's Department and have been more than pleased with the feedback from each Department.

Please, take a minute to complete the following survey and when convenient return it to Erik Bear Taxidermy. Located next door to Even in the End Liquor Store in Fairplay, CO. Or email erikbeartaxidermy@gmail.com

We are anticipating a productive School Board meeting Thursday evening (3/15/18) and would like to encourage as many people as possible to attend.

Erik Bear

1. Would you be interested in volunteering your time to this effort even if you choose not to carry?

Yes _____ No _____

2. Would you be willing to open carry, off, but around school property?

Yes _____ No _____

3. Would you be able to allocate any number of hours on a regular basis? Even if it were very minimal.

Yes _____ No _____

4. Would you be willing to be trained and compensated in order to be on school property?

Yes _____ No _____

5. Would you be willing to finance your training?

Yes _____ No _____

6. Would you be willing to finance the training for another concerned person?

Yes _____ No _____

Printed Name: _____

Signature: _____

Contact Info: _____

Date: _____

West's Colorado Revised Statutes Annotated

Title 29. Government--Local

Miscellaneous

Article 11.7. Regulation of Firearms (Refs & Annos)

C.R.S.A. § 29-11.7-104

§ 29-11.7-104. Regulation--carrying--posting

Currentness

A local government may enact an ordinance, regulation, or other law that prohibits the open carrying of a firearm in a building or specific area within the local government's jurisdiction. If a local government enacts an ordinance, regulation, or other law that prohibits the open carrying of a firearm in a building or specific area, the local government shall post signs at the public entrances to the building or specific area informing persons that the open carrying of firearms is prohibited in the building or specific area.

Credits

Added by Laws 2003, Ch. 45, § 2, eff. March 18, 2003.

C. R. S. A. § 29-11.7-104, CO ST § 29-11.7-104

Current through Ch. 4 of the Second Regular Session of the 71st General Assembly (2018)

End of Document

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ORDINANCE NO. 2018- /

AN EMERGENCY ORDINANCE ADDING A NEW SECTION 10-6-130 TO THE FAIRPLAY MUNICIPAL CODE PROHIBITING THE OPEN CARRYING OF FIREARMS IN CERTAIN AREAS ADJACENT TO THE PARK COUNTY SCHOOL DISTRICT RE-2 FAIRPLAY CAMPUS

WHEREAS, C.R.S. § 29-11.7-104 provides that a local government may enact an ordinance that prohibits the open carrying of a firearm in a building or specific area within the local government’s jurisdiction; and

WHEREAS, the Board of Trustees finds and determines that the open carrying of firearms in certain locations adjacent to the Park County School District Re-2 Fairplay Campus is intimidating to students, parents, and faculty, is potentially dangerous, and is harmful to the safety and welfare of the Fairplay community; and

WHEREAS, the Board of Trustees supports the right to keep and bear arms guaranteed by both the Colorado and United States Constitutions but believes that the limitations contained herein are reasonable and do not infringe on this important constitutional right;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, THAT:

Section 1. Findings and Intent. The above and foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board of Trustees of the Town of Fairplay.

Section 2. Addition to Municipal Code. The Fairplay Municipal Code is amended by the addition of a new Section 10-6-130 to read as follows:

Sec. 10-6-130. Gun Free Zone.

(a) The open carrying of firearms is prohibited in the area described as follows:

INSERT

(b) For purposes of this Section the term “firearm” means any handgun, automatic, revolver, pistol, rifle, shotgun, or other instrument or device capable or intended to be capable of discharging bullets, pellets, cartridges or other explosive charges.

(c) As required by C.R.S. § 29-11.7-104, the Town shall post signs at the public entrances to the area described in subsection (a) informing persons that the open carrying of firearms is prohibited.

Section 3. Police Power Finding. The Board of Trustees hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town and the inhabitants thereof.

Section 4. Emergency Declared; Effective Date; Expiration. The Board of Trustees finds, determines and declares that passage of this Ordinance is necessary for the immediate preservation of the public peace, health and safety in order to prevent the intimidation of students, parents and faculty at the Park County School District Re-2 Fairplay Campus. The Board of Trustees further determines that the adoption of this Ordinance as an emergency ordinance is in the best interest of the citizens of the Town of Fairplay. Accordingly, pursuant to C.R.S. § 31-16-105, this ordinance shall take effect immediately upon adoption.

ADOPTED AS AN EMERGENCY ORDINANCE THIS ___ day of _____,
2018.

Approved: _____
Gabby Lane, Mayor

Attest: _____
Tina Darrah, Town Clerk

Approved as to form: _____
Herbert C. Phillips, Town Attorney