

**AMENDED AGENDA for a Regular Meeting  
of the Board of Trustees of the Town of Fairplay, Colorado  
Monday, April 18, 2022, at 6:00 p.m. at the Fairplay Town Hall Board Room  
901 Main Street, Fairplay, Colorado**

- I. **CALL TO ORDER**
- 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 21, 2022 Regular Meeting.
  - B. **APPROVAL OF EXPENDITURES** – Approval of bills for various Town funds in the amount of **\$47,137.27.**
- VI. **CITIZEN COMMENTS**
- VII. **NEW BUSINESS**
  - A. Administration of Oaths of Office to and seating of Newly Elected Mayor Frank Just and Trustees Peter Lynn and Joshua Voorhis.
  - B. Comments from and presentation to outgoing Trustee Eve Stapp. (*Brief Reception*)
  - C. Interviews with Trustee applicants and selection and seating of new Trustee to fill the vacant seat on Board, along with administration of Oath of Office.
  - D. Selection of Mayor Pro Tem.
  - E. Should the Board Approve the adoption of Resolution No. 15, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING KIM WITTBRODT AS TOWN TREASURER.”?**
  - F. Should the Board Approve the adoption of Resolution No. 16, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING THE FIRM OF WILSON WILLIAMS, LLP AS TOWN ATTORNEY.”?**
  - G. Should the Board Approve the adoption of Resolution No. 17, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING BRIAN GREEN AS MUNICIPAL COURT JUDGE.”?**
  - H. Should the Board Approve the adoption of Resolution No. 18, Series of 2022, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING JANELL SCIACCA AS TOWN CLERK AND TOWN ADMINISTRATOR.”?**
  - I. Should the Board Approve the adoption of Ordinance No. 7, Series of 2022, entitled, **“AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO RESCINDING THE TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR ALL SHORT-TERM RENTAL LICENSES ON MAY 2, 2022, AND DECLARING AN EMERGENCY.”?**
- VIII. **OTHER BUSINESS**
- IX. **BOARD OF TRUSTEE AND STAFF REPORTS**
- X. **ADJOURNMENT**

**Upcoming Meetings/Important Dates**

Park County Commissioners Meeting	April 19, 2022
South Park Chamber of Commerce Meeting	April 21, 2022
Park County Commissioners Meeting	April 26, 2022
<i>Fairplay Board of Trustees Regular Meeting</i>	<i>May 2, 2022 @ 6 PM</i>
Park County Commissioners Meeting	May 3, 2022
<i>Fairplay Board of Trustees Regular Meeting</i>	<i>May 16, 2022 @ 6 PM</i>
Park County Commissioners Meeting	May 17, 2022
Cemetery Clean Up	May 21, 2022
CML Spring Outreach Meeting Buena Vista	May 23, 2022
Park County Commissioners Meeting	May 24, 2022
Fairplay Town Clean Up	June 3, 4 & 5, 2022
Huck Finn Day	June 4, 2022
CML Annual Conference	June 22-24, 2022

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

**MARCH 21, 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, March 21, 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. Just announced that Trustee Stapp was unable to attend due to another appointment which conflicted.

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**

Just noted the amended agenda that had been distributed and there were no questions.

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

**CONSENT AGENDA**

**A.** APPROVAL OF MINUTES – February 24, 2022 Special Meeting.

**B.** APPROVAL OF MINUTES – March 7, 2022 Regular Meeting.

**C.** APPROVAL OF EXPENDITURES—Approval of bills of various Town funds in the amount of \$67,721.23. Trustee Lynn inquired about the audit expense and Treasurer Wittbrodt replied this was an annual requirement and process the bill on this list was for about two-thirds of the entire audit expense and the final document would be presented to the Board. Lynn also inquired about the expense for body cameras and Wittbrodt explained those were included in the budget and the Town was receiving a grant to offset the total cost.

**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.

**NEW BUSINESS**

**A.** Should the Board Approve adoption of Resolution No. 11, Series of 2022, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ADOPTING AN AMENDED SCHEDULE OF FEES.”?

Town Administrator Sciacca presented an overview of the Staff Report and highlighted the main changes for the Board and also requested direction on items that appeared in red. Following review and discussion, Sciacca recommended approval of the fee schedule with the Board’s changes and stated Staff was

continuing to review development-related and water & sewer fees and would bring back subsequent recommendations to the Board on those items as soon as possible but felt it was important to move forward to implement the schedule to allow for Staff to start assessing new or increased fees and update forms and applications as necessary.

**Motion #3** by Mayor Pro Tem Dodge, seconded by Trustee Stapp to approve Resolution No. 11, Series of 2022 adopting an amended schedule of fees. A roll call vote was taken: Stapp – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

## **PUBLIC HEARINGS**

**A.** Should the Board Approve adoption of Ordinance No. 4, Series of 2022, entitled, “AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTERS 6 AND 16 OF THE FAIRPLAY MUNICIPAL CODE, CONCERNING BUSINESS LICENSING AND UNIFIED DEVELOPMENT CODE, TO ESTABLISH A SHORT-TERM RENTAL LICENSING PROGRAM.”?

Mayor Just opened the Public Hearing at 6:39 p.m. Town Administrator Sciacca presented an overview of the Staff Report. Town Attorney Williams added the presented ordinance incorporated all

Just opened the floor to public comment. John Deagan, 809 Crawford Lane, questioned allowing the use of certain multi-family units and the definition of affordable. Town Attorney Williams advised the intent was to not allow apartments which was clarified in the definition of an apartment building in Section 5, and this was a policy decision of the Board and could be changed. Williams also clarified a household earning sixty (60) percent of the Area Median (AMI) for the Denver-Aurora-Lakewood Metropolitan Statistical Area as defined annually by the United States Department of Housing and Urban Development (HUD) was being used to define affordable. Joe Demma, 920 Hathaway #3, questioned Section 16-7-160(b)(2) and the use of a manufactured home and also Section 6 – Current Business Licenses. Trustee Voorhis clarified Demma’s second question and stated there was no difference between someone operating as an individual or a business.

There were no comments in favor of or against the ordinance. Mayor Just closed the floor to public comment and proceeded to thank anyone who had provided input on the subject over the past months.

Mayor Just closed the public hearing and opened the floor for Board questions and discussion. He advised that he asked that information on the number of available licenses be posted online at the Town’s website and that items i. and j. of 6-5-20 be inverted for fluidity. He then rhetorically inquired if the Board consensus was to not permit the use of accessory dwelling units (ADUs) as short-term rentals citing code section 16-7-10 specifically stated “Accessory dwelling units are intended to provide increased affordable housing opportunities within the Town and to facilitate housing in close proximity to places of employment” and he just wanted to confirm that was still consensus of the Board and no clarification was needed. The Board generally agreed. Mayor Just then stated that to address Demma’s concern he was suggesting the addition of the wording “and must be renewed annually” to Section 16-7-160(b)(2) following the word (VIN). Following additional discussion and clarification, it was decided to clarify the use was allowed with the written permission of the actual landowner and Williams would add appropriate wording. Trustee Voorhis questioned the wording regarding off-street parking. Just clarified that the Board previously discussed this and generally agreed to allow Staff to work with each applicant as necessary.

allow one license per person or Town Administrator Sciacca noted that original discussions of the Board had resulted in direction to only entity. The Board generally agreed and Mayor Just suggested amending the first line of 6-5-20(b) to read "A singular license...".

**Motion #4** by Trustee Stapp, seconded by Trustee Voorhis, to approve Ordinance No. 4, Series of 2022, as amended with the first line of 6-5-20(b) to read "A singular license..."; to amend section 6-5-20(h) to add that a running tally shall also be kept on the Town's website; to invert items i. and j. of section 6-5-20; to add the wording "and are subject annual registration renewal" to Section 16-7-160(b)(2) following the word (VIN); and to amend the definition of applicant in Section 6-5-10 to allow for the owner of certain modular homes and trailers with the express written permission of the landowner. 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**

Chief Schlusen reported that the Police Department continued to work on Code Enforcement matters and Administrator Sciacca advised that matters were being added every day. Schlusen also reported that things were slow and the schedule had been modified to provide 24-hour coverage following the Sheriff's Department announcement and the Town was now helping the County out as possible. He advised the BodyWorn cameras were received, and training would take place tomorrow.

Town Clerk Sciacca requested the Boards position on holding a work session at the next meeting to begin discussing affordable housing and the Board agreed with this being on the agenda for April 4. Sciacca reminded everyone the Chamber's first Mixer was being held at Millonzi's tomorrow at 4PM and the Habitat groundbreaking was scheduled for March 31 at 5PM. She also provided an update to the Board regarding a Front Street matter she emailed them on and advised the Fire Marshal did stop in at Town Hall on Friday and advised that there was no Fire Code violation and he would provide a letter with code references. She also reported that the new IT Contractor was on-site yesterday and would be conducting an official onboarding on March 31 and officially take over April 1. She also shared that Fire Marshal McDonald shared with Staff that they have a 60% increase in medical calls attributed directly to vacation rentals.

Mayor Pro Tem Dodge reported that he attended a CDOT TPR meeting earlier in the day and the Highway 285 and 9 project was being postponed and would be rebid in the fall.

Mayor Just thanked everyone who attended meetings and work sessions and provided input on the short-term rental ordinance. He felt it resulted in a document that the Town could be proud of.

#### **ADJOURNMENT**

There being no further business before the Board, Mayor Just declared that the Regular Meeting adjourned at 7:48 p.m.

**BOARD OF TRUSTEES, FAIRPLAY, COLORADO**

ATTEST:

\_\_\_\_\_  
Frank Just, Mayor

\_\_\_\_\_  
Janell Sciacca, Town Clerk



## MEMORANDUM

**TO:** Mayor and Board of Trustees  
**FROM:** Kim Wittbrodt, Treasurer  
**RE:** Paid Bills/Financial Statement  
**DATE:** April 15, 2022

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Agenda Item: Bills

Attached is the list of invoices paid from March 31 through April 14, 2022.

Total Expenditures: \$47,137.27

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
04/11/2022	18019	Burnett Land Surveying	cohen park topo	1	07/12/2021	100.00	105883
Total 269:						100.00	
04/04/2022	17987	Caselle, Inc	Software Support	1	03/01/2022	439.50	105060
04/04/2022	17987		Software Support	2	03/01/2022	439.50	517206
Total 334:						879.00	
04/04/2022	17989	Dana Kepner Company, In	water meter parts	1	03/22/2022	2,883.68	517485
Total 682:						2,883.68	
04/11/2022	18025	The Flume	legal /ads	1	03/31/2022	37.15	106125
Total 868:						37.15	
04/07/2022	18011	Ferrellgas	1800 beaver creek road	1	02/25/2022	780.78	517495
04/07/2022	18011		850 hathaway	1	02/25/2022	1,564.64	105186
04/07/2022	18011		propane-501 main	1	03/08/2022	594.46	105195
04/07/2022	18011		850 hathaway	1	03/17/2022	1,063.62	105186
04/07/2022	18011		1800 beaver creek road	1	03/24/2022	585.12	517495
Total 916:						4,588.62	
04/11/2022	18022	Main Street Garage	Tahoe repair	1	04/06/2022	832.89	105420
Total 1336:						832.89	
04/06/2022	18005	United States Postal Servic	postage for event postcard	1	04/06/2022	1,113.51	105130
Total 2158:						1,113.51	
04/11/2022	18028	USABlueBook	freight	1	04/05/2022	69.07	517480
04/04/2022	17997		supplies	1	03/18/2022	550.90	517665
Multiple	17982		supplies	1	03/22/2022	.00	517475
			supplies	2	03/22/2022		517475
04/04/2022	17997		supplies	1	03/28/2022	196.15	517490
Total 2176:						816.12	
04/04/2022	17998	Utility Notification Center	RTL Transmissions	1	03/31/2022	5.20	517455
04/04/2022	17998		RTL Transmissions	1	03/31/2022	5.20	517650
Total 2194:						10.40	
04/07/2022	18018	Xcel Energy	901 main	1	03/22/2022	208.96	105023
04/07/2022	18018		1190 castello	1	03/22/2022	203.43	105650
04/07/2022	18018		200 2nd street	2	03/22/2022	81.80	517470
04/07/2022	18018		157 6th street	3	03/22/2022	63.19	105640
04/07/2022	18018		156 5th street	4	03/22/2022	11.38	105640
04/07/2022	18018		589 platte drive	5	03/22/2022	11.38	105841
04/07/2022	18018		419 front	6	03/22/2022	11.78	105640
04/04/2022	18001		chlorinator	1	03/22/2022	116.34	517470

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
04/04/2022	18001		747 bogue	1	03/22/2022	14.62	105841
04/04/2022	18001		1800 beaver creek road	1	03/22/2022	766.49	517495
04/04/2022	18001		sign#1	1	03/22/2022	13.05	105640
04/04/2022	18001		772506184	1	03/22/2022	4,027.47	517680
04/04/2022	18001		117 silverheels road	1	03/22/2022	11.38	105841
04/04/2022	18001		850 hathaway	1	03/22/2022	256.03	105186
04/04/2022	18001		501 main	1	03/22/2022	406.02	105195
04/07/2022	18018		monument sign	1	03/22/2022	27.33	105640
04/11/2022	18026		street lights	1	04/01/2022	814.84	105640
Total 2296:						7,045.49	
04/07/2022	18014	South Park Ace & Lumber	Supplies	1	03/25/2022	71.96	105166
04/07/2022	18014		Supplies	2	03/25/2022	51.56	105630
04/07/2022	18014		Supplies	3	03/25/2022	5.93	105445
04/07/2022	18014		Supplies	4	03/25/2022	9.38	517465
04/07/2022	18014		Supplies	5	03/25/2022	37.98	105850
Total 2405:						176.81	
04/04/2022	17991	KONICA MINOLTA BUSIN	C364E Copier	1	03/29/2022	439.99	105032
Total 2448:						439.99	
04/04/2022	17988	CenturyLink	acct 719-836-4609 502B	1	03/19/2022	65.70	517470
04/04/2022	17988		7198362622355B	1	03/19/2022	535.58	105065
04/04/2022	17988		acct 82239760	1	03/24/2022	30.96	105065
Total 2614:						632.24	
04/04/2022	17992	L.A.W.S.	decals for tahoe	1	03/25/2022	488.50	325810
Total 2630:						488.50	
04/11/2022	18020	Comm-One Inc.	phone system maintenanc	1	04/10/2022	300.00	105065
Total 2642:						300.00	
04/11/2022	18021	Elkhorn Ranch Owners As	hoa dues	1	04/07/2022	40.00	106130
Total 2653:						40.00	
04/11/2022	18027	Colorado Natural Gas, Inc.	san office	1	04/04/2022	253.22	517234
04/11/2022	18027		sewer treatment plant	1	04/04/2022	2,285.03	517680
04/11/2022	18027		natural gas-shop	1	04/04/2022	843.66	105650
04/11/2022	18027		natural gas	1	04/04/2022	212.29	105023
Total 2728:						3,594.20	
04/11/2022	18023	Mobile Record Shredders	record shredding	1	04/07/2022	12.00	105030
Total 2793:						12.00	
04/07/2022	18007	Chaffee County Waste	6 yd weekly	1	04/05/2022	107.50	105023
04/07/2022	18007		6 yd weekly	2	04/05/2022	107.50	105650
04/07/2022	18007		2 yd biweekly	3	04/05/2022	69.00	517675

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2801:						284.00	
04/04/2022	17990	Huber Technology, Inc.	service contract 2020	1	03/16/2022	2,000.00	517655
Total 2874:						2,000.00	
04/07/2022	18010	Fairplay Auto Supply	supplies	1	03/30/2022	238.18	105625
04/07/2022	18010		supplies	2	03/30/2022	58.05	105420
04/07/2022	18010		supplies	3	03/30/2022	524.74	105630
04/07/2022	18010		supplies	4	03/30/2022	524.74	517242
04/07/2022	18010		supplies	5	03/30/2022	101.76	517655
Total 2948:						1,447.47	
04/07/2022	18006	Centura Health	forensic exam	1	01/13/2022	600.00	105475
Total 3136:						600.00	
04/07/2022	18012	Hunn Planning & Policy, LL	planning fees	1	04/04/2022	1,556.25	105105
Total 3183:						1,556.25	
04/07/2022	18013	Montrose Water Factory, L	bottled water	1	03/21/2022	17.50	105120
Total 3211:						17.50	
04/04/2022	17999	Vertical Property Services	live tap for gallery project	1	03/28/2022	1,100.00	517430
Total 3303:						1,100.00	
04/04/2022	17994	Park County Government	monthly internet	1	04/01/2022	52.50	105065
04/04/2022	17994		monthly internet	2	04/01/2022	52.50	105455
04/04/2022	17994		monthly internet	3	04/01/2022	105.00	517226
Total 3381:						210.00	
04/07/2022	18015	TAC10	records server and 1 user	1	04/01/2022	1,380.00	105465
Total 3403:						1,380.00	
04/07/2022	18016	UniFirst	calibration	1	04/04/2022	91.70	517655
Total 3462:						91.70	
04/04/2022	18000	Warm Springs Consulting	contract	1	04/03/2022	4,500.00	517417
04/04/2022	18000		contract	1	04/03/2022	5,000.00	517627
Total 3463:						9,500.00	
04/04/2022	17996	Timberline Properties Hom	plow 850 hathaway	1	03/31/2022	200.00	105186
Total 3510:						200.00	
04/11/2022	18024	Phoenix Technology Group	computer	1	04/04/2022	780.00	517206
04/11/2022	18024		computer	2	04/04/2022	780.00	105060
04/11/2022	18024		computer	3	04/04/2022	480.00	105465



Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
04/11/2022	18024		computer	1	04/04/2022	480.00	105465
04/11/2022	18024		computer	2	04/04/2022	780.00	105060
04/11/2022	18024		computer	3	04/04/2022	780.00	517206
Total 3580:						4,080.00	
Multiple	18017	Wilson Williams LLP	legal-bill back	1	03/31/2022	.00	105057
			legal-bill back	2	03/31/2022		105057
Multiple	18017		legal-bill back	1	03/31/2022	.00	105057
			legal-bill back	2	03/31/2022		105057
Total 3586:						.00	
04/04/2022	17993	Mytech Partners, Inc.	internet	1	04/01/2022	46.75	105060
Total 3603:						46.75	
04/04/2022	17995	SSP Waste Toilets	fairplay beach port a pot	1	03/18/2022	173.00	105842
Total 3607:						173.00	
04/07/2022	18009	Debra Edell	refund burro booth	1	04/07/2022	160.00	104756
Total 3608:						160.00	
04/07/2022	18008	Crystal Wiatrek	refund headstone deposit	1	04/07/2022	300.00	102290
Total 3609:						300.00	
Grand Totals:						47,137.27	

## Report Criteria:

Detail report type printed



## MEMORANDUM

**TO:** Mayor and Board of Trustees

**FROM:** Janell Sciacca, Town Administrator/Clerk

**RE:** New Business Item C – Appointment to Fill Vacant Seat on Board of Trustees

**DATE:** April 18, 2022

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### **Background:**

The Town's Regular Municipal Election was to be held on Tuesday, April 5, 2022. However, the election was canceled on February 7, 2022 with the adoption of Resolution No. 7 as per Colorado Election Law and C.R.S. 31-10-507 due to the fact the only matter before the voters for the election was persons to office, and at the close of business on the sixty-fourth day before the election (January 31, 2022), there were not more candidates than offices to be filled. Per Section 2-2-10 (d) of the Fairplay Municipal Code, when situations like this occur the Board of Trustees must select and appoint from duly qualified electors of the Town, a suitable person to fill the vacancy or call a special election to fill the vacancy.

Because an election was to be held on April 5, and because the election was canceled due to a deficit in candidates to positions open, it was appropriate to solicit letters of interest to appoint a new Trustee instead of calling a special election. Public Notices were posted in the designated posting places across Town and also shared on the Town's social media sites with a deadline of Friday, April 15 at close of business. Three citizens submitted letters - Isaiah Goodreau, William Pike and Jeff Eastham. Those letters are attached for your consideration and each was invited to attend the meeting to be interviewed.

### **Recommended Board Action:**

Following the conclusion of interviews, Staff recommends the Board appoint one candidate as Trustee for the Town of Fairplay, Colorado with a 2-year term ending April 2, 2024 by motion, second and a roll call vote.

### **Attachments:**

1. W. Pikes Letter of Interest
2. I. Goodreau Letter of Interest
3. J. Eastham Letter of Interest

4/15/2022

Hello,

Town of Fairplay, Mayor Just,  
town trustees & town employees

I would like you to consider me for the  
vacant seat on the board of trustees for  
the Town of Fairplay.

I have lived in town for 24 years. I am also  
a registered voter with Park county. I  
have also been on the board for North-  
west Fire for a total of 8 years, holding  
seats as Treasurer for 2 years, Vice  
President for 2 years & President for  
4 years.

I believe my longevity of living in Fairplay  
and watching it grow, also being on the  
Board for the fire department would be  
extremely helpful for the town.

Thank you for your time.

William Pike  
w-pike

**From:** [Isaiah Goodreau](#)  
**To:** [jsciacca@fairplayco.us](mailto:jsciacca@fairplayco.us)  
**Subject:** Trustee  
**Date:** Friday, April 15, 2022 2:58:24 PM

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To whom it may concern,

My name is Isaiah Goodreau and I am writing this to let you know that I am interested in becoming a Trustee at the town of Fairplay. I meet all of the requirements as I am 34, have lived in town limits for almost 7 years and registered to vote. I have worked in South Park for 6 years now for Colorado Natural Gas and was just promoted District Manager last month. I take a lot of pride in making the community safe and representing my company. I grew up in a town of less than 800 people until I was 18 so have always embraced the small town community and the culture that only a small town can offer. My interest in this title comes from wanting to learn more about how the community works and help preserve and maintain the community in a positive manner. I am looking forward to any additional question you may have for me to see if I am the right candidate for what Fairplay needs. You are welcome to reach out to me through this email address or my phone number is 719-###-####.

TO WHOM IT MAY CONCERN,

I, JEFF EASTHAM, AGE 60 AND A RESIDENT OF FAIRPLAY FOR THE LAST 26 YEARS, DO HEREBY EXPRESS MY INTEREST IN BECOMING A TRUSTEE ON THE FAIRPLAY TOWN BOARD.

I WOULD LIKE TO SEE FAIRPLAY REMAIN FAIRPLAY AND NOT BECOME A MINI VERSION OF GREENBURGE.

I WOULD ACTIVELY BECOME INVOLVED IN A "CLEANUP" OF THE TOWN, INCLUDING REMOVING UNREGISTERED CARS, TRUCKS, VANS, BOAT, TRAILERS ETC FROM WITHIN THE CITY LIMITS, REMOVING R.V.'S, TRAILERS AND 5<sup>TH</sup> WHEELS FROM PROPERTIES TO THE APPROPRIATE STORAGE FACILITIES AND ENSURE PEOPLE ARE NOT LIVING IN SAID RV'S AND 5<sup>TH</sup> WHEELS. HELP WITH CONTINUING EMPLOYEE HOUSING FOR OUR COMMUNITY WITH "LOCAL" EMPLOYEES RECEIVING FIRST OPPORTUNITIES TO PURCHASE THESE PROPERTIES. I AM A DEDICATED TEAM PLAYER WILLING TO HELP MAYOR JUST, OTHER TRUSTEE'S AND TOWN EMPLOYEE'S TO CONTINUE TO IMPROVE OUR COMMUNITY

BEST REGARDS ...

*Jeff Eastham*  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



**Town of Fairplay**  
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## STAFF REPORT

**TO:** Mayor and Board of Trustees

**FROM:** Janell Sciacca, Town Administrator

**RE:** New Business Item E, F, G & H – Appointment of Officers  
 Resolution Nos 15, 16, 17, & 18, Series of 22

**DATE:** April 18, 2022

### BACKGROUND/ANALYSIS:

The Town of Fairplay Municipal Code Section 2-3-10 sets forth that the following officers of the Town shall be appointed by a majority vote of all the members of the Board of Trustees:

1. Town Attorney;
2. Town Clerk;
3. Town Treasurer; and
4. Municipal Judge.

It further sets forth that officers shall serve until the next regular municipal election at which time they may or may not be reappointed at the discretion of the Board of Trustees and reappointment and/or appointment of officers shall occur no later than the second regular meeting of the Board of Trustees after each regular municipal election.

Section 2-3-40 also sets forth that The Town Administrator shall be subject to reappointment after every regular municipal election and shall serve at the pleasure of the Board of Trustees.

Resolutions 15, 16, 17, & 18 of Series 2022 are presented in accordance with, and to fulfill, such requirements of the Town's code.

### PROPOSED MOTIONS:

- ✓ To approve Resolution No.15, Series 2022, as presented appointing Kim Wittbrodt as Town Treasurer.
- ✓ To approve Resolution No. 16, Series 2022, as presented appointing the firm of Wilson Williams, LLP as Town Attorney.
- ✓ To approve Resolution No.17, Series 2022, as presented appointing Brian Green as Municipal Court Judge.
- ✓ To approve Resolution No.18, Series 2022, as presented appointing Janell Sciacca as Town Clerk and Town Administrator.

Each resolution will require a separate motion, second and roll call vote.

### Attachments:

- Resolutions 15, 16, 17, & 18 of Series 2022

**“Where History Meets the High Country”**

**TOWN OF FAIRPLAY, COLORADO**

**RESOLUTION NO. 15**  
**(Series of 2022)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING KIM WITTBRODT AS TOWN TREASURER.**

**WHEREAS**, Sec. 2-3-10 of the Fairplay Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

**WHEREAS**, Sec. 2-3-10(c) of the Fairplay Municipal Code also directs that the reappointment of officers shall occur no later than the second regular meeting of the Board of Trustees after each regular municipal election.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO** that Kim Wittbrodt shall be and is hereby appointed as Town Treasurer and that, unless otherwise specified, shall hold such office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing-in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Fairplay or C.R.S. 31-4-307:

**RESOLVED, APPROVED, AND ADOPTED** this 18<sup>th</sup> day of April, 2022.

TOWN OF FAIRPLAY

(Seal)

By: \_\_\_\_\_  
Frank Just, Mayor

ATTEST:

\_\_\_\_\_  
Janell Sciacca, Town Clerk

**TOWN OF FAIRPLAY, COLORADO**

**RESOLUTION NO. 16**  
**(Series of 2022)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING THE LAW FIRM OF WILSON WILLIAMS, LLP AS TOWN ATTORNEY.**

**WHEREAS**, Sec. 2-3-10 of the Fairplay Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

**WHEREAS**, Sec. 2-3-10(c) of the Fairplay Municipal Code also directs that the reappointment of officers shall occur no later than the second regular meeting of the Board of Trustees after each regular municipal election.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO** that the firm of Wilson Williams, LLP shall be and is hereby appointed as Town Attorney with the primary attorney representing the Town being Nina Williams and that, unless otherwise specified, shall hold such office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing-in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Fairplay or C.R.S. 31-4-307:

**RESOLVED, APPROVED, AND ADOPTED** this 18<sup>th</sup> day of April, 2022.

TOWN OF FAIRPLAY

(Seal)

By: \_\_\_\_\_  
Frank Just, Mayor

ATTEST:

\_\_\_\_\_  
Janell Sciacca, Town Clerk



**TOWN OF FAIRPLAY, COLORADO**

**RESOLUTION NO. 17  
(Series of 2022)**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING BRIAN GREEN AS MUNICIPAL COURT JUDGE.**

**WHEREAS**, Sec. 2-3-10 of the Fairplay Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

**WHEREAS**, Sec. 2-3-10(c) of the Fairplay Municipal Code also directs that the reappointment of officers shall occur no later than the second regular meeting of the Board of Trustees after each regular municipal election.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO** that Brian Green shall be and is hereby appointed as Municipal Court Judge and that, unless otherwise specified, shall hold such office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing-in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Fairplay or C.R.S. 31-4-307:

**RESOLVED, APPROVED, AND ADOPTED** this 18<sup>th</sup> day of April, 2022.

TOWN OF FAIRPLAY

(Seal)

By: \_\_\_\_\_  
Frank Just, Mayor

ATTEST:

\_\_\_\_\_  
Janell Sciacca, Town Clerk

**TOWN OF FAIRPLAY, COLORADO****RESOLUTION NO. 18****(Series of 2022)****A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPOINTING JANELL SCIACCA AS TOWN CLERK AND TOWN ADMINISTRATOR.**

**WHEREAS**, Sec. 2-3-10 of the Fairplay Municipal Code authorizes and directs the Board of Trustees to appoint town officers by a majority vote of all members of the Board; and

**WHEREAS**, Sec. 2-3-10(c) of the Fairplay Municipal Code also directs that the reappointment of officers shall occur no later than the second regular meeting of the Board of Trustees after each regular municipal election.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO** that Janell Sciacca shall be and is hereby appointed as Town Clerk and Town Administrator and that, unless otherwise specified, shall hold such office until the second regular meeting of the Board of Trustees after the next regular municipal election, and in no event longer than thirty (30) days after the swearing-in of the next elected Board, unless removed earlier in accordance with the ordinances of the Town of Fairplay or C.R.S. 31-4-307:

**RESOLVED, APPROVED, AND ADOPTED** this 18<sup>th</sup> day of April, 2022.

TOWN OF FAIRPLAY

(Seal)

By: \_\_\_\_\_  
Frank Just, Mayor

ATTEST:

\_\_\_\_\_  
Janell Sciacca, Town Clerk



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## STAFF REPORT

**TO:** Mayor and Board of Trustees

**FROM:** Janell Sciacca, Town Administrator

**RE:** New Business Item I – Adoption of Ordinance No. 7, Series of 2022  
 Recission of Emergency Ordinance No. 1 Regarding Short Term Rental Licenses

**DATE:** April 18, 2022

### BACKGROUND/ANALYSIS:

The Town of Fairplay is not currently receiving applications for review or issuing or approving any short-term rental licenses due to the moratorium that was originally enacted by the Board on November 22, 2021 and subsequently extended on February 7, 2022. The extension approved on February 7 is set to expire on Saturday, May 7, 2022.

On March 21, 2022, the Board adopted Ordinance No. 4, Series 2022, setting forth rules and regulations for moving forward with new processes, procedures, and requirements for licensing these uses along with limitations on the number of units allowed. That ordinance will become effective on Sunday, May 1, 2022. Therefore, the Staff is recommending the Board of Trustees rescind the moratorium early to coincide with the effective date of Ordinance No. 4 and allow the Town to start accepting applications on Monday, May 2, 2022.

If the moratorium recission is approved, the Town Clerk's office will begin distributing applications to current holders of corresponding business licenses and anyone else that has expressed interest during the moratorium period. The application would also be posted online on the Town's website for general access.

As per Section 6 of Ordinance No. 4, the Clerk's Office will proceed to process short-term rental license applications submitted by current business licensees (*those who hold a valid and active business license with the Town*) and who operate a short-term rental first, before processing subsequent short-term rental license applications. In no case shall any application be accepted prior to Monday, May 2, 2022.

### STAFF RECOMMENDATION:

Staff recommends the Board approve Emergency Ordinance No. 7, Series 2022 as presented by motion, second and a roll call vote.

Attachments:

- Emergency Ordinance No. 7, Series 2022

**“Where History Meets the High Country”**

**TOWN OF FAIRPLAY, COLORADO  
ORDINANCE NO. 7  
(SERIES 2022)**

**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO RESCINDING THE TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR ALL SHORT-TERM RENTAL LICENSES ON MAY 2, 2022, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Town of Fairplay, Colorado (“Town”) is a statutory town, duly organized and existing under the laws of the state of Colorado; and

**WHEREAS**, pursuant to C.R.S. § 31-15-401, the Town by and through its Board of Trustees (“Board”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

**WHEREAS**, pursuant to C.R.S. § 31-23-301 the Board also possesses the authority to adopt and enforce zoning regulations; and

**WHEREAS**, pursuant to such authority, the Town has previously adopted certain regulations within Chapter 6, concerning business licenses and regulations, and Chapter 16, concerning the unified development code, of the Fairplay Municipal Code (“Code”); and

**WHEREAS**, on November 22, 2021, through Ordinance 2021-08, the Town Board imposed a three (3) month temporary moratorium on receiving applications for review and issuing or approving short-term rental licenses in order to preserve the status quo while the Town Board and Town staff completed its review and drafting of the Town’s regulatory framework for short-term rentals and considering its impact on the availability of housing stock; and

**WHEREAS**, on February 7, 2022, through Ordinance 2022-01, said temporary moratorium was extended for another three (3) months, until Saturday, May 7, 2022, as the Town Board was still in the process of holding numerous work sessions to obtain relevant public comment, and Town staff was diligently researching and drafting new short-term rental regulations appropriate for the needs of the Fairplay community; and

**WHEREAS**, on March 21, 2022, the Board adopted Ordinance 2022-04, establishing a short-term rental licensing program, which will become effective on Sunday, May 1, 2022; and

**WHEREAS**, in order for the Town to begin accepting applications once Ordinance 2022-04 becomes effective, the Town Board finds and determines that the temporary moratorium on short-term rental applications should be rescinded and expire as of May 2, 2022; and

**WHEREAS**, the Board also finds and determines that the regulations concerning short-term rentals, as well as this rescission and expiration of the temporary moratorium on short-term rental license applications, are necessary to the immediate preservation of the public health, safety and welfare and that this ordinance should therefore become effective upon adoption, as authorized by C.R.S. § 31-16-105.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD FOR THE TOWN OF FAIRPLAY, COLORADO as follows:**

**Section 1.** The foregoing recitals are incorporated herein as conclusions, facts, determinations and findings by the Town of Fairplay Board of Trustees.

**Section 2.** Expiration of Temporary Moratorium. The moratorium upon the submission, acceptance, processing, and approval of all short-term rental licenses imposed on November 22, 2021, and extended on February 7, 2022, shall expire as of May 2, 2022. The Town Clerk may provide applications effective immediately, but may only begin accepting completed applications from prospective licensees on Monday, May 2, 2022.

**Section 3.** Emergency declaration. Pursuant to C.R.S. § 31-16-105, the Town Board hereby finds, determines and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of the public health, safety and welfare and the financial well-being of the Town and therefore, this ordinance must be passed as an emergency ordinance.

**INTRODUCED, READ AND PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL** in a newspaper of general circulation in the Town of Fairplay by the Board of Trustees this 18<sup>th</sup> day of April, 2022.

**FAIRPLAY BOARD OF TRUSTEES**

ATTEST:

\_\_\_\_\_  
Frank Just, Mayor

\_\_\_\_\_  
Janell Sciacca, Town Clerk