Official Minutes
Regular Board of Trustees Meeting
May 18, 2026
901 Main Street, Fairplay, CO 80440

I. Call to Order

A Regular Meeting of the Fairplay Board of Trustees was called to order on Monday, May 18, 2026, at 6:00 PM at Town Hall, 901 Main Street, Fairplay, CO, having previously been posted in accordance with Colorado Open Meetings law.

II. Pledge of Allegiance

Mayor Douglas led the pledge of allegiance.

III. Roll Call

Roll call was conducted with the following members being present: Mayor Ray Douglas, Mayor Pro Tem Sheyanne Bossert, Trustee Megan Permakoff and Trustee Erik Baum.

IV. Approval of Agenda

MOTION: To approve the agenda as presented was made by Trustee Permakoff and seconded by Mayor Pro Bossert. Passed unanimously.

V. Citizen Comments – None.

VI. Proclamations, Presentations and Updates

A. Presentation of 2025 FY Audit and Financial Statements from Jim Hinkle of Hinkle and Company, PC.

Jim Hinkle, CEO of Hinkle and Company, appeared and provided an overview of the Town's 2025 FY Audit. Hinkle answered questions from the Board. Following the presentation, Sciacca advised that the Board could accept the draft audit as presented, allowing the auditor to make any non-material revisions before the final version was submitted to the State by July 15 and posted on the Town's website. Hinkle thanked Town staff, particularly Sciacca and Plante Moran, for their responsiveness and assistance throughout the audit process. Staff also informed the Board of an upcoming work session on June 15 with Plante Moran to provide training and discussion regarding governmental accounting and fund structures.

MOTION: To approve the Town of Fairplay 2025FY Audit as presented by Jim Hinkle of Hinkle and CO and allow the auditor to make any non-material revisions prior to submitting the final version to the State of Colorado by July 15 was made by Trustee Baum and seconded by Mayor Pro Tem Bossert. The motion passed unanimously.

VII. New Business

A. Interviews with candidates and appointment to fill vacant Trustee seat for 2-year term ending April, 2028. (A)

Town Attorney Rivera reviewed the legal options available to fill the vacant Trustee seat, explaining that the Board may either appoint a candidate or call a special election. Rivera emphasized that any appointment process should remain open, transparent, and conducted in public session. Sciacca confirmed that two letters of interest had been received before the deadline and that both candidates, Scott Dodge and Courtney Avery, were present for consideration. Both candidates expressed support for the Board making the appointment rather than conducting a special election, citing concerns about election costs, voter turnout, and public confusion following the recent municipal election. Staff confirmed that conducting a special election would result in additional costs to the Town and explained that if only one candidate filed for election, the election could ultimately be canceled and the candidate appointed. The Board moved to presentations by and interviews with the candidates.

Dodge highlighted his previous service on the Board and expressed his desire to continue serving the Town. He discussed the importance of fiscal responsibility, budgeting, water infrastructure protection, economic development, and updating the Unified Development Code (UDC). Dodge identified water resources, aging infrastructure, and economic development as significant challenges facing the Town. He emphasized the need to update land use regulations to better support business growth and development opportunities while reducing administrative burdens on applicants and staff. He also discussed the importance of completing long-term planning initiatives, including implementation of the Fairplay Forward vision and continued development of the River Park project. Dodge felt that his experience, institutional knowledge, and regional relationships would allow him to contribute immediately to ongoing projects and policy discussions.

Avery emphasized her commitment to community service, volunteerism, youth engagement, and representing residents whose voices may not traditionally be heard in local government. She identified community engagement, support for families, childcare opportunities, youth programming, and encouraging broader participation in local government as key priorities. Avery discussed the importance of making Town processes more accessible and understandable to residents and encouraging greater involvement from younger families and underrepresented groups. Avery expressed support for updating the Town's Comprehensive Plan and development regulations while ensuring changes remain consistent with community values and priorities. She stressed the importance of listening to residents and maintaining open communication between the Board and the public.

MOTION: To appoint Scott Dodge to fill the vacancy was made by Trustee Baum but failed for lack of a second.

MOTION: To proceed with a direct vote between the two candidates was made by Trustee Baum and seconded by Mayor Pro Tem Bossert. The motion passed unanimously.

Board members then cast their votes, resulting in a 2-2 tie between Scott Dodge and Courtney Avery with Trustee Permakoff voting for Dodge, Mayor Pro Tem Bossert voting for Avery, Trustee Baum voting for Dodge and Mayor Douglas voting for Avery. Trustees discussed their reasoning, noting the difficulty of the decision and recognizing the strengths of both candidates. Discussion focused on the value of institutional knowledge and experience versus the importance of new perspectives, community engagement, and representation of younger families and residents. Following these discussions, the Board deferred the matter to the end of the agenda to allow for other business to be conducted.

B. ARCHITECTURAL REVIEW HEARING - CASE 2026-COA-003: Consider application from Mayra Ayala Romera of Mr. Burro Cafe for a Certificate of Appropriateness for and exterior improvements project for 501 Front Street, Fairplay, CO. (QJ)

Town Planner Hunn presented the application submitted by Myra Romero for exterior improvements to the future Mr. Burro Café located at 501 Front Street. The proposed project would include new siding, exterior lighting, paint colors, and façade enhancements. Staff found the application consistent with the Town Center Overlay Historic District Design Guidelines and recommended approval. Ms. Romero explained that the improvements were intended to refresh the building's appearance and improve visibility for the business. She noted the goal of completing front façade improvements first to facilitate reopening during the summer season while continuing additional work afterward. Board members expressed support for the project and praised the proposed design. Public comments were received in favor of the application, highlighting the positive impact the business has had on the community and the benefits of improving a prominent Front Street property. No comments in opposition were received.

MOTION: That the Fairplay Board of Trustees, sitting as the Architectural Review Committee, approve the application for a Certificate of Appropriateness filed by Mayra Romero for exterior modifications for the Mr. Burro Café located at 501 Front Street within the Town Center Overlay Zone District, because the proposal meets the Town's criteria and standards for approval; and that the Board direct the Town Clerk to issue said Certificate of Appropriateness within seven (7) business days as per the plans submitted and approved by the Committee was made by Trustee Baum and seconded by Mayor Pro Tem Bossert. The motion passed unanimously.

C. Should the Board of Trustees of the Town of Fairplay approve the adoption of Resolution No. 23, Series of 2026, 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 TIM MILLONZI FOR THE 501 FRONT STREET EXTERIOR IMPROVEMENTS PROJECT FOR MR. BURRO CAFE.**"? (A)
Sciacca presented the Property Improvement Incentive Program (PIP) application associated with the exterior improvements approved under the Certificate of Appropriateness. The owner of the property signed the application but was unable to attend the meeting. Staff confirmed the application was complete and eligible for funding under the program and recommended approval of the incentive funding advising sufficient funds were available within the budget.

MOTION: To approve adoption of Resolution No. 23, Series of 2026, authorizing a PIIP agreement between he Town and Tim Millonzi for the 501 Front Street exterior improvements project for Mr. Burro Cafe was made by Trustee Baum and seconded by Mayor Pro Tem Bossert. The motion passed unanimously.

D. Should the Board of Trustees of the Town of Fairplay approve the adoption of Resolution No. 24, Series of 2026, entitled "**A RESOLUTION ESTABLISHING EXPEDITED REVIEW POLICIES FOR AFFORDABLE HOUSING PROJECTS.**"? (L)
Sciacca presented the matter explaining that adoption of the policy would qualify the Town for approximately $45,000 in additional state funding related to the ongoing Comprehensive Plan and Unified Development Code update efforts. Discussion focused on the requirements of the policy, including the obligation to render decisions on complete affordable housing applications within 90 calendar days. The Town Attorney clarified that the policy does not alter zoning regulations, development standards, or approval criteria; rather, it establishes an expedited review timeline. Trustees discussed concerns about future development proposals and confirmed that projects would still be evaluated against all applicable code requirements and legal standards. Staff emphasized that the Town already processes applications efficiently and that adoption of the policy would primarily provide access to additional grant funding while complying with anticipated state requirements.

MOTION: To approve adoption of Resolution No. 24, Series of 2026, establishing expedited review policies for affordable housing projects was made by Mayor Pro Tem Bossert and seconded by Trustee Permakoff. The motion passed 3 to 1 with Trustee Baum voting No.

E. Should the Board of Trustees of the Town of Fairplay approve the adoption of Resolution No. 25, Series of 2026, entitled "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING THE ACCEPTANCE OF REAL PROPERTY FROM THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF PARK."?**
Town Attorney Rivera reviewed the acceptance of real property conveyed from the County (parking lot at 501 Main Street). He noted the property transfer would be via quitclaim deed, meaning no guarantee of title and then discussed conditions of conveyance include including continued public use (parking and related municipal purposes) and "good faith cooperation" which was unusual for a property deed, but had no bearing on the decision to accept or not.

MOTION: To approve adoption of Resolution No. 17, Series of 2026, appointing Janell Sciacca Town Clerk and Town Administrator was made by Trustee Permakoff and seconded by Mayor Pro Tem Bossert. The motion passed unanimously.

VIII. Public Hearings

A. State Revolving Fund (SRF) Loan Required Public Hearing for Capital Project funding for the Town of Fairplay Water Meter Replacement and Well Rehabilitation Project. (A)

Town On-Call Engineer Ken Hardesty presented the proposed Water Meter Replacement and Well Rehabilitation Project funded through a State Revolving Fund (SRF) loan. He reported the project includes replacement of aging water meters, rehabilitation of municipal wells, and installation of energy-efficient pumps and motors. Board discussions focused on meter accuracy, reduction of non-revenue water, project costs, and impacts on water rates. Hardesty noted that state financial review indicated no rate increase would be required to support the proposed loan. There were no public comments for or against the project but rather support for infrastructure improvements and clarification that rates would not be raised due to meter replacement. Staff emphasized fairness in billing and improved accuracy for all users. Hardesty thanked everyone for their input and noted the hearing satisfied the public requirement for the State Revolving Fund Loan so the Town could move forward with its application.

VII. New Business CONTINUED

A. Interviews with candidates and appointment to fill vacant Trustee seat for 2-year term ending April, 2028. (A)

Candidate interviews continued and deliberations, the Board discussed procedures for resolving another potential tie vote regarding the appointment to the vacant Trustee seat. The Town Attorney advised that several options were available, including continuing deliberations, postponing the decision to a future meeting, reopening the appointment process, or calling a special election. The Attorney noted that appointment and election remained the two lawful methods available to fill the vacancy.

Both candidates were offered an opportunity to provide additional comments. Mr. Dodge emphasized the importance of decisive leadership and indicated that he did not wish to become a source of division within the Board. Ms. Avery reiterated her commitment to serving the community regardless of the outcome and expressed support for whichever candidate was ultimately selected.

Board members noted Mr. Dodge's extensive institutional knowledge, experience with Town operations, budgeting, infrastructure planning, and regional partnerships. They also acknowledged Ms. Avery's passion for community engagement, volunteerism, outreach, and her ability to bring additional perspectives and representation to Board discussions.

Several Trustees commented on the difficulty of the decision, recognizing that both candidates possessed valuable qualities and demonstrated a strong commitment to the Town.

Mary Ann Hartt, 290 Main Street, emphasized the value of experience, community service, and maintaining professionalism and respect throughout the appointment process. Comments also highlighted the importance of collaboration and effective governance moving forward.

The Board briefly discussed procedures in the event of a tie vote and reviewed options for continuing deliberations if necessary. Following these discussions, Scott Dodge announced he was withdrawing his name from consideration.

MOTION: To appoint Courtney Avery to fill the vacant Trustee sear for a 2-year term ending April, 2028 was made by Trustee Baum and seconded by Mayor Pro Tem Bossert. The motion passed 3 to 1 with Permakoff voting No.

Board members expressed appreciation for both applicants and acknowledged the significant contributions each had made to the community. Staff reminded the Board that disagreement and deliberation were a normal part of governance and encouraged members to continue working together in the best interests of the community.

IX. Staff and Board of Trustee Reports

Town Administrator Sciacca deferred noted that High Rockies School was seeking to utilize a portion of Town property near the beach for camping, several Work Sessions would need to be scheduled moving forward, sales tax performance was positive, and that the Town would be conducting a dedication ceremony for the River Park in the coming weeks.

XI. A. Executive Session under C.R.S. §§ 24-6-402(4)(b) and (e) to receive legal advice and to determine positions relative to matters that may be subject to negotiations, develop negotiations strategy and instruct negotiators regarding the sewer system at the Gemenskap development in Park County and to take any necessary related action(s).

Prior to entering executive session, Town Attorney Rivera provided an overview of Colorado Open Meetings Law requirements related to executive sessions, including:

- Executive sessions are exceptions to the general requirement that governmental meetings be conducted openly.
- Executive sessions may be held only for specific purposes authorized by statute.
- No formal decisions or votes may occur during executive session.
- Any action resulting from executive session discussions must occur in open session following return to the public meeting.

MOTION: To enter into executive session pursuant to Colorado Revised Statutes §24-6-402 (4)(b) and (e) to receive legal advice and to determine positions relative to matters that may be subject to negotiations, develop negotiations strategy and instruct negotiators regarding the sewer system at the Gemenskap development in Park County and to take any necessary related action(s) was made by Mayor Douglas and seconded by Trustee Baum. The motion passed unanimously.

The room was cleared and the Board entered into executive session at 9:52 PM with Mayor Douglas, Mayor Pro Tem Bossert, Trustee Permakoff, Trustee Baum, Trustee Avery, Town Administrator Sciacca and Town Attorney Rivera in attendance.

The executive session concluded at 10:40 PM and the Board returned to the regular meeting.

XII. Adjournment

There being no further business before the Fairplay Board of Trustees, Mayor Douglas declared the meeting adjourned at 10:40 PM.

FAIR PLAY TOWN SEAL COLORADO

Board of Trustees, Fairplay, Colorado

Raymond A. Douglas, Mayor

ATTEST:

Janell Sciacca, Town Clerk