**MINUTES OF THE REGULAR MEETING OF THE**
**FAIRPLAY BOARD OF TRUSTEES**
**October 7, 2024**

**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, October 7, 2024, at 6:02 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 Meetings law.

**PLEDGE OF ALLEGIANCE AND ROLL CALL**
Mayor Just proceeded with the pledge of allegiance, followed by the roll call, which was answered by Mayor Frank Just, and Trustees Ray Douglas, Erik Baum and Josh Voorhis, and Mayor Pro Tem Lynn.

Staff in attendance: Town Administrator Janell Sciacca and Building Official Kyle Parag (online).

**APPROVAL OF AGENDA**
Town Administrator Sciacca reported that she was removing the July 15, 2024 minutes from the Consent Agenda and requesting the addition of a discussion with Xcel Energy under Updates.

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

**CONSENT AGENDA**
A. **APPROVAL OF REGULAR MEETINGS MINUTES** – June 3, 2024.
B. **APPROVAL OF REGULAR MEETINGS MINUTES** – June 17, 2024.
C. **APPROVAL OF REGULAR MEETINGS MINUTES** – July 1, 2024.
~~D. **APPROVAL OF REGULAR MEETINGS MINUTES** – July 15, 2024.~~
E. **APPROVAL OF EXPENDITURES** – Paid bills for all Town funds from September 13, 2024, through October 3, 2024, in the amount of $391,337.20.
F. Approval of Findings of Fact, Conclusions and Order to ratify Board of Trustees' action of September 16, 2024 approving a Tavern Liquor License application from 720 Brewing, LLC, for Highside Brewing located at 411 US Highway 285.
G. Approval of Findings of Fact, Conclusions and Order to ratify Board of Trustees' action of September 16, 2024 approving a Brew Pub Liquor License application from 720 Brewing, LLC, for Highside Brewing located at 501 US Highway 285.

Town Administrator Sciacca noted several significant expenditures in the bills paid report and noted the Falcon Environmental payment was for repairs to a lift station, the BioVelocity payment was for sludge removal and related to the sewer lagoon liner repair, the payment to Velocity was for work completed on the Infiltration Gallery project, the payment to Princeton Hydro for the Bathymetric Survey and expenses for services rendered by Plante Moran for reconciliation of the Town's books.

> **Motion #2** by Trustee Voorhis, seconded by Mayor Pro Tem Lynn, that the Consent Agenda be approved as amended with Item D. removed and the expenditures as stated. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

**CITIZEN COMMENTS – None.**

**PROCLAMATIONS, PRESENTATIONS AND UPDATES**
A. Request from South Park High School Volleyball Team members for funding to attend AVCA Phenom Talent Showcase.

South Park High School Volleyball Coach Barb McGraw appeared with players Trinity Walker and Charli Arellano. She provided additional details regarding the student players' opportunities to attend the AVCA All American Watch Prep Showcase in Kentucky and the costs associated. She reported that Park County Law Enforcement Gives Bank committed to $1,000 per student and she was requesting the Town also donate. The Board encouraged the students to also approach Park County Commissioners and the Town of Alma for support. The Board also indicated a desire to have the students return to report on their experiences.

**Motion #3** by Trustee Douglas, seconded by Mayor Pro Tem Lynn, that the Town donate $1,500 per student from the Benevolence and Donations line items, and if a student did not attend the money be returned to the Town. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously. The Board also indicated a desire to have the students return to report on their experiences.

**B.** Presentation of Bathymetric Survey results for the Fairplay Beach by Chris Mikolajczyk of Princeton Hydro.
Town Administrator Sciacca provided a history on the project. She then introduced Princeton Hydro Senior Manager – Aquatics who was attending online to present the report in the packet and responded to questions from Board members. The Board was in general agreement the project was viable and needed to be completed in order to protect the area as a quality-of-life amenity for the locals and a draw for the tourists and fishing enthusiasts. Discussions took place on the process moving forward and costs and Staff advised the Town may benefit from a legal case settlement but would also look for grants due the expense and the Board would be kept updated on the status. The Board thanked Mikolajczyk for his work on the project.

**C.** Presentation of DRAFT 2023 Town of Fairplay Audit completed by Mayberry and Company.
Town Administrator Sciacca directed the Board members to the Audit which was placed at their dais seats and also emailed to them. She reported that Plante Moran had reviewed the document throughout the process and helped to find several errors that were now corrected. She noted that this was still a draft, but Mayberry's opinion was that the financial statements were presented fairly and accurately in all material aspects, and she recommended a vote to receive and approve the document subject to final review by the Town Administrator and Plante Moran.

**Motion #3** by Trustee Voorhis, seconded by Baum, that the Financial Statements with Independent Auditors' Report for the Year Ended December 31, 2023 for the Town of Fairplay be received and approved subject to final review by the Town Administrator and Town's accounting firm Plante Moran. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously. Sciacca reminded the Board that the Town was out to RFP for Auditor Services and would have a new Audit firm for 2025.

**D.** Presentation by Xcel Regional Manager Blair McGary regarding a planned power outage to replace electric poles along CO9 between Fairplay and Alma.
Town Administrator Sciacca provided a brief history on the topic and advised that in a recent meeting with McGary, she had indicated Xcel was still very much in favor of trying to get the pole replacement project completed in 2024. Sciacca scheduled the discussion and if approved by the Town, she and McGary would appear before the Park County Commissioners the following day to continue arrangements. She reported that she had spoken with multiple business owners to obtain their input. She also reported that one business had indicated the Town was pushing for the outage, and while that was in no way the case, the Town was just trying to make the best of a no-win situation, and the current weather was still conducive to accomplishing this much-needed improvement before Xcel's October 31 moratorium and not having to kick the can down the road to May and summer of next year. McGary reminded that this came up at the September 16 Town meeting and after Staff level discussions and input from business owners, the decision was made to look at a Friday which would not impact the school or Park County operations. She suggested October 25 with a back up of November 1 and then advised the projected and optimistic window was 6 hours. She reported that she also spoke to Commissioner Wissel and would be going to speak with the Commissioners the following morning. Wissel, who was in attendance, thanked Sciacca and McGary for being proactive, but still had concerns about citizens that needed power for medical devices. He also reminded that November 1 was Election Day and the County Building would be open and did not have a generator, so he felt that day was not an option. James Dean, 301 US Hwy 285 and owners of Prather's Market, appeared online and voiced his opposition to the timing indicating he had not yet obtained a generator and would lose product and money if the outage went forward and was more than 4 hours. Following additional discussion, the decision was made to postpone the project to May 2025 and look at May 2, 9 or 16 of 2025 and both Town and Xcel Staff were directed to hold meetings with local businesses, emergency service personnel and community groups to make necessary

arrangements and get the word out. Sciacca and McGary advised they would still appear the following day at the County Commission meeting to provide the update. The Board thanked everyone for their patience and input and reminded of the importance of the project.

**NEW BUSINESS**

**A. CONTINUED FROM SEPTEMBER 9, 2024: Consider request from Debbie Siples of Malvern Panalytical to allow for soil and water sample specimen collection in the Town of Fairplay along the Platte River for use in tracking the movement of heavy metals due to erosion.**

Town Administrator Sciacca reminded this matter was continued from September 9 for the applicant to be present to answer questions. Sciacca introduced Debbie Siples who introduced herself, provided an overview of and answered questions of the Board. She stated this was a Boys and Girls Club project with no ramifications to the Town nor costs. Following additional discussion, the Board generally felt this was a worthwhile request with no impact on the Town.

**Motion #4** by Trustee Voorhis, seconded by Trustee Douglas, to approve the request from Debbie Siples of Malvern Panalytical to allow for soil and water sample specimen collection in the Town of Fairplay along the Platte River as presented. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

**B. FIRST READING – Should the Board of Trustees for the Town of Fairplay adopt Resolution No. 37, Series of 2024, 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 LEONARD KUMAR FOR THE 455 MAIN STREET CHINKING PROJECT.**

Town Administrator Sciacca provided an overview of the Staff Report and noted the attendance of applicant Len Kumar. She advised the application was in order and met the requirement and that Staff was recommending approval as presented in the amount of $508.00 and there was approximately $11,775 available in the PIIP budget line.

**Motion #5** by Mayor Pro Tem Lynn, seconded by Trustee Baum, to adopt Resolution No. 37, approving a PIIP with Len Kuman for the 455 Main Street chinking project as presented. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

**STAFF AND BOARD OF TRUSTEE REPORTS**

Town Administrator Sciacca provided an overview of her report in the packet, provided additional information on certain projects and activities and reminded of important upcoming events.

**A.** Continued review of proposed revisions to the Town of Fairplay Employee Handbook.

Town Administrator Sciacca provided a recap on discussions to date and then reviewed the information in the packet. Discussions took place and Sciacca was directed to provide more information and a recommendation on how to revise the PTO to limit the Town's liability but not impact employees detrimentally.

**WORK SESSION – 2025 TOWN OF FAIRPLAY BUDGET WITH SPECIFIC FOCUS ON EMPLOYEE BENEFITS.**

The Board reviewed the handout in the packet. Sciacca reported the Town had been with CEBT for a long time, and while there were no issues and the Town received good service, she did get a quote from Public Sector Health Care Group and it was apparent the Town could save almost $50,000 of the CEBT renewal and provide the same, if not better and expanded benefits, to the employees. The Board generally agreed and approved moving forward to switch the Town to Public Sector Health. Sciacca advised the figures would be included in the budget for formal approval.

**ADJOURNMENT**

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 8:54 p.m.

**BOARD OF TRUSTEES, FAIRPLAY, COLORADO**

Frank Just, Mayor

**ATTEST:**

Janell Sciacca, Town Clerk