MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
July 1, 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, July 1, 2024, 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 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, Mayor Pro Tem Lynn, and Trustees Ray Douglas, Erik Baum (online), and Josh Voorhis.

Staff in attendance were Town Administrator Janell Sciacca, Town Planner Scot Hunn (online).

APPROVAL OF AGENDA
Motion #1 by Trustee Voorhis, seconded by Mayor Pro Tem Lynn, that the agenda be adopted as written. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CONSENT AGENDA
A. **APPROVAL OF EXPENDITURES –** Paid bills for all Town funds from June 14, 2024, through June 27, 2024, in the amount of **$135,059.28**

Town Administrator Sciacca responded to questions regarding radios, vendors and amounts of vehicle repair and maintenance, and marketing expenses.

Motion #2 by Trustee Douglas, seconded by Trustee Baum, that the Consent Agenda be approved with the questions asked and explanations given regarding expenditures. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS – None.

NEW BUSINESS
A. **ARCHITECTURAL REVIEW COMMITTEE CASE COA 2024-002 –** Consideration of an application from Becky Harrison for a Certificate of Appropriateness for re-siding of 2 outbuildings at 416 Front Street.

Town Planner Hunn provided an overview of the Staff Report advising Staff supported granting of the application as per the recommended motion on page eleven. There were no questions of Staff.

Motion #3 by Trustee Voorhis, seconded by Trustee Douglas, to approve Resolution No. 22, Series of 2024, as presented approving an agreement Pavement Maintenance Services, Inc. for the 2024 Street Paving Overlay Project in an amount not to exceed $175,000. 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. 29, 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 BECKY HARRISON FOR THE 416 FRONT STREET RE-SIDING PROJECT."?**

Sciacca provided an overview of the Staff Report reminding this item was directly related to the COA 2024-002 case and would provide the applicant funding to help complete the project. She advised that Staff recommended approval and there was sufficient funding left in the PIIP line. The applicant was in attendance and responded to Board questions regarding from a presentation from Town On-Call / Water Projects Engineer Ken Hardesty and the resolution formalizes moving forward as recommended.

Motion #4 by Trustee Baum, seconded by Trustee Voorhis to approve Resolution No. 29, Series of 2024, of the Fairplay Board of Trustees, sitting as the Architectural Review Committee, for a Certificate of Appropriateness filed by Becky Harrison for the residing and renovation of two accessory structures located at 416 Front Street within the Town Center Overlay District, because the proposal meets the Town's criteria and standards for approval, and direct the Town Clerk to issue said Certificate of Appropriateness within seven (7) business days as per the plans submitted and approved (or approved with modifications) by the Committee. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

C. **FIRST READING –** Should the Board of Trustees for the Town of Fairplay adopt Resolution No. 30, Series of 2024, entitled **"A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AWARDING A BID AND APPROVING A CONSTRUCTION AGREEMENT BETWEEN THE TOWN OF FAIRPLAY AND FNF CONSTRUCTION, INC. FOR THE 25187 FAIRPLAY RIVER PARK TRAIL PROJECT – PHASE 2."**

Sciacca provided an overview of the Staff Report. She reported this item was directly related to the $750,000 CDOT MMOF grant the Town was awarded and was required to move forward to award the one bid in the amount of $988,157.00 received from FNF Construction, Inc. She advised that the following item D. was also related to this project and served as the Town's $250,000 match. Following discussion regarding the timeline to obtain a bridge and its potential elimination, if found to be possible, as well as mobilization costs, the Board generally agreed they were accepting of the bid and were pleased it came in under budget.

Motion #4 by Trustee Douglas, seconded by Mayor Pro Tem Lynn to approve Resolution No. 30, Series of 2024, awarding a bid and approving a construction agreement between the Town of Fairplay and FNF Construction, Inc. as presented for the 25187 Fairplay River Park Trail Project. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

D. **FIRST READING –** Should the Board of Trustees for the Town of Fairplay adopt Resolution No. 31, Series of 2024, entitled **"A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH PARK COUNTY FOR A LAND AND WATER TRUST FUND GRANT FOR COMPLETION OF PHASE 2 OF THE FAIRPLAY RIVER PARK PROJECT."?**

Town Administrator Sciacca provided an overview of the Staff Report and thanked Grant Manager Tom Flannery for his assistance in helping to finalize and obtain this grant to serve as the Town's match for the CDOT MMOF Grant. She recommended approval.

Motion #5 by Trustee Voorhis, seconded by Mayor Pro Tem Lynn to approve Resolution No. 31, Series of 2024, approving an Intergovernmental Agreement with Park County for a Land and Water Trust Fund grant for Phase 2 of the Fairplay River Park project as presented. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

E. Consider approval of Request for Extension of Time to File Audit for Year End 2023.

Town Administrator Sciacca provided an overview of the Staff Report advising of the health situation with the Town's Auditor that resulted in the need to request an extension. She reported that she did inquire of Mayberry if there was an initial indication of anything the Town would need to be worried about, and Mayberry advised it was only making sure ARPA funds were designated and spent. These were designated for Water system repairs and improvements which funded multiple projects.

Motion #6 by Trustee Voorhis, seconded by Trustee Baum to approve a Request for Extension of time to file the Year End 2023 audit as requested by the Town Auditor firm of Mayberry and Co. A roll call vote was taken: Douglas – aye, Baum – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

PUBLIC HEARINGS

A. **SECOND READING** - Should the Board of Trustees for the Town of Fairplay adopt Ordinance No. 5, Series of 2024, entitled "**AN ORDINANCE OF THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 6 REGARDING BUSINESS LICENSES AND REGULATIONS, ADDING ARTICLE VII ENTITLED MOBILE FOOD TRUCKS AND PUSHCARTS.**"?

Mayor Just announced the form of and Town's authority to conduct the Public Hearing and opened the hearing at 6:35 p.m. Town Administrator Sciacca provided an overview of the Staff Report reminding that this item was continued from the June 17, 2024, meeting to allow for additional time to review the proposed regulations. She noted that #9 was stricken on page 84 of the packet regarding parking restrictions; and page 85, (e) was added to set a limit to the number of licenses that would be determined by the Board. She also recommended setting the fee at $75.00 and each truck would also have to pay for the Town's $100.00 business license. Following general discussion, the Board set the limit of trucks at six (6) and a $250.00 Food Truck license application fee.

Motion #7 by Trustee Voorhis, seconded by Trustee Douglas to adopt Ordinance No. 5, Series of 2024, amending Chapter 6 of the Municipal Code regarding business licenses and regulations, addition adding article VII entitled Mobile Food Trucks and Pushcarts. A roll call vote was taken: Douglas – aye, Baum – nay, Just – aye, Voorhis – aye, Lynn – aye. Motion carried 4 to 1.

STAFF AND BOARD OF TRUSTEE REPORTS

Town Administrator Sciacca reported that Treasurer Danner was not in attendance as she was assisting a neighbor helping to watch their children and Chief Worley switched his schedule in order to work the July 4 event and holiday; the flowers on Front street which were brought up by several Trustees would be reallocated evenly; the Servline Leak Protection program would begin in August; she and Tom Flanner were meeting with Brian Lubbers of the Summit Stage to discuss transit partnering and grant opportunities; Danner was working on financials and hoped to have the June reconciliation completed by August; the Budget schedule would be presented in August; and the Town's Public Works Team placed 17th at the Nate Carrigan tournament; and additional meters were being installed at the Fair Grounds to finally get additional readings on water used during the Fair and the Town leaders were invited to attend the dinner as a sponsor of the Fair. Sciacca and the Board discussed how to move forward with hiring for the open leader position for Public Works and they generally decided to post a Streets and Utilities Superintendent position with a hiring range of $75,000 to $100,000 depending on qualifications and experience.

Grant Manager Tom Flannery advised that he was able to secure a $67,000 to help fund some radios, but the grant did not cover costs of the radios that were purchased already. He also announced that there was no word yet on the Congressionally Directed Spending grant that was submitted for 501 Main.

Trustee Douglas provided a brief report on the CML Conference he and Sciacca attended in Loveland noting there were some really good sessions, and he represented the Town and the General Membership meeting.

Trustee Baum inquired about the broken window in the basement of Town Hall and Sciacca replied that a rock was kicked up while Staff was cutting weeds, and it would be replaced. He also inquired about signal timing options to help with the traffic backups on US 285.

Trustee Voorhis reported that there had been an increase in the DUI activity and enforcement, and it was appreciated, and he would like to see more. He also noticed an increase in ATVs on the Town streets and that needed to be discouraged.

Trustee Lynn reported that the TGIFairplay concert on June 28 was pretty well attended.

Mayor Just thanked Mayor Pro Tem Lynn for filling in for him at the June concert; congratulated Trustee Voorhis on his daughter Ella's winning of an essay contest; thanked Trustee Douglas for attending CML; advised that the 285 traffic was better than he thought it would be and that was due to the contractor American Civil and their sense of neighborly intuitiveness; and commented that the drainage on the CDOT housing project in the rear of the project was unacceptable and asked Sciacca to talk to the contractor MW Golden.

There was also a comment on the trash behind Casa Sanchez building up again and a totaled car in the lot at Mr. Burro. Sciacca was asked to follow up and advised that she would have the Sergeants handle the matters to ensure it was cleaned up prior to Burro Days.

ADJOURNMENT

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 8:07 p.m.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

FAIR PLAY TOWN SEAL COLORADO

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk