



**OFFICIAL MINUTES
REGULAR BOARD MEETING
AUGUST 18, 2025
901 MAIN STREET, FAIRPLAY, CO 80440**

5:00 PM – WORK SESSION: COLORADO INTERGOVERNMENTAL RISK SHARING AGENCY (CIRSA) PRESENTATION ON ELECTED OFFICIALS' ETHICS, LIABILITIES AND BEST PRACTICES.

I. 6:00 PM REGULAR MEETING – CALL TO ORDER

A Regular Meeting of the Fairplay Board of Trustees was called to order on Monday, August 18, 2025, at 6:02 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 Just led the pledge of allegiance.

III. ROLL CALL

BOARD MEMBERS PRESENT: Mayor Frank Just, Mayor Pro Tem Ray Douglas, Trustee Courtney Avery, Trustee Josh Voorhis and Trustee Erik Baum.

BOARD MEMBERS ABSENT:

STAFF IN ATTENDANCE: Town Administrator Janell Sciacca, Town Attorney Joe Rivera, Town Planner Scot Hunn, Town Engineer Deron Diercksen and Building Official Kyle Parag.

IV. APPROVAL OF AGENDA

MOTION to approve the agenda as presented was made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

V. CONSENT AGENDA

A. APPROVAL OF CHECK EXPENDITURES – Paid bills for all Town funds from August 1, 2025, through August 11, 2025, in the amount of **\$105,182.02**.

Trustee Baum inquired about the Alma citation revenue and AT&T charges for body cams. Town Administrator Sciacca clarified the payment to Alma was citation revenue and the AT&T charges included multiple months of charges.

MOTION to approve the Consent Agenda as presented with the expenditures as stated with the explanations as provided by Staff was made by Trustee Voorhis and seconded by Trustee Baum.

- Roll call vote: Unanimous approval.

VI. CITIZEN COMMENTS – None.

VII. PRESENTATIONS, PROCLAMATIONS & UPDATES

A. Presentation and update regarding Boys & Girls Club of the High Rockies Summer Program by Chief Executive Officer Jessica Bartak.

Boys & Girls Club CEO Bartak presented an update on the summer program reporting 146 youth were served with an average daily attendance of 47. Activities included nature programs, swimming, reading, horse rescue visits, and field trips to locations like rafting in Buena Vista and Great Wolf Lodge. She noted the annual operating budget for both Fairplay and Bailey locations was just under \$600,000 with funding sources being 42% from government grants, 15% from fundraisers, 2.5% from individual or business donors, and less than 1% from membership dues. Bartak added that 76% of families qualify for scholarships, paying nothing for the programs. Bartak thanked the Town for their support and reported that the Mountain Mardi Gras fundraiser raised over \$26,353.16 for the organization.

Town Administrator Sciacca made an unscheduled introduction of Town Transit Driver Christian Kingsford. The Board extended a warm welcome to Kingsford.

VIII. NEW BUSINESS

- A. FIRST READING** – Should the Board of Trustees for the Town of Fairplay approve the adoption of **FINDINGS OF FACT, CONCLUSION AND ORDER FOR ELEVATION HOSPITALITY, LLC dba COLORADO CANTINA** to be located at 456 Front Street, Fairplay, CO?

Town Administrator Sciacca presented reminding the Board the Findings of Fact was presented to formalize their action taken at the regular August 4, 2025, meeting to approve the application for a new license.

MOTION to approve the adoption of the Findings of Fact, Conclusion and Order for Elevation Hospitality, LLC dba Colorado Cantina as presented was made by Mayor Pro Tem Douglas and seconded by Trustee Voorhis.

- Roll call vote: Unanimous approval.

- B. Receipt and review of DRAFT Town of Fairplay, CO, Financial Statements with Independent Auditor's Report for December 31, 2024 caused to be made pursuant to C.R.S. 29-1-603(1).**

Town Administrator Sciacca introduced Jim Hinkle of the auditing firm Hinkle and Co. Hinkle reported that the 2024 audit was his firm's first year of the engagement agreement. He provided an overview of their process to learn about the Town and its policies and procedures evaluating them for segregation of duties. Throughout the audit, verification of accounting procedures were being followed and there were no significant deficiencies or material weaknesses that might result in material misstatements of the financial statements. Hinkle reported that based upon his team's analysis, no deficiencies or weaknesses were found. Hinkle further explained the auditing process used for the financial statements which results in the opinion. Hinkle stated the Town's opinion was an unmodified opinion, or clean opinion and a letter would be issued with no negative findings. He advised that the recommendation he would make was to dissolve the Internal Service Fund as there really wasn't a reason for the Town to continue using it. Hinkle closed by thanking Administrator Sciacca for her attention to their requests and as external auditors his firm felt there was open transparency in the entire process. Hinkle also offered to provide a Work Session on Financial Statements for the Town and new Board members if desired. Mayor Just thanked Hinkle for the presentation and for taking on the important duty for the Town. Sciacca acknowledged Plante Moran's valuable assistance and hard work during the audit and Just closed by requesting the 2025 audit be delivered before July 30. Sciacca advised that she would file the audit with the State Auditor's Office so the Town would be back in compliance.

IX. PUBLIC HEARINGS

- A. TO BE CONTINUED TO SEPTEMBER 15, 2025: SPECIAL USE PERMIT – SUP 2025-001:** Should the Board of Trustees for the Town of Fairplay approve an application from Buck Finley for a Special Use Permit (SUP) to allow for Personal Storage (Mini-Storage) Units within the Commercial (C) Zone District and to grant a Variance from Design Requirements of the Fairplay Unified Development Code on the property located at 1171 Bullet Road, Fairplay, CO?

MOTION to approve the continuance of Special Use Application SUP 2025-001 to September 15, 2025, as requested by the applicant was made by Trustee Avery and seconded by Trustee Baum.

- Roll call vote: Unanimous approval.

- B. SPECIAL USE PERMIT – SUP 2025-002:** Should the Board of Trustees for the Town of Fairplay approve an application from the South Park Food Bank for a Special Use Permit (SUP) to allow for a Community Building within the Transitional (T) Zone District and to grant a Variance from Design Requirements of the Fairplay Unified Development Code on the property located at 516 Hathaway Street, Fairplay, CO?

Mayor Just introduced the Public Hearing and provided an overview of the format. Town Planner Scot Hunn presented the Staff Report and recommendation for approval as outlined within the report on page 10. The applicant was represented by President Tina Darrah. Darrah expressed concerns on conditions 2 and 5, particularly regarding hours of operation and alleyway improvements and requested waiver of the application fees due to the SPFB's 501(c)3 status. The Board discussed potential hours of operation, suggesting 7:00 a.m. to 10:00 p.m. Monday through Saturday, with reduced hours on Sundays (8:00 a.m. to 6:00 p.m.), allowing for emergencies, and they agreed to remove condition 5 regarding alleyway improvements, with the town potentially taking on that responsibility.

The floor was opened to public comment, and the following parties spoke in favor of the application:

1. Kenny Shaw, 600 Hathaway.
2. Brad Curry, 514 Hathaway
3. Charlie Schultz
4. Unidentified woman

There were no comments against the application, and the Public Hearing was closed.

MOTION to approve, with the following conditions, the application for a Special Use Permit filed by the South Park Food Bank, for a Community Building to be located at 516 Hathaway Street within the Transitional Zone District, and that the Board approve the variance request because the proposals meet the Town's criteria and standards for approval:

1. This Special Use Permit shall not run with the land; all approvals shall run with the non-profit use of the Applicant.
 2. Prior to or concurrent with any building or grading permit application, the Applicant shall update the Special Use Permit Application and Operations Plan to include hours of operation which shall become conditions of approval.
 3. Prior to or concurrent with any building or grading permit application, the Applicant shall provide final details of the trash enclosure as part of any building permit application to ensure that the enclosure is secure, well designed, and accessible by trash service providers without impacting traffic flow on the adjacent alleyway.
 4. Prior to or concurrent with any building or grading permit application, the Applicant shall provide a detailed parking and traffic management plan indicating, at a minimum, how the Food Bank staff and volunteers will manage the volume and flow of traffic as well as off-site parking needs on distribution days. This condition will not be necessary if and when the Food Bank moves to an alternative distribution model/operations plan.
- and direction is given to the Town Planner or Town Attorney to draft a resolution of approval for the Special Use Permit and Variance for the Town Board's review and approval was made by Mayor Just and seconded by Trustee Baum.
- Roll call vote: Unanimous approval.

MOTION to waive the application fees as requested was made by Trustee Baum and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

X. STAFF AND BOARD OF TRUSTEE REPORTS

Streets and Utilities Superintendent Tim Medlin reported an incident whereby he hit a natural gas line while digging a hole in the Town's lot. He owned up to the fact that the incident occurred because he did not follow protocol and call in locates. A telecommunication line was also damaged, and he noted there would be repair expenses billed to the Town.

Town Administrator Sciacca reported that a work session was scheduled for the following Monday at 6 PM with SGM to discuss updates to manuals and impact fees update; The first budget work session would be on September 8th, focusing on priorities and capital projects; The final concert of the season would be held Friday with peaches and ice cream; The River Park project was extended through December 31st, with a change order signed by CDOT allowing the purchase of \$48,000 worth of amenities (benches, signs, bike racks, and bear-proof trash cans); There were issues with the August utility billing and a proposal to change the due date from the last day of the month to the 20th could be on the agenda for the next meeting; A training session with the police department would be held the follow week focusing on code enforcement issues.

Town Attorney Rivera added that a municipal court expert from their firm would be working with the town and police department to set up a process for issuing citations for code violations, including how to write tickets and process them through Municipal Court.

Trustee Voorhis reported on weed control efforts conducted on town property noting plans to continue efforts in Burro Park and other areas. There was a brief discussion about herbicide mixtures and coordinating with Staff for future weed control efforts.

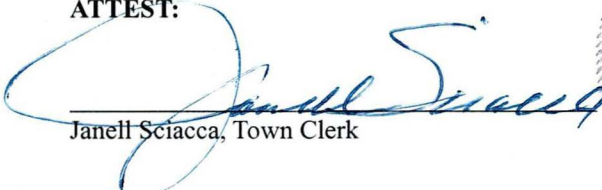
Trustee Avery mentioned attending the National Night Out event and taking pictures that she would share.

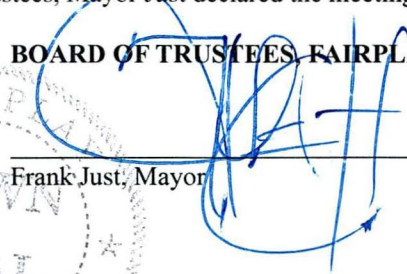
XI. ADJOURNMENT.

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 7:40 PM.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

ATTEST:


Janell Sciacca, Town Clerk


Frank Just, Mayor