

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
December 14, 2009**

CALL TO ORDER OF WORKSESSION AT 6:00 PM:

A work session of the Board of Trustees for the Town of Fairplay was called to order at 6:00 p.m. in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Roll call was answered by Trustees Keith Wortman, Gabby Lane, Greg Johnson and John Deagan. Also in attendance were Town Attorney Lee Phillips, Public Works Director Jeff Goble and Town Administrator/Clerk Tina Darrah.

Discussion Regarding April 2010 Potential Ballot Issues

After discussion consensus was reached that there would be no TABOR related (tax based) issues on the April 2010 ballot.

CALL TO ORDER

The regular meeting of the Board of Trustees for the Town of Fairplay was called to order at 7:00 p.m. in the Council Chambers located in the Fairplay Town Hall, 400 Front Street, by Mayor Fred Boyce. Following the pledge of allegiance, roll call was answered by Trustees Greg Johnson, Keith Wortman, Gabby Lane and John Deagan. Also in attendance were Public Works Director Jeff Goble, Town Treasurer Donna Murray, Town Attorney Lee Phillips and Town Administrator/Clerk Tina Darrah.

AGENDA ADOPTION

Motion #1 by Trustee Deagan, seconded by Trustee Lane, that the agenda be adopted with the following amendments:

1. *Add to Other New Business: Acceptance of Land Donation*
2. *Remove Executive Session*

Motion carried unanimously.

APPROVAL OF MINUTES –

Work Session – November 9, 2009

Motion #2 by Trustee Johnson, seconded by Trustee Deagan, that the minutes of November 9, 2009 be approved as presented. Motion carried unanimously.

Special Meeting - November 12, 2009

Trustee Johnson requested that this item be tabled to allow further review time.

Regular Meeting – December 7, 2009

Motion #3 by Trustee Johnson, seconded by Trustee Deagan, that the minutes of December 7, 2009 be approved as presented. Motion carried unanimously.

APPROVAL OF EXPENDITURES – Approval of bill of various Town Funds

Motion #4 by Trustee Lane, seconded by Trustee Wortman, that the expenditures be approved in the amount of \$15,572.70. **A roll call vote was taken:** Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

CITIZEN COMMENT

None offered.

PUBLIC HEARINGS:

Should the Board Approve Adoption of Ordinance No. 7, series of 2009, entitled, “AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION, AND AMENDING CHAPTER 18 OF THE TOWN OF FAIRPLAY MUNICIPAL CODE BY THE ADDITION OF A NEW ARTICLE IX THERETO.”?

Mayor Boyce opened the public hearing at 7:10 p.m.

Staff comment was offered by Town Attorney Phillips explaining that all requested changes had been made to the ordinance.

Mayor Boyce requested public comment in favor of or in opposition to adoption of Ordinance No. 7, series of 2009:

No public comment was offered. Mayor Boyce closed the public hearing at 7:12 p.m.

Motion #5 by Trustee Deagan, seconded by Trustee Wortman, that the Board should approve adoption of Ordinance No. 7, series of 2009, entitled, “**AN ORDINANCE ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION, AND AMENDING CHAPTER 18 OF THE TOWN OF FAIRPLAY MUNICIPAL CODE BY THE ADDITION OF A NEW ARTICLE IX THERETO.**” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

2009 AMENDED BUDGET

Mayor Boyce opened the public hearing at 7:14 p.m. and requested public comment in favor of or in opposition to the proposed amended 2009 budget as presented.

No public comment was offered and Mayor Boyce closed the hearing at 7:15 p.m.

1. Should the Board Approve Adoption of Resolution No. 25, series of 2009, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2009 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO.”?

Motion #6 by Mayor Boyce, seconded by Trustee Lane, that the Board should approve adoption of Resolution No. 25, series of 2009, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2009 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO.**” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

2. Should the Board Approve Adoption of Resolution No. 26, series of 2009, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE AMENDED 2009 BUDGET.”?

Motion #7 by Mayor Boyce, seconded by Trustee Johnson, that the Board should approve adoption of Resolution No. 26, series of 2009, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE AMENDED 2009 BUDGET.**” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

2010 PROPOSED BUDGET *(continued from previous meeting)*

Mayor Boyce opened the public hearing at 7:18 p.m. and requested public comment in favor of or in opposition to the proposed 2010 budget as presented.

No public comment was offered and Mayor Boyce closed the hearing at 7:20 p.m.

1. Should the Board Approve Adoption of Resolution No. 27, series of 2009, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2010 AND ENDING ON THE LAST DAY OF DECEMBER 2010.”?

Motion #8 by Trustee Deagan, seconded by Trustee Wortman, that the Board should approve adoption of Resolution No. 27, series of 2009, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2010 AND ENDING ON THE LAST DAY OF DECEMBER 2010.**” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

2. Should the Board Approve Adoption of Resolution No. 28, series of 2009, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2009 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE 2010 BUDGET YEAR.”?

Motion #9 by Trustee Johnson, seconded by Trustee Deagan, that the Board should approve adoption of Resolution No. 28, series of 2009, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2009 TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE 2010 BUDGET YEAR.**” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

3. Should the Board Approve Adoption of Resolution No. 29, series of 2009, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE 2010 BUDGET YEAR.”?

Motion #10 by Trustee Deagan, seconded by Trustee Lane, that the Board should approve adoption of Resolution No. 29, series of 2009, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE 2010 BUDGET YEAR.**” A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

UNFINISHED BUSINESS

Other Pending Items

No other pending items.

NEW BUSINESS

Approval of 2010 Workman’s Compensation Bid from CIRSA

Motion #11 by Trustee Lane, seconded by Trustee Deagan, that the Board approve the 2010 Worker’s Compensation bid as submitted by CIRSA with a \$0 deductible. A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

Set Date for Workshop on Medical Marijuana Dispensary Regulations

It was agreed that the Board would have a work session at 6:00 p.m. on January 4, 2010 to discuss medical marijuana dispensary regulations.

Should the Board Authorize Staff to Sign Payment Agreement with McGoon Productions for Outstanding Insurance Bill?

Motion #12 by Trustee Deagan, seconded by Trustee Lane, that the Board authorize the Town Administrator to sign an agreement with McGoon Productions agreeing to certain payment arrangements on an outstanding insurance bill. A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

Should the Board Authorize Staff to Enter into Necessary Agreements with the Colorado Department of Transportation stating that the Town of Fairplay will be Responsible for the Snow Removal on the New Pedestrian Bridge and Bike Path adjacent to Highway 285?

Motion #13 by Trustee Lane, seconded by Trustee Johnson, that the Board authorize staff to enter into necessary agreements with the Colorado Department of Transportation stating that the Town of Fairplay will be responsible for the snow removal on the new pedestrian bridge and bike path adjacent to Highway 285. A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

Other New Business

1. Acceptance of Land Donation

A brief staff comment was offered by Town Attorney Phillips explaining that he had received a phone call that day from a couple desiring to donate a 2 acre residential parcel of land in Elkhorn Ranches to the Town of Fairplay. He explained that they wanted to have this done before the end of the year, thus the urgency of approving it at this meeting as it is the last meeting of the year.

Motion #14 by Mayor Boyce, seconded by Trustee Lane, that the Board should authorize staff acceptance of the land donation of 2 acres in the Elkhorn Ranches contingent upon a clean title search and a staff review of the land. A roll call vote was taken: Wortman – yes, Deagan – yes, Boyce – yes, Lane – yes, Johnson – yes. Motion carried unanimously.

COMMITTEE AND STAFF REPORTS

Town Treasurer Murray offered to answer any questions in regards to her written staff report.

Public works Director Goble offered a brief staff report noting that the main priority for his department is keeping up with the snow plowing.

Town Administrator/Clerk Darrah offered to answer any questions in regards to her written staff report.

EXECUTIVE SESSION - Pursuant to C.R.S. 24-6-402 (4) (a) for the potential lease of a property.

This item removed from agenda.

ADJOURNMENT

Mayor Boyce, noting that there being no further business before the Board, declared that the meeting be adjourned at 7:43 p.m.

Fred Boyce, Mayor

ATTEST:

Tina Darrah, Town Clerk