

**MINUTES OF THE REGULAR MEETING OF THE  
FAIRPLAY BOARD OF TRUSTEES  
FEBRUARY 6, 2023**

**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, February 6, 2023, 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 Dodge, and Trustees Ray Douglas, Josh Voorhis and Pete Lynn.

Staff in attendance were Town Administrator / Town Clerk Janell Sciacca, Public Works Director Donovan Graham, Building Inspector Kyle Parag, and Chief of Police Bo Schlunsen.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA**

**A. APPROVAL OF MINUTES** – January 9, 2023 Regular Meeting.

**B. APPROVAL OF EXPENDITURES** – Approval of paid bills for Town Funds in the amount of **\$36,327.207**.

Mayor Just noted a correction to the minutes where Trustee Voorhis was listed at Mayor Trustee Voorhis. Sciacca noted several corrections in spellings and tenses but nothing substantive.

**Motion #2** by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, that the consent agenda be approved noted corrections to the January 9 minutes. A roll call vote was taken: Lynn – aye, Voorhis – aye, Just – aye, Dodge – aye, Douglas – aye. Motion carried unanimously.

**CITIZEN COMMENTS**

Lauren Thomas, 300 Stone Creek Drive, Fairplay, addressed the Board regarding the community's lack of and need for child care. She felt the situation was a crisis due to the fact expecting families cannot find care which results in fewer people committing to the workforce. She also pointed out that the Town's current Table of Uses does not allow for a childcare facility. She wanted to see this changed and she and her friend Cheyenne had a goal of getting a childcare facility or preschool facility up and running. She felt the first step in their journey would be to obtain the zoning that would allow for this use. Mayor Just thanked Thomas and advised this would be turned over to Staff to look into and get back in touch with her.

**PROCLAMATIONS, PRESENTATIONS AND UPDATES**

**A.** Update on Wildland Urban Interface (WUI) Administration by Building Official Kyle Parag.

Building Official Parag presented an overview of the Staff Report reminding the town recently adopted the 2018 series of the International Codes (ICC), and part of that package was the WUI code, or Wildland Urban Interface Code, which is designed to help protect the Town in the event of a wildfire. As part of

adopting that code, Parag created the presented map to show the different areas of where WUI would apply and which sections would have a higher hazard than others. Each section is color-coded based on the hazard level and will be used in conjunction with the code for determining what materials are permitted in the different zones. Parag stated he was presenting the map to you to see if the Board had any questions or areas they wanted to see revisited. Trustee Voorhis inquired if this would impact insurance rates. Parag replied it will certainly help but not immediately. If the Town's rating changes, individual homeowners will see associated rate changes, and insurance rates also depend on the insurance company. Mayor Just stated that he looked over the map and felt it pretty well represented the accuracy of what he would come up and he certainly didn't disagree with it, especially at the periphery of Town where there were larger properties. He felt access was key and felt Trustee Voorhis would confirm when it comes to fighting fires that adoption of the WUI code and map was significant. Mayor Pro Tem Dodge inquired how this impacted vacant land and Parag replied it only applied when a Building Permit was applied for and the Fire Department was responsible for addressing vacant land issues until then. Just thanked Parag for the presentation and update and encouraged him to keep up the good work.

### **PUBLIC HEARINGS**

- A. CONTINUED FROM JANUARY 23, 2023 – REQUEST TO WITHDRAW:** Ordinance No. 1, Series of 2023, entitled, **“AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO AMENDING CHAPTER 16 OF THE FAIRPLAY MUNICIPAL CODE, REGARDING DUPLEXES IN THE SINGLE FAMILY RESIDENTIAL (SF-RES) ZONE DISTRICT AND DEED-RESTRICTED WORKFORCE AFFORDABLE HOUSING.”?**

Mayor Just introduced the matter. Town Administrator Sciacca presented an overview of the Staff Report reviewing the progression to date and then advised that Staff was requesting withdrawal in order for the Board to conduct a Work Session to revisit Affordable Housing with the Town Planner, Attorney and community. She stated that Staff was available Monday, February 13 and February 20 and the Board elected to set a Work Session for Monday, February 13 at 6:00 PM.

**Motion #3** by Trustee Voorhis, seconded by Trustee Douglas, to approve the request to withdraw Ordinance No. 1, Series of 2023 as requested. A roll call vote was taken: Lynn – aye, Voorhis – aye, Just – aye, Dodge – aye, Douglas – aye. Motion carried unanimously.

### **NEW BUSINESS**

- A. CONTINUED FROM JANUARY 23, 2023 – THIRD READING:** Resolution No. 6, Series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ADOPTING THE TOWN OF FAIRPLAY 2023 FEE SCHEDULE.”?**

Town Administrator Sciacca presented an overview of the Staff Report reminding of the progression to this point and the Board's continuance from January 23, 2023 to allow for Building Official Parag to be present and address Building Permit-related fees. Following discussion, the Board generally felt that the following fees needed to be reviewed and adjusted to promote development and compliance with the process and allow citizens to easily make repairs with minimal/appropriate expenses:

- Fence
- Mechanical
- Siding
- Sign
- Water Heater Replacement

- Window Replacement:

Staff was directed to look at the definitions, fees and inspection costs and anything that might be exempt from permit and bring a recommendation back to the Board on March 6. Town Treasurer Wittbrodt then noted that Public Works Director Graham felt that casket and cremains openings and interments should be the same fees of \$150 and \$300, respectively. The Board agreed. Sciacca asked that the Board move to approve the Fee Schedule as amended tonight for development-related reasons and then list those particular fees as TBD or something else.

**Motion #4** by Trustee Lynn, seconded by Mayor Pro Tem Dodge, to approve Resolution No. 6, Series of 2023, with all of the identified issues marked as TBD until resolved to the Board’s satisfaction. A roll call vote was taken: Lynn – aye, Voorhis – aye, Just – aye, Dodge – aye, Douglas – aye. Motion carried unanimously.

**B. CONTINUED FROM JANUARY 23, 2023 – REQUEST TO WITHDRAW:** Resolution No. 7, Series of 2023, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING THE CURRENT EMPLOYEE PAY SCHEDULE FOR TOWN EMPLOYEES AND DETERMINING THE PROCESS FOR ANNUAL UPDATES.**”?

Town Administrator Sciacca presented an overview of the Staff Report reminding of the progression to date. She then reported that Staff was requesting withdrawal in order for Staff to work with Employers Council of Colorado on job descriptions and updating/overhaul of the Pay Schedule. She reminded that adoption of a new Pay Schedule was not impacting any salaries, just ranges, so there was no impact to any employee.

**Motion #5** by Mayor Trustee Voorhis, seconded by Trustee Douglas, that the request to withdraw Resolution No. 7, Series of 2023, be approved as presented. A roll call vote was taken: Lynn – aye, Voorhis – aye, Just – aye, Dodge – aye, Douglas – aye. Motion carried unanimously.

**C. FIRST READING:** Resolution No. 8, Series of 2023, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ADOPTING AN UPDATED AND UNIFORM SET OF OFFICIAL RULES FOR THE FAIRPLAY BURRO DAYS WORLD CHAMPIONSHIP PACK BURRO RACE.**”?

Town Administrator Sciacca presented an overview of Special Events Coordinator Julie Bullock’s Staff Report advising the main reason for the requested updates were to clarify language. She also reported that all the Triple Crown communities were expected to adopt the same/very similar rules for consistency and integrity purposes. Mayor Just stated that he was surprised that some of the changes had not been previously made. Sciacca stated that Bullock was hoping to get the changes approved so as to have them in place for the beginning of registrations. Following additional discussion and comment, the Board generally agreed the changes were positive and much-needed.

**Motion #6** by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, that Resolution No.8, Series of 2023, be approved as presented amending the official rules for the Fairplay Burro Days World Championship Pack Burro Race. A roll call vote was taken: Lynn – aye, Voorhis – aye, Just – aye, Dodge – aye, Douglas – aye. Motion carried unanimously.

Sciacca shared on behalf of Special Events Coordinator Bullock that the Town’s race had been selected to serve as a curated exhibit at Denver International Airport with the emphasis being on the race and would include objects and artifacts, logos, photos and text-related iconic stories selected by Bullock. She reported the exhibit could be seen from April through September, 2023 and advised that Staff would

promote the exhibit on social media when it was completed and let the Board know exactly where it was so they could visit it if traveling.

**STAFF AND BOARD OF TRUSTEE REPORTS**

Chief Schlunsen reported that cases were down, it was fairly quiet and Sgt. Grover received a very nice thank you letter for recognizing a resident's dog was in distress and calling the homeowner who was out of Town and gaining permission to put the animal in the house. The Chief shared that mental health calls were also down and the new Patrol vehicle had been received.

Public Works Director Graham reported that last week there was leak that was detected at Gold Pan. The park has been unable to find the leak and is on water restrictions of 2 hours on in the morning and 2 hours at night.

Town Treasurer Wittbrodt reported the audit was coming up the end of February and first part of March.

Town Administrator Sciacca reported she would be soliciting citizen or Board volunteers to serve on various committees at the Pikes Peak Area Council of Governments. She also advised that electronic copies of the budget were transmitted to the Board and Staff and anyone wanting a physical copy should let her know. She then reported that the Park County Intergovernmental Meeting had been confirmed for Tuesday, February 28 at 5PM and that Heart of the Rockies Regional Medical Center was taking over the Fairplay Health Clinic and she did request they come address the Board when the transfer was complete to provide an update on any proposed changes. Sciacca reminded there was no meeting on February 20 as that was President's Day and Town offices were closed. The Board then discussed the need for another Work Session to discuss goals, projects and priorities. They agreed to meet on Monday, February 20 at 6 PM since there was no regular meeting.

Building Official Parag reported that Habitat for Humanity had its third foundation dug and Park County put up a debris fence for their barn being torn down and Clark and 5<sup>th</sup>.

Trustee Douglas inquired if there were any service lines freezing in Town with the recent sub-zero temperatures. Graham replied there was an issue in one home where the water heater line blew but there were no other issues he was aware of.

Mayor Pro Tem Dodge thanked Lauren and Cheyenne for coming in to address the Board. He reported that he and Sciacca attended a Transit Study meeting last week with the County and PPACG and felt things were not quite where they should be yet for the Town to start implementing its service. Sciacca advised Transit would be discussed on the 20<sup>th</sup> and the 2<sup>nd</sup> bus was still not received yet as CDOT was delayed getting the title to the Town.

Trustee Voorhis asked for clarification on whether or not the filter system being installed at the Beaver Creek Plant would have any impact on the hardness of the water. Sciacca replied her understanding was it would not. She added it is not like a system that goes under the sink. He then reported that he personally walked everywhere in Town and last week he was hit by a car and he was slightly frustrated with the County employees and other drivers that fly down Castello. He stated there is not enough space on the street during the winter and pedestrians are getting the short end of the stick. He also reported that Sunshine Plowing doesn't know what a stop sign is blowing through them all at about 35 MPH. Voorhis also reported the road that the Town uses for the Burro Race that goes past the south London mine is

currently blocked and Park County has chosen not to enforce their easement on that road so the Town does not currently have any right to use that road and is only using it at the courtesy of the landowner. He cautioned that if the landowner were to change his mind, the Burro Race would be in big trouble and he suggested the Town work with the County on and making sure that it stays a County road open for the race.

Trustee Lynn reported that he was conducting research on emergency supplies and how the Town could implement that program and he hoped to get that moving.

Mayor Pro Tem Dodge shared that the Town of Fairplay received a 2 page spread in the most recent edition of the Breckenridge magazine.

Mayor Just reported that he observed 14 vehicles run the 3-way stop at the school at 8<sup>th</sup> and Hathaway, there were cars parked on both sides of the road and he stressed the Town had to somehow provide coverage for that timeframe because it was a hazardous situation. He also reminded that the Fairplay Mountain Mardi Gras was coming up on February 25 and he requested the Board members join him in the kitchen to help prepare food as had been done in the past. Just also recognized Commissioner Wissel for appearing and allowed him to address the group.

Commissioner Wissel extended gratitude to Sciacca stating he found her really, really easy to work with. He then stated he was trying to make the rounds and introduce himself and announced there were some natural partnerships that need to be exercised. He stated the most efficient use of central water systems was the only way to get ahead of the housing issues. He felt there was an opportunity in the Land and Water Trust Fund to help with infrastructure costs. He had attended other meetings around the County trying to learn everything going on. Mayor Just thanked Wissel for his comments.

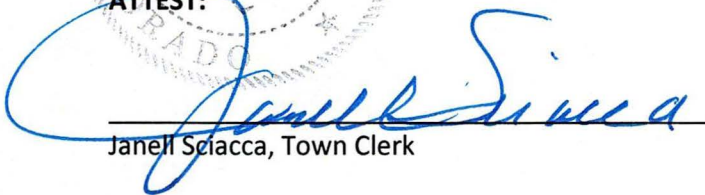
Just also thanked Flume Reporter Becky Salverson for her reporting on the goings-on in Fairplay and stated how much her accuracy was appreciated.

**ADJOURNMENT**

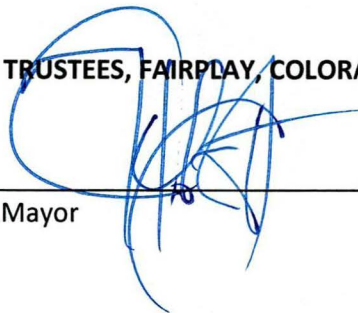
There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 7:46 p.m.



**ATTEST:**

  
Janell Sciacca, Town Clerk

**BOARD OF TRUSTEES, FAIRPLAY, COLORADO**

  
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Frank Just, Mayor