

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
November 20, 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, November 20, 2023, at 6:01 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 and Pete Lynn. Trustee Voorhis was excused.

Staff in attendance were Town Administrator Janell Sciacca, Town Treasurer Jennie Danner, Grant Manager Tom Flannery, and Public Works Director Donovan Graham.

APPROVAL OF AGENDA

Town Administrator Sciacca noted that the dates in the title of both of Public Hearing items A & B required amendment to reflect they were continued from November 6, 2024.

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

CONSENT AGENDA

- A. **APPROVAL OF MINUTES OF REGULAR MEETING** of August 21, 2023.
- B. **APPROVAL OF MINUTES OF REGULAR MEETING** of September 11, 2023.
- C. **APPROVAL OF EXPENDITURES** – Paid bills for all Town funds from November 3, 2023 through November 17, 2023 in the amount of **\$31,001.36**.

Motion #2 by Trustee Douglas, seconded by Trustee Lynn, that the Consent Agenda be approved with the minutes as written and the expenditures as stated. A roll call vote was taken: Douglas – aye, Just – aye, Lynn – aye. The motion carried unanimously.

CITIZEN COMMENTS – None.

PUBLIC HEARINGS

- A. **CONTINUED FROM NOVEMBER 6, 2024** – Should the Board of Trustees, acting as the Local Licensing Authority, approve an application from Family Dollar Stores of Colorado, LLC for a new Retail Fermented Malt Beverage and Wine Liquor License for Family Dollar Store #30395 located at 1010 Castello Avenue.

Mayor Just announced that the applicant / applicant’s representative for the liquor license application had requested a continuance to the December 4, 2023, meeting due to a scheduling conflict and therefore there would not be any discussion or comment and the Public Hearing would be continued as requested. He advised that there were petitions in circulation both for and against any ex parte communication with either the applicant, the opposition or anybody that has signed the petition could jeopardize a Board member’s position to vote. Several members of the public disagreed with the continuance and voiced their position and desire to move forward with the hearing. They were disappointed this would be the second continuance requested by the applicant. Town Administrator Sciacca clarified that she

recommended the prior continuance to address the Board’s request for clarification on the location of the alcohol and to provide a better drawing as well as produce a petition proving the needs and desires of the adult inhabitants. Mayor Pro Tem Dodge arrived at 6:09 p.m. It was also clarified that the first published and posted public hearing was never held because the applicant had to submit a new/updated application when it was discovered that the application form had the wrong license type checked and that required all new postings and public notices. Following additional questions from the public and disagreement regarding proper procedure, there was a subsequent discussion regarding proper format of petitions and the requirement of an affidavit attesting to the validity thereof. Just clarified that it has long been the Town’s policy not to accept or consider documents that are not signed. Sciacca also reiterated that an affidavit certifies that the signatures affixed were actually witnessed by the petition circulator and that someone did not just manufacture the signatures. There was also disagreement from some members of the public about the requirement of a petition and Sciacca advised that it was not the practice of past Staff, but it was what she was accustomed to over all the years and municipalities she worked for and it was now a requirement under her administration because it is the best way to prove the needs and desires. Mayor Just invited everyone in attendance to return for the hearing that would be held on December 4 and a member of the public inquired what if they could not return in person. Sciacca advised there were multiple ways to provide input and stated anyone who could not attend that night in person could submit a letter, call her office or attend online.

Motion #3 by Mayor Pro Tem Dodge, seconded by Mayor Just, to continue the Public Hearing on the application from Family Dollar Stores of Colorado, LLC for a new Retail Fermented Malt Beverage and Wine Liquor License for Family Dollar Store #30395 located at 1010 Castello Avenue to December 4, 2023 as requested by the applicant/applicant representative. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Lynn – aye. The motion carried unanimously.

B. CONTINUED FROM NOVEMBER 6, 2024 – SECOND HEARING – 2023FY Amended Budget and 2024FY Proposed Budget for all Funds of the Town of Fairplay, Colorado.

Mayor Just opened the Public Hearing on the 2023FY Amended and 2024FY Proposed Budgets at 6:18 p.m. Sciacca directed the Board to information contained in their packet. She reported that sales tax figures had rebounded, and she stated that the September numbers really support Staff’s recommendation to add a fall event. She inquired if there were any specific questions from the Board and there were none. She noted that numbers, both expenditures and revenues, would continue to change right up to the last hearing on December 4. Part of the changes would revolve around salaries as Worley extended offers to new Officers. She advised that Worley should be present at the December 4 meeting to provide a complete update. Following some additional review of packet information, Mayor Just asked for public comment. There being not one in the audience to address the budgets, Mayor Just opened the floor for a motion to continue the Public Hearing on the 2023FY Amended and 2024FY Proposed Budgets to December 4, 2023.

Motion #4 by Trustee Lynn, seconded by Trustee Douglas, to continue the Public Hearing on the Town of Fairplay 2023FY Amended Budget and 2024FY Proposed Budgets to December 4, 2023. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Lynn – aye. The motion carried unanimously.

STAFF AND BOARD OF TRUSTEE REPORTS

Grant Manager Flannery reported that he met with a representative from the USDA and was confident the Town could obtain a good chunk of money from them for the construction of a new Police station.

Public Works Director Graham reported that Staff met a new Dana Keppner sales representative. In discussion with this new rep, he was asked about training for open and closing fire hydrants and last week the new rep came up and met everyone at the Fire Department and provided the requested training. He stated NWFPD was going to rewrite their SOP after the training. Graham also reported that he and Chris Bannister attended the SGM Water and Wastewater Conference held in Glenwood last week and he obtained some information that he would be reviewing with Town ORCs Deline and Chisholm such as setting up dewatering using a dumpster instead of paying a company \$100,000 to do it. Flannery said if he could get engineered plans, he might be able to find some money to help pay for it. Graham reported that the Gold Pan mobile home trailer park had yet another leak. He added that over 33 months, this park had 18 months of leaks and 15 months of no leaks resulting in about 1.3 million gallons of loss. Sciacca advised that this information could be used to have the Town Attorney write a letter putting them on notice under the Town's waste of water code parameters. Graham advised that all the leaks were metered so the Town did get paid the extra billing amount.

Town Treasurer Danner reviewed the items in her Bills Paid Staff Report and noted several checks that were voids on the report. She reported on her attendance at the CGFOA Conference in Breckenridge and stated she really enjoyed a session on presenting financial information to boards and councils which gave her a couple of ideas about new reports that would include visuals and graphs. Mayor Just noted the expanded financial reports in the packet showing the true financial status for the Town and stated these were much appreciated. Danner also noted that Staff was trying to include more detailed descriptions of bills paid as well.

Town Administrator Sciacca reported that she spoke to Park County last week about the proposed Asphalt & Concrete plant and the Town would not potentially see a referral until March as the file was still under review by Staff. She also reported that Chief Worley met with Sheriff McGraw about the IGA and that should come before the Board on December 4. Worley also is reviewing monthly bills with the Sheriff as they appeared to include charges that were not truly related to Town calls. She reminded the Board that the Town Christmas Party was set for December 15 and invitations were recently sent out. Sciacca also reported that she and Bullock were meeting with a young lady who might be the perfect candidate to shadow and assist Bullock for the summer event season. Her final update to the Board was to report that Sam Mick had sold the Bank Building and the strip mall center, and the new owner put the Bank Building on the market. She spoke to the new owner about potential future development of that property and the new owner indicated they were happy with the current tenants and were going to focus on exterior improvements. She did advise them of the parking lot issues and suggested they look at a striping plan.

Trustee Dodge commented that the sidewalks on Main and at 501 Main have not been shoveled and Sciacca advised Staff would place another notice in the upcoming monthly newsletter.

Trustee Douglas stated that a Flume article about the asphalt and concrete plant made it sound like the Town had a say or was the approving authority and he wanted the Town to make sure to let citizens know that the Town was not the approving authority and only had ability to comment. Mayor Just stated the Flume's accuracy had deteriorated and they even recently noted the was Major Just not Mayor Just.

Trustee Lynn advised that Black Cat could assist the Town will valve boxes especially when it was important. He also thanked Staff and the Board for being so conservative in the budget and being conscious of current economic conditions.

Town Administrator Sciacca also followed up on a comment by Trustee Voorhis that he was concerned about the Town moving away from a graphic designer for marketing and events. She noted that the Town would look at doing an RFP for a company that was better to work with and she also noted that the MMOF RFP for the River Park and potentially an Attorney specializing in

Mayor Just reported that he spoke at the Homes For Our Troops event at the legion a couple of Saturdays ago and the entire hall was filled with people for the recognition of two severely injured Veterans receiving homes in Foxtail Pines. He was truly humbled sitting next to the heroes and it gave him great pleasure to be part of the event and represent Fairplay. He stated that he also reached out to the Veterans to see if they would be interested in participating in the upcoming Mardi Gras celebration.

ADJOURNMENT

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 7:02 p.m.

WORK SESSION REGARDING TOWN OF FAIRPLAY FY2024 BUDGET WITH FOCUS ON CAPITAL PROJECTS, FEES AND EMPLOYEE SALARIES. Staff presented information and received comments and direction from the Board on current and proposed Capital Improvement Projects, general and utility service fees to be updated for 2024, a proposal from the Chief of Police regarding the need and potential plans for a new Police facility, and staffing levels and salaries for Staff for 2024.



ATTEST:


Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO



Frank Just, Mayor