

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
January 22, 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, January 22, 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 Dodge, and Trustees Ray Douglas, Josh Voorhis and Pete Lynn.

Staff in attendance were Town Administrator Janell Sciacca, Town Treasurer Jennie Danner, Chief of Police Jeff Worley, Town Engineers Deron Dirksen and Matt Hutson, Town Planner Scot Hunn, and Operators in Responsible Charge Marty Deline and Keith Chisholm.

APPROVAL OF AGENDA

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

CONSENT AGENDA

- A. APPROVAL OF MINUTES** – November 6, 2023 Regular Meeting.
- B. APPROVAL OF EXPENDITURES** – Approval of paid bills for all Town Funds from January 5, 2024 to January 18, 2024 in the amount of \$288,946.50.

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

CITIZEN COMMENTS

Laurence Burnett, 490 8th Street, stated she was glad to see all the uniformed Officers because her concern was the lack of police presence in Town. She stated the need for enforcement was out there.

BADGE PINNING CEREMONY

- A. Administration of Oaths of Office and Badge Pinning Ceremony for new Officers of the Fairplay Police Department.**

Chief Worley invited Sheriff Tom McGraw up first and presented him with a plaque of appreciation for their work covering the Town during the rebuilding. Worley stated McGraw had been a true partner and he was truly grateful for the excellent service provided to Fairplay during its rebuild and the sign of true partnership in law enforcement is the willingness to come to the assistance of one's brothers and sisters in need. Worley personally thanked McGraw stating he welcomed him and made his transition to Chief of Fairplay easy. McGraw accepted the plaque and stated he looked forward to working with all of the new Officers and Chief Worley.

Worley then explained the Badge Pinning Ceremony was an age-old tradition. He addressed the Officers specifically and told a story of a young boy in a school that told him the badge looked like a shield. He stated it is a shield and it is meant to protect and a sacred symbol of what you will do for the people in Fairplay and Alma. Worley asked Officer to wear the badge with pride, to serve the people with excellence, to work with sister and brother agencies, and to do it with great honor; He asked the Officers remember that you they wear the badge not to protect themselves, not to gain any advantage, but rather to give of themselves to those that they serve and to remember that many came from other jurisdictions and that law enforcement is a not just a job, but a great calling and a means to take care of their families. Worley then asked they remember that when they were taking care of the wonderful citizens of Fairplay and Alma, someone else wearing another badge was out there protecting their

families and he asked that they wear the badge with honor. He then asked that the Officers stand and raise their right hands and administered their Oath of Office. Worley then invited Officer Steve Berlanga, Officer James DeSchryver, Sergeant Brian Knellinger, Sergeant Ronald Martinez, Officer Jordan Peters, Officer Mason Prickett, and Officer Desiree Wood up one-by-one to be pinned by a friend, family member or loved-one. Mayor Just welcomed them to their new home with the Town of Fairplay and their new family and extended best wishes from the Board. He thanked them for choosing Fairplay.

In order for Worley to be able to leave the meeting to attend a reception with the Officers, New Business Item A, IGA with Alma, was moved up on the agenda.

NEW BUSINESS

- A. FIRST READING** – Should the Board of Trustees for the Town of Fairplay adopt Resolution No. 7, Series of 2024, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE TOWN OF FAIRPLAY AND THE TOWN OF ALMA.**”?

Town Administrator Sciacca reviewed the Staff Report reminded that this proposal had been contemplated for a while but never materialized until it was proposed to Chief Worley who took it and ran with the unique opportunity. The agreement benefits both communities. Worley stated that in conversations with Alma Administrator Goettelman and Mayor Golgoon this agreement was seen as a mutual benefit and good partnership due to the close proximity of Alma and Fairplay. Sciacca advised that both Alma Administrator Goettelman and Mayor Golgoon were also in attendance and the town of Alma approved the agreement the prior Tuesday. Mayor Just stated he read the agreement multiple times and found it to be well written and thanked the Chief for drafting it. The Board generally expressed similar sentiments and appreciation for Worley working to figure out the details with Alma.

Motion #3 by Trustee Douglas, seconded by Trustee Voorhis, to continue Resolution No. 7, Series of 2024, as presented approving an Intergovernmental Agreement for Law Enforcement Services between the Town of Fairplay and the Town of Alma. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

PROCLAMATIONS, PRESENTATION AND UPDATES

- B.** Presentation and Market Update by ColoTrust Investment Services Director Brett Parsons.

Parsons introduced himself and provided a brief history of his background and meeting Town Administrator Sciacca as a Colorado City and County Managers Conference. He then reviewed a PowerPoint presentation regarding the ColoTrust program and a market outlook for 2024 and answered questions of the Board. The Board expressed their appreciation for the information shared and indicated a desire to have ColoTrust present at the 2nd meeting of January of every year moving forward.

NEW BUSINESS - CONTINUED

- B. FIRST READING** – Should the Board of Trustees for the Town of Fairplay adopt Resolution No. 8, Series of 2024, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR PROVISION OF INTERCOUNTY COMMUTER BUS TRANSIT SERVICES FOR THE PARK COUNTY COMMUTER ROUTE.**”?

Town Administrator Sciacca presented an overview of the Staff Report reminding that in the original agreement for the Summit Stage service, the Town of Fairplay committed to provide shelter for the transit vehicles and entered into an agreement with CDOT for use of the 850 Hathaway Barn. That agreement was terminated by CDOT when they decided to build Workforce Housing on the site. She reminded that there were no other facilities in Fairplay which could meet the current storage needs for full-size buses, so the agreement had to be amended to allow the Town to provide financial support instead. The agreed upon amount would be \$18,000 and she recommended approval of the amended agreement to continue the vital transportation service provided by the Summit Stage. She also noted that the master agreement would most likely be renegotiated in 2024 as it was set to expire in 2025. She also noted that an additional stop had been added at Town Hall.

Motion #4 by Trustee Voorhis, seconded by Trustee Lynn, to approve Resolution No. 8, Series of 2024, as presented approving a First Amendment to the Intergovernmental Agreement for Provision of Intercounty Commuter Bus Transit Services for the Park County Commuter Route. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

C. FIRST READING - Should the Board of Trustees Approve the Adoption of Resolution No. 9, Series of 2024, entitled, "A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH PRINCETON HYDRO FOR BATHYMETRIC SURVEY SERVICES FOR THE FAIRPLAY RIVER PARK."?

Town Administrator Sciacca presented an overview of the Staff Report stating this matter originated when fish started dying at the Beach during the hotter temperatures over the summer. She noted there was also more algae and when she brought this up in discussions with Mayor Just, he shared history on the recreational area and an unsuccessful prior contract to complete dredging and return the water to historical depths. In those discussions it was determined that this should be attempted again, and she began researching companies that could do this and was provided Princeton Hydro's contact information from Jane Mannon with the Coalition for the Upper South Platte. Sciacca made contact and scheduled an online meeting with Chris Mikolajczyk and Mayor Just. Just shared historic data and following discussions, Princeton Hydro prepared and submitted the proposed bathymetric services proposal which would be the first step of the project. Following questions from the Board, she reported that Princeton Hydro did this type of work nationwide and had many connections and she was recommending approval of the agreement as presented in the amount of \$8,175.00

Motion #5 by Mayor Pro Tem Dodge, seconded by Trustee Douglas, to approve Resolution No. 9, Series of 2024, as presented approving a Professional Services Agreement with Princeton Hydro for Bathymetric Survey Services for the Fairplay River Park. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

REVIEW AND DISCUSSION ITEMS

A. Impact Fee Study Proposal; Burro Park Drainage and Potential Park Plan; Hathaway Water Main Replacement – Town Engineer Deron Dirksen.

Dirksen reviewed the reports in the packet regarding an Impact Fee Study, Burro Park drainage and a potential development plan, and the Hathaway 4" water main replacement project related to the CDOT Workforce Housing project. Dirksen admitted he had not completed an Impact Fee Study but had conducted research and with his knowledge of the Town and other similar studies and approval from SGM to attend training specific to the matter, he was confident that he could conduct the study. He also noted the pricing separation for the Town-related fees and School District fees. He felt the study could be completed in 6 months. Sciacca noted that when this subject came up, she researched other companies that were conducting these studies for Colorado communities, and she just happened to be talking with Dirksen about it one day and afterwards he felt SGM could do this and it would be another important service that could be added to their portfolio and provided to the Town. Sciacca advised that due to the expense, and the project being unbudgeted, she would be trying to obtain an administrative grant from DOLA to bring the overall expense down for the Town. She also noted that she would provide the proposal to the School to see if they wanted to participate and pay for the school portion. The Board was overall comfortable allowing SGM to provide this service and requested Staff bring it back to them with an approving resolution when ready to proceed.

Dirksen then reported that the survey for Burro Park was done and the drawing in the packet was created by himself and an SGM colleague to show potential improvements that could be done. He advised that the property to the Northwest was not owned by the Town, and he was seeking additional guidance on how to move forward. Dirksen reviewed some aspects of the plan and discussion ensued relative to making Front Street a dead end at the parking lot and eliminating the connection to 8th street which would clean up the corner and open up additional space and the light pole could be moved. The Board generally felt the neighborhood would like the private park feel and less traffic and asked Dirksen to take a look at that and bring some drawings back to them for review that included a drive-aisle for emergency services to utilize.

Dirksen then reported the civil drawings were complete for the Hathaway water line replacement project. The proposed new main would be built independently of the existing main. Sciacca noted that an agreement with Rocks and Walls had already been reached for the actual work and Staff would make sure the agreement was updated as necessary to account for anything that had changed.

B. Interpretation of “residential associated with business” meaning for UDC in Town Center Overlay Zoning District and potential CU Denver Urban and Regional graduate assistance opportunity – Town Planner Scott Hunn. Town Planner Scot Hunn presented reminding that the current Municipal Code and a use of residential in the same building as business which is a permit use by right in several zone districts. He noted this interpretation has come up several times and is not well addressed, so his concern was that that this was not defined or clear what the intent was, and he was asking for clear direction from the Board. Hunn suggested that one option was to put no limit on the residential units associated with a business, but require they be deed restricted for employee housing and the other option was to address each on a case-by-case basis. Following discussion, general direction from the Board was that they did not want to see units as short-term rentals and housing should be for employees of the business or the town and asked Hunn to work with the Town Administrator and Attorney to work out language.

Hunn then reported that a friend of his named Andy Rutz, who was a professional urban design planner who teched urban planning and urban design courses had offered Hunn the opportunity to utilize some summer students for field intensive work and real-world planning. Essentially, they act like professional consultants. Sciacca stated that she thought is a was a great opportunity for the Town with all the code and plan updates Staff was hoping to accomplish and it could save the Town some money and provide experience for future planners. The Board thanked Hunn for the opportunity and provided general agreement to move forward. Hunn stated he would have a follow up conversation with his colleague to determine if some of Staff’s ideas matched up with the needs of the class.

Mayor Just asked that Administrator Sciacca introduce an attendee in the audience. Sciacca announced that Erik Baum, who had submitted a petition to run for Trustee, was in attendance. Baum stated he lived in Fairplay for 10 years and had attended meetings in the past. He said he saw the notice in the water and sewer bill and said what the heck, let’s do a little more service for the country. Sciacca announced that January 22 was the last day to submit a petition, unless someone submitted as a write-in. If no write-in petitions were received, she would be presenting a resolution at an upcoming meeting to cancel the election and declare the current candidates, Douglas and Baum, elected.

BOARD OF TRUSTEE AND STAFF REPORTS

A. 4th Quarter 2023 Operator in Responsible Charge (ORD) Report from Warm Springs, LLC – Operators Marty Deline and Keith Chisholm.

ORCs Deline and Chisholm reviewed information in the packet and briefed the Board on a sewage leak below the Town that was discovered. They relayed what led up to the leak and that it was found to have originated in an unknown manhole found in the willows across the river from the Middle Fork RV park and below the Town’s pump station. The leak was reported as required and Staff will look to clean it up as per regulations when the snow melts. Deline and Chisholm extended appreciation to Trustee Lynn for jumping in to help out with the situation. Sciacca also reported that Staff would be sitting down tomorrow to discuss roles and responsibilities with the recent reorganization upon the prior Public Works Director’s departure. The Board thanked Deline and Chisholm for their work and encouraged them to continue to bring needs up to the board as proactive measures instead of the Town having to be reactive.

Trustee Lynn thanked Deline and Chisholm for what they do for the town. He also thanked the Public Works crews for getting out trash cans and dog poop bags and then stated the plowing around Tow was better than he had seen it in a long time.

Mayor Pro Tem Dodge reported that he was told visitors to Town Hall were told they could not use the restrooms and were directed to the Library. Sciacca advised that the Staff would never have told someone that and she could send anyone in to talk with her if they wanted to complain or provide information on who told them that.

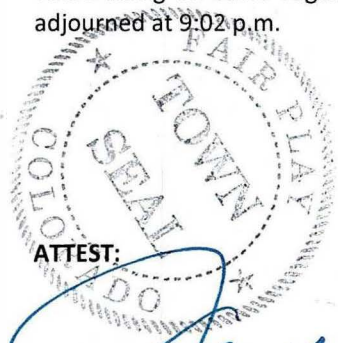
Treasurer Danner explained a glitch with the Utility billing system that resulted in penalties being issued to most users. Those were removed and Staff would work to try ensure that did not occur again in the future.

Town Administrator Sciacca reported that the Town received the referral from Park County for the proposed asphalt and concrete plant review. Trustee Voorhis inquired if the County was asking for responses in 45 days. Sciacca replied the referral came in earlier in the day and was due back to the County for the Planning Commission hearing scheduled for February 14, so the Town had to have comments back to them by the 13th.

Trustee Douglas reported that he attended the Park County Fairgrounds meeting held Saturday and it went through his mind that it could be a very big water user issue and there was a lot of pie in the sky ideas and that on a Park County budget that would not happen. He felt there was a big disconnect between what would happen and what was wanted. Sciacca noted there were plans available online for review and comment. She said it could be a huge draw for the community if it is done and done right.

ADJOURNMENT

There being no other regular business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 9:02 p.m.



ATTEST:



Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO



Frank Just, Mayor