

1. Meeting Materials

Documents:

[AGENDA.PDF](#)
[AGENDA_PACKET.PDF](#)
[MINUTES.PDF](#)

**AGENDA for a Regular Meeting
of the Board of Trustees of the Town of Fairplay, Colorado
Monday, February 6, 2023, at 6:00 p.m. at the Fairplay Town Hall Meeting Room
901 Main Street, Fairplay Colorado**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **APPROVAL OF AGENDA**
- V. **CONSENT AGENDA** *(This item is intended to streamline the Board Meeting grouping routine, non-controversial business. The public or the Board Members may ask that an item be removed from the Consent Agenda for individual consideration.)*
 - A. **APPROVAL OF MINUTES – January 9, 2023 Regular Meeting.**
 - B. **APPROVAL OF EXPENDITURES** – Approval of paid bills for Town Funds in the amount of **\$36,327.20.**
- VI. **CITIZEN COMMENTS** *(This item allows for the public to sign up to address the Board on matters that are not on the agenda – Sign-up can be done prior to, or at the start of a meeting, on the required form.)*
- VII. **PROCLAMATIONS, PRESENTATIONS AND UPDATES**
 - A. **Update on Wildland Urban Interface (WUI) Administration by Building Official Kyle Parag.**
- VIII. **PUBLIC HEARINGS** *(This item allows the public to review and comment on business and helps the Board to make better-informed decisions on specific matters.)*
 - 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.”**? *This item is being withdrawn but may reappear on a future agenda.*
- IX. **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.”**? *This action will set forth the fees charged by the Town for providing all municipal activities and services.*
 - 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.”**? *This item is being withdrawn but may reappear on a future agenda.*
 - 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.”**? *This action will amend the current Burro Days Pack Burro Race Rules & Regulations.*
- X. **BOARD OF TRUSTEE AND STAFF REPORTS**
- XI. **ADJOURNMENT**

Upcoming Meetings/Important Dates

Board of Trustees Work Session – February	TBD
Board of Trustees Regular Meeting Cancelled (Presidents Day)	Monday, February 20, 2023
Fairplay Mountain Mardi Gras Celebration	Saturday, February 25, 2023
1 ST Quarter Intergovernmental Meeting (Not Confirmed)	TBD
Board of Trustees Regular Meeting	Monday, March 6, 2023

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**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
JANUARY 9, 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, January 9, 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 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 Voorhis, seconded by Trustee Lynn, that the agenda be adopted as written. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CONSENT AGENDA

A. APPROVAL OF EXPENDITURES – Approval of bills for various Town funds in the amount of **\$400,880.47.**

Trustee Lynn inquired about the large payment to Vectra Bank. Town Administrator Sciacca advised that was the Utility Fund year-end loan payment related to the Sanitation District.

Motion #2 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, that the consent agenda be approved as written. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS – None.

NEW BUSINESS

A. Should the Board of Trustee Approve the Adoption of Resolution No. 1, Series of 2023, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, ESTABLISHING DESIGNATED PUBLIC PLACES FOR THE POSTING OF MEETING NOTICES AS REQUIRED BY THE COLORADO OPEN MEETINGS LAW.**"?

Town Administrator Sciacca presented an overview of the Staff Report noting this could have been approved on the Consent Agenda but she pulled it off for discussion about choosing another posting place instead of the Post Office because there had been multiple times when agendas had not been posted. She noted that she did talk with the Postmaster who showed her the unlocked and unmonitored box that the Town could use. Other sites like Prather's would be appropriate but since there was an opportunity for the Staff to post them independently, she recommended continuing to designate the Post Office as one of the approved sites. She did not that at some time the Federal Government would ban all postings on Federal property according to the Postmaster so the Town would need to find another appropriate location at that time.

Motion #3 by Mayor Trustee Voorhis, seconded by Trustee Lynn, that Resolution No. 1, Series of 2023. Be approved as presented. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

- B. Should the Board of Trustees Approve the Adoption of Resolution No. 2, Series of 2023, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A TEMPORARY LEASE AGREEMENT WITH THE SOUTH PARK FOOD BANK FOR USAGE OF A PORTION OF THE TOWN-OWNED BUILDING AT 501 MAIN STREET.”?**

Town Administrator Sciacca presented an overview of the Staff Report and noted Pastor Kenny Shaw was in attendance on behalf of the Food Bank to provide information on the organization’s activities. She recommended approval of Resolution No. 2 as presented to continue allowing the Food Bank use of space at 501 Main for the important services provided to Park County and the entire community. Pastor Shaw provided a breakdown of the Food Bank’s yearly activities which included serving 730 households or 60 per month, providing snacks to the Boys and Girls Club, school and preschool and bags of food for school children to take home for weekends. Shaw also advised they purchase food from Prather’s and Scanga Meat and the rest of their food comes from donations and Food Bank of the Rockies. He also announced that the Pet Food project was an awesome addition and big relief for some. He noted the organization also works with the South Park Salvation Army, Park County Human Services and local churches, so can call to get emergency food and through the Rocky Mtn Rural Health anyone can pick up coats and clothing. Shaw thanked the Board for supporting their work and providing the incredible space. Mayor Just thanked Shaw for appearing and providing the update and stated he understood what it takes to keep the program going. Just also noted to Staff that the drawing needed to be updated to reflect the additional space being used and Sciacca advised she would get that done.

Motion #4 by Trustee Lynn, seconded by Trustee Voorhis, to approve Resolution No. 2, Series of 2023, as presented. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

- C. Should the Board of Trustees Approve the Adoption of Resolution No. 3, Series of 2023, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ACTING BY AND THROUGH THE TOWN OF FAIRPLAY WATER AND WASTEWATER ENTERPRISE, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WARM SPRINGS CONSULTING, L.L.C. FOR OPERATOR IN RESPONSIBLE CHARGE (ORC) SERVICES FOR THE TOWN OF FAIRPLAY WATER TREATMENT FACILITY.”?**
- D. Should the Board of Trustees Approve the Adoption of Resolution No. 4, Series of 2023, entitled, “A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO ACTING BY AND THROUGH THE TOWN OF FAIRPLAY WATER AND WASTEWATER ENTERPRISE, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WARM SPRINGS CONSULTING, L.L.C. FOR OPERATOR IN RESPONSIBLE CHARGE SERVICES (ORC) FOR THE TOWN OF FAIRPLAY WASTEWATER TREATMENT FACILITY.”?**

Town Administrator Sciacca announced she would present items C. & D. together but would request a separate vote on each. She then provided an overview of the Staff Report and noted the attendance of both Marty Deline and Keith Chisholm of Warm Springs, LLC. Sciacca reminded the Board of the certifications required to operate the Water and Sewer Plants and that Deline and Chisholm both held the highest levels possible which was extremely hard to find in rural areas like Fairplay. She felt the Town was fortunate to have the current operators living in the area and willing to provide the all-important services.

She noted there had been stumbling blocks with Staff changes in the last year and a half but many had been worked out and Deline and Chisholm were instrumental in the current Infiltration Gallery and Well #4 Project so she recommended approval at the same rate as past years in order to continue seamless operations for the community. She also noted the Scope of Work was different and that she redrafted it according to CDPHE ORC contracting guidelines so the duties were more detailed and would be requiring them to attend Board meetings on a quarterly basis to provide a report to the Trustees.

Motion #5 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve Resolution No. 3, Series of 2023, as presented. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

Motion #6 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to approve Resolution No. 4, Series of 2023, as presented. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

- E. Should the Board of Trustees Approve the Adoption of Resolution No. 5, Series of 2023, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO INCREASING WATER TAP / PLANT INVESTMENT FEES.**”?

Mayor Just reported that the Board was not able to receive the associated report from Hardesty until late afternoon and did not have the opportunity to review it appropriately to make an informed decision, so he was recommending tabling the matter to January 23, 2023.

Motion #7 by Mayor Pro Tem Dodge, seconded by Trustee Lynn, to table Resolution No. 5, Series of 2023, to January 23, 2023. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

- F. Should the Board of Trustees Approve the Adoption of 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.**”?

The Board generally agreed tabling of Resolution No. 6 to January 23 made sense due to the fact that the Water Tap Fees were an included part.

Motion #7 by Trustee Voorhis, seconded by Mayor Pro Tem Dodge, to table Resolution No. 6, Series of 2023, to January 23, 2023. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

PUBLIC HEARINGS

- A. Should the Board of Trustees Approve the Adoption of 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 topic, announced the format of the hearing and then opened the Public Hearing at 6:32 PM and asked for Staff presentation. Town Administrator Sciacca presented an overview of the Staff Report reminding the Board had previously discussed the DOLA Workforce Housing Strategies and which ones the Town thought were important or pertinent and wanted to move forward to adopt. The proposed change for duplexes and deed-restricted housing were among the strategies identified. She noted that the County had recently been turned down for funding for its Housing project at 5th and Clark

due to both the County and Town not having enough strategies in place. The ordinance delineates the changes to the table of uses and Town Planner Hunn did review it but did not provide comments. She reminded that the proposed changes would allow the Town and developers to qualify for additional funds from DOLA including new programs that would potentially be coming with the additional funds to be generated by the recent passage of Prop 123. Sciacca recommended approval following the public hearing and questions of Staff. Following discussion amongst the Board relative to the definition of affordable, the allowance of duplexes as a use by right being a step to removing a level of control for the Town and neighborhoods being overrun with duplexes, loosening of restrictions to allow for higher density, implementing Special Use Permits for certain conditions/areas, and control measures inherent within the UDC and Building Permit processes, Mayor Just felt more time and information was needed and suggested the item be tabled and that the Town Attorney, Town Planner and a DOLA representative be present.

Motion #8 by Mayor Pro Tem Dodge, seconded by Trustee Voorhis, to table Ordinance No. 1, Series of 2023, to January 23, 2023. A roll call vote was taken: Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

STAFF AND BOARD OF TRUSTEE REPORTS

Mayor Just reported that he and Town Administrator Sciacca discussed changing the agenda wording to “Shall the Board adopt...” instead of “Should” or something to the effect that lets the people know the Board has not made up their minds on any specific item. The Board generally agreed to amend the agendas as appropriate.

Chief Schlunsen stated there wasn’t a whole lot other happening that what was in the report and the Sgt. Grover would be attending a week-long leadership class. Mayor Just inquired if the Chief had been able to have breakfast with his Staff or conduct a Staff Meeting. The Chief replied No and Mayor Just reminded him that it was suggested he try to do that to help with morale issues that the Chief had previously mentioned.

Building Official Kyle Parag reported that his list of active permits and inspections was included in the packet and that Habitat for Humanity would be starting work on three houses. He also noted he had fielded a lot of calls about empty lots so it was looking to be a very busy year.

Public Works Director Donovan Graham reported his crew was busy working on trainings and certifications since there wasn’t much snow, one crew member did not pass his Wastewater Certification on the first pass but would study and retest soon, another crew member would be attending a class to become certified to conduct backflow inspections so the Town could offer the service for a minimal fee, the new lift was picked up and would be used to take down Christmas decorations, and the Highway Users Tax Fund Report was in process and several changes were being made this year that had not been made in the past.

Town Administrator Sciacca reported she reached out to CDOT and they were reviewing bids and trying to shift money to be able to go ahead and award the project, the Town would be conducting a mail migration to O365 January 17, the County swearing-in ceremony was scheduled for January 10, advertisements were done for a Facilities Maintenance position and Police Officer, Staff was working to bring the Salary Schedule back to the Board for adoption, and the Town Planner was getting closer on a first draft of the revised PUD section of the UDC.

Trustee Voorhis reported the trash containers at the end Townhome unit on Castello had been left along the street and were overflowing again with trash being blown into the Boys & Girls Club and suggested a citation be issued.

Mayor Just inquired about a timeline for the destruction of the County building at Hathaway and Clark. Sciacca replied she did not know and since they did not get funding it could be delayed. She reported the CDOT project would be moving forward, and Staff saw a sketch plan for what that project might look like but no formal application but it would move fast because they would be working with Fading West. Mayor Just also reported the temporary repair at 501 looked good and also inquired as to why the windows of the home on Hathaway across from the School had boarded up windows. Sciacca replied Staff was aware of the issue with the Hathaway house and would be asking the Fire Department to look into it. She noted that the Chief said Officers had been by several times and were not able to contact anyone so they did not think anyone was living there. Mayor Just also thanked the public for showing up to the evening's meeting and also the 2 previous meetings in December. He thanked the public for letting the Board continue to serve the community. He also noted Matt Huston with SGM, the Town's Engineering firm, was in the audience and thanked him for appearing.

ADJOURNMENT

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 7:42 p.m.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

ATTEST:

Frank Just, Mayor

Janell Sciacca, Town Clerk



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Kim Wittbrodt, Treasurer
RE: Paid Bills
DATE: January 26, 2023

Agenda Item: Bills

Attached is the list of the invoices paid between January 20, 2023, and January 26, 2023.

Total Expenditures: \$36,327.20

Upon motion to approve the consent agenda, the expenditures will be approved.

Please contact me with any questions.

Report Criteria:

Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
01/26/2023	18902	IIMC	Dues	1	01/12/2023	150.00	105140
01/26/2023	18902		Dues	1	01/12/2023	210.00	105140
Total 1150:						360.00	
01/23/2023	18886	USABlueBook	supplies	1	01/05/2023	572.31	517430
01/23/2023	18886		supplies	2	01/05/2023	552.30	517665
01/23/2023	18886		supplies	1	01/05/2023	160.95	517430
01/23/2023	18886		supplies	1	01/05/2023	532.30	517665
Total 2176:						1,817.86	
01/26/2023	18908	Verizon Wireless	cell Phone - public works	1	01/15/2023	40.70	105645
01/26/2023	18908		jet pack	2	01/15/2023	40.01	105130
01/26/2023	18908		Phones and air cards	3	01/15/2023	403.63	105455
Total 2212:						484.34	
01/26/2023	18910	Xcel Energy	945 quarry road	1	01/17/2023	21.72	517490
Total 2296:						21.72	
01/26/2023	18901	Home Depot	refund biz license fee	1	01/26/2023	25.00	104170
Total 2325:						25.00	
01/23/2023	18888	Wittbrodt, Kim	cell phone reimb	1	01/23/2023	50.00	105065
Total 2655:						50.00	
01/23/2023	18875	Chaffee County Waste	6 yd weekly	1	01/23/2023	129.00	105023
01/23/2023	18875		6 yd weekly	2	01/23/2023	129.00	105650
01/23/2023	18875		2 yd biweekly	3	01/23/2023	86.00	517675
Total 2801:						344.00	
01/23/2023	18874	Bullock, Julie	cell phone reimburse	1	01/23/2023	25.00	105645
01/23/2023	18874		cell phone reimburse	2	01/23/2023	25.00	517226
Total 2812:						50.00	
01/26/2023	18903	Mountain Peak Controls, In	troubleshooting	1	01/23/2023	607.50	517655
Total 2861:						607.50	
01/23/2023	18876	Colorado Analytical Lab	water testing	1	01/13/2023	24.00	517475
01/23/2023	18876		waste water testing	1	01/20/2023	403.00	517665
01/26/2023	18897		water testing	1	01/25/2023	1,216.00	517430
Total 2864:						1,643.00	
01/26/2023	18907	Tolin Mechanical	contract maintenance	1	01/14/2023	758.00	517655

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2867:						758.00	
01/23/2023	18879	In Compliance Products, In	labor poster	1	01/09/2023	25.00	105070
01/23/2023	18879		labor poster	1	01/09/2023	25.00	105070
Total 2872:						50.00	
01/23/2023	18882	Promark Industries, LLC	ford repair	1	01/16/2023	334.66	105420
Total 2887:						334.66	
01/23/2023	18885	Shirley Septic Pumping, In	town hall	1	04/15/2022	375.10	102000
01/23/2023	18885		cohen park	1	04/15/2022	376.10	102000
01/23/2023	18885		town hall	1	08/05/2022	306.13	102000
01/23/2023	18885		cohen park	1	08/05/2022	306.13	102000
01/23/2023	18885		port a pots	1	09/12/2022	154.15	102000
01/23/2023	18885		beach	1	10/28/2022	189.06	102000
01/23/2023	18885		town hall	1	01/20/2023	378.13	105120
01/23/2023	18885		cohen park	1	01/20/2023	342.13	105842
01/23/2023	18885		beach	1	01/20/2023	189.06	105842
Total 2893:						2,615.99	
01/26/2023	18906	SGM	gis mapping	1	01/24/2023	250.50	105655
Total 3272:						250.50	
01/23/2023	18877	Ernst, Sarah	cell phone reimburse	1	01/23/2023	50.00	105065
Total 3313:						50.00	
01/23/2023	18873	Bannister, Chris	cell phone reimburse	1	01/23/2023	25.00	517226
01/23/2023	18873		cell phone reimburse	2	01/23/2023	25.00	105645
Total 3464:						50.00	
01/23/2023	18887	Wagner, Alex	cell phone reimburse	1	01/23/2023	50.00	105065
Total 3506:						50.00	
01/23/2023	18878	Graham, Donovan	cell phone reimburse	1	01/23/2023	25.00	105645
01/23/2023	18878		cell phone reimburse	2	01/23/2023	25.00	517226
Total 3519:						50.00	
01/26/2023	18895	Backcountry Towing and R	tow tahoe	1	08/16/2022	306.00	105420
Total 3533:						306.00	
01/26/2023	18909	Watts Upfitting Inc.	2022 tahoe equipment	1	01/25/2023	17,980.61	325810
Total 3549:						17,980.61	
01/23/2023	18880	Kenosha Pest Specialist	pest control	1	01/14/2023	30.00	105025
01/23/2023	18880		pest control	1	01/14/2023	30.00	517260



Town of Fairplay
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 Fairplay, Colorado 80440
 (719) 836-2622 phone
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 www.fairplayco.us

STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Kyle Parag, Building Official

RE: Update on Wildland Urban Interface (WUI) Code Administration

DATE: February 6, 2023

BACKGROUND/ANALYSIS:

As part of the Municipal Code update that went into effect on January 1, 2023, the Town of Fairplay adopted the ICC Wildland-Urban Interface (WUI) Code. The code is designed to promote Firewise concepts and building materials to protect the Town structures from a wildfire, and from structure fires creating wildfires.

To administer the code, a map is required to be created that determines the zones of the Town and how they relate to the hazards of wildfires. The zones are created using the adopted Appendix C, that has specific criteria and a rating system to determine values of the hazards for each region. Criteria such as fire hydrant locations, fire access roads, building construction and vegetative qualities are assessed to create a subdivision hazard value. The Hazard category can be evaluated for individual properties and may be reduced if specific criteria are met.

These hazard categories apply to the code in which building materials are permitted to be installed on the exterior of the home. Homes and structures in the Extreme Hazard Area are required to have Class A fire resistive roofing and non-combustible siding materials. These materials are commonly found in the building industry, and are usually fiberglass backed asphalt shingle products, and fiber cement siding (Hardie).

The defensible space around the structures will be 30 feet, 50 feet, and 100 feet in the Moderate, High and Extreme hazard areas respectively. That defensible space will be administered to require a plan, and trees must have 10' separation. In new construction, that defensible space will be required to be cleared of deadwood and litter, including branches and pine needles.

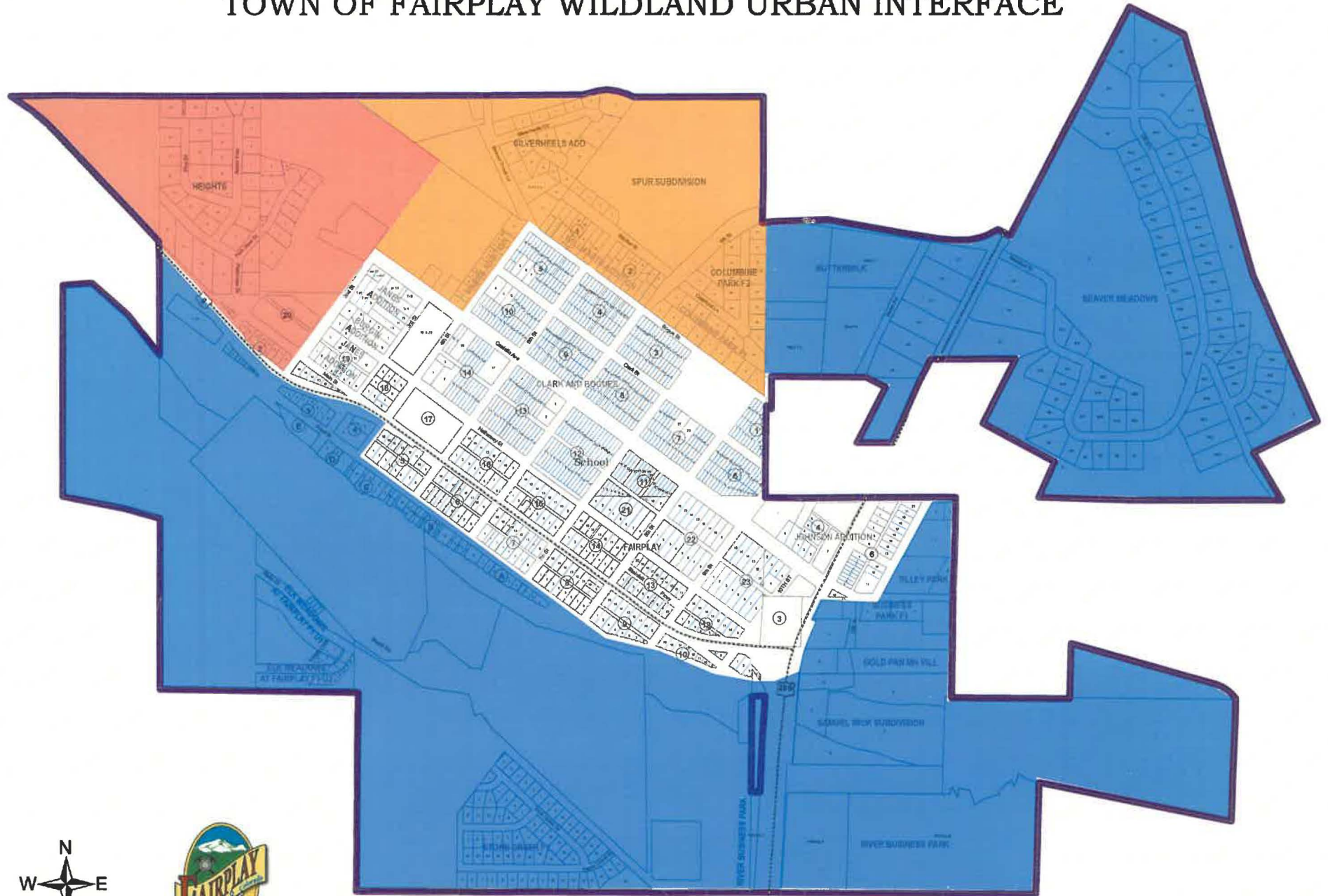
It is important to note that the Wildland Code does not apply to the areas in the Center of Town, because they are not designated as Moderate, High or Extreme hazard.

I have included a draft map of the Town's zones and would appreciate any feedback from the Board prior to finalization. Please let me know if you have concerns or questions about the administration of the code.

"Where History Meets the High Country"

TOWN OF FAIRPLAY WILDLAND URBAN INTERFACE

12



1 inch = 0.04 miles
0 330 660 1,320 Foot

LEGEND



EXTREME HAZARD



HIGH HAZARD



MODERATE HAZARD

Revision By:	Date:

TOWN OF FAIRPLAY
PARK COUNTY, CO

Date:
January 26, 2023

**Town of Fairplay**

400 Front Street • P.O. Box 267
Fairplay, Colorado 80440
(719) 836-2622 phone
(719) 836-3279 fax
www.fairplayco.us

STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator

RE: Public Hearing Item A – Ord. 1, Series of 2023 **REQUEST TO WITHDRAW**

DATE: January 23, 2023

REQUEST TO WITHDRAW AND SET WORK SESSION:

Following discussions at the January 9, 2023 meeting, along with conversations I have held one-on-one with Board members, I am requesting to withdraw Ordinance No. 1 from consideration at this time. I believe it is important that the Board conduct a Work Session to revisit the Department of Local Affairs (DOLA) Innovative Affordable Housing strategies that were created under HB21-1271 along with other potential solutions that make sense and "fit" the goals of the Board and its vision for the Town of Fairplay.

I would respectfully ask that the Board be prepared to discuss dates and officially set the Work Session on Monday night.

**Town of Fairplay**

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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator

RE: New Business Item A – Resolution No. 6, Series of 2023 Adoption of Town Fee Schedule

DATE: February 6, 2023

BACKGROUND/ANALYSIS:

The Board of Trustees previously discussed the amended and proposed Town of Fairplay Fee Schedule on both January 9, 2023 and January 23, 2023. At the January 23rd meeting, most of the changes were amenable to the Board. However, some questions and concerns were raised regarding Building Department Fees. Town Building Official Kyle Parag and Mike Theisen of Charles Abbott Associates, LLC, will both be present to answer specific questions for the Board.

STAFF RECOMMENDATION

Following final discussion and questions, Staff recommends the Board approve Resolution No. 6, Series of 2023, as presented/amended by motion, second and a roll call vote.

Attachments:

- Resolution No. 6, Series of 2023
- Exhibit A "Schedule of Fees"

"Where History Meets the High Country"

TOWN OF FAIRPLAY, COLORADO
SCHEDULE OF FEES
Effective February 7, 2023 Per Sec. 4-4-10

DEPARTMENT / ITEM		AUTHORITY		NOTE(S)
ADMINISTRATION				
Copies - B&W	8 1/2 x 11 Letter	\$.25 / page	C.R.S. 24-72-205	Color May Be Slightly Higher
	8 1/2 x 14 Legal	\$.50 / page		Bulk Requests Will Be a Flat Fee
	11 x 17 Ledger	\$1.00 / page		
Fax	Send	\$1.00 / page		
	Receive	\$1.00 / page		
Insufficient Funds	NSF Returned Check Fee	\$35.00	Sec. 13-1-210	Current TBK Fee
Manual / Plan / Code Copies	Based on Plan Type/Size	\$5.00-\$25.00		
Municipal Code	USB Flash Drive	\$15.00	Sec. 1-3-110	
	Hard Copy Book With Tabs	Codifier Rate		
Notary Service	Depends on Service Type	\$0.00 - \$5.00		No Closing Documents
Recording Costs	As Applicable and Based on County Fees			
Town Hall Mtg Room Rental*	1/2 Day Weekday (Up to 4 Hrs)	\$10.00		Waived for Not For Profit
	Full Day Weekday (Over 4 Hrs)	\$20.00		
	Weekend	\$30.00		
	Event Cleaning Deposit	\$100.00/hr		1 Hr. Min Charge When Applicable
Special Meetings	Fees for Accommodating Time Constraints	Staff & Attorney Costs	Sec. 2-2-70(c)	Reasonable Costs for Time
TOWN CLERK				
Animal				
Dog License (Annual)	Unaltered	\$10.00	Sec. 7-6-160(d)	
	Neutered / Altered	\$5.00		
	Replacement /Duplicate License	\$1.00		
Livestock Permit	Fowl or Rabbit	\$5.00/each	Sec. 7-7-40	Application Fee Non-Refundable
	Annual Maximum Per Property	\$25.00		Max 12 fowl, rabbit, similar/acre
	Horse, Cow, Sheep, Goat, Llama (25lbs+)	\$25.00	Sec. 7-7-50	1 acre / equine or bovine; 2,000 s.f. / goat, sheep, etc. w/ max of 4 / acre

Business Licenses	Initial Application	\$25.00	Sec. 6-1-40 (a)	
	Annual Renewal	\$25.00		
	Late Renewal Charge After January 31	\$12.50 or 50% Fee	Sec. 6-1-40 (b)	<i>Mandatory per code (Shall pay)</i>
	Massage Parlor License - New	\$350.00	Sec. 6-1-110(a)	
	Massage Parlor License - Annual Renewal	\$150.00		
	Sexually Oriented Business License	\$350.00 + \$75.00 Mngr Reg	Sec. 16-27-190	<i>Annual Fee</i>
	Special Event Business License	\$10.00	Sec. 6-1-100	
	Peddler/Solicitor/Transient	\$50.00/year \$20.00/5 Consecutive Days	Sec. 6-1-120(c)	
Short-Term Rental License	Lodging Tax Per Night Per Occupied Room	\$2.00	Sec. 6-3-30	<i>Voter Approved April 1, 2008</i>
	New License Application Fee	\$300.00	Sec. 6-5-20 (a)	
	Annual Renewal Application Fee	\$300.00	Sec. 6-5-20 (a)	
	Penalty for Operating Without a License	\$150.00 or Denial of License	Sec. 6-5-20 (a)	<i>*DOL Subject to BOT Hearing</i>
Fireworks Permit	Public Display Application Fee	\$100.00	Sec. 10-9-30(a)	
Liquor Licenses*				
Application Related Fees	New Retail	\$1,000.00	Sec. 6-2-40	<i>*See CDOR Liquor Enforcement Fee Schedule DR8500</i>
	Annual Renewal	\$100.00		
	Late Renewal	\$500.00		
	Ownership Transfer	\$750.00		
	Change of Location	\$750.00		
	Corporate/LLC Change	\$100.00/Member		
	Manager Registration	\$30.00		<i>As applicable by license type</i>
	Special Event	\$100.00	Sec. 6-2-110(f)	<i>Per application/event</i>
	Tastings Permit	\$25.00	Sec. 6-2-90(c)	
	Temporary Permit	\$25.00	Sec. 6-2-60	
Annual License Fee	Beer & Wine	\$48.75		<i>*See CDOR Liquor Enforcement Fee Schedule DR8500</i>
	Brew Pub	\$75.00		
	Club	\$41.25		
	Distillery Pub	\$75.00		
	Fermented Malt Beverage & Wine	\$3.75		
	Hotel & Restaurant	\$75.00		
	Retail Liquor Store	\$22.50		
	Tavern	\$75.00		
	Vinter's License	\$75.00		
Noise Permit	Application Fee	\$25.00	Sec. 10-10-70(a)	

Records Requests	Research & Retrieval Fee	\$33.58/hour	C.R.S. 24-72-205(6)(b)	1st Hour is Free
	Copies	See Administration		Bulk Rate for Large Requests
	Audio	\$15.00		
	Video	\$25.00		
	Electronic Transmittal	No Fee		
COURT				
Court Fees	Court Costs	\$31.00	Sec. 2-4-110	
	Default Judgement Fee	\$30.00	C.R.S. 13-63-101	
	Failure to Appear Fee	\$30.00		
	Training & Equipment Surcharge	\$15.00	Sec. 2-4-90	
	Transcript - CD Only	\$15.00		
	Warrant Fee	\$50.00		
	Witness Fees	Same as District Court	Sec. 6-3-140	
	Copies	See Administration		
CEMETERY				
Burial Fees	Casket Opening / Closing	\$300.00		Addtl Excavation Fees Apply Nov 1-May 1
	Cremains Opening / Closing	\$150.00		
	Weekend/Holiday Service Charge	\$225.00		
	Monument Deposit (Refundable)	\$300.00/each		
	Cremation Hole	\$50.00		
	Casket Disinterment	\$100.00		
	Cremains Disinterment	\$50.00		
PARKS / RECREATION / EVENTS				
Permits & Licenses	Commercial Fishing Permit	\$150.00 + 5% of Gross Revenue	Sec. 6-4-20	Proof of insurance required
	Gold Panning Permit	\$10.00/daily	Sec. 11-3-20 to 60	Use of hand tools only & gravity flow sluice. Electrical or hand-pump sluice devices prohibited. Limit of 1 Gal Malt.
		\$40.00/weekly		
		\$100.00/annually		
	Violation Penalty	\$100.00 + Restitution		
	Street Closure / Parade Permit	\$10.00/half day	Sec. 16-1-100(a)	
Fairplay Reservoir / Beach Camping Permit	\$10.00/day (4 Day Limit)	Sec. 11-4-60	See Beach & Reservoir Regulations	
Special Event Permit	Event Organizer Fee	Sec. 16-1-100(a)	For Vendor Without Bus License	
Park Pavilion Rental Fees	Cohen Park W/ Electricity	\$10.00 4 Hrs/\$20.00 Full Day	Sec. 11-5-20	Deposit May be Required Based on size of group
	Beach W/Out Electricity	\$10.00 4 Hrs/\$20.00 Full Day		
	Cemetery W/Out Electricity	\$10.00 4 Hrs/\$20.00 Full Day		
	Event Cleaning Deposit	\$100.00/hr		1 Hour Minimum Charge

Buildings Permits, Fees & Taxes

The determination of value or valuation for purposes of determining and assessing the applicable building permit fee shall be made by the building official. The value of a project will be based on the stated value on the building permit application or by applying the most recent valuation table located on ICC's website. If an applicant's stated cost is greater than the estimates used in this table, the higher amount will be used to calculate the permit fee. The valuation shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment and including profit and labor.

The fee(s) for each building permit shall be as follows:

Building Permit

Sec. 16-2-40

A. Permit Application Fee

Determined by Building Permit Fee

Schedule for valuation listed below for each type of work.

Initial Plan Review Fee

65% of total permit fees

Plan Review Fee: When a plan or other data is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review of structures requiring a review shall be 65% of the building permit fee as set forth above.

B. Building Permit Fee Schedule - Table 1a

<u>TOTAL VALUATION</u>	<u>RATE</u>
1.) \$0 to \$2,000	\$85.40
2.) \$2,001 to \$25,000	\$85.40 for the first \$2,000, plus \$15.77 for each additional \$1,000, or fraction thereof, up to and
3.) \$25,001 to \$50,000	\$448.11 for the first \$25,000 plus \$11.49 for each additional \$1,000, or fraction thereof, to and including \$50,000.
4.) \$50,001 to \$100,000	\$735.36 for the first \$50,000 plus \$7.88 for each additional \$1,000, or fraction thereof, to and
5.) \$100,001 to \$500,000	\$1,129.36 for the first \$100,000 plus \$6.30 for each additional \$1,000, or fraction thereof, to and including \$500,000.
6.) \$500,001 to \$1,000,000	\$3,649.36 for the first \$500,000 plus \$5.35 for each additional \$1000, or fraction thereof, to and including \$1,000,000.
7.) \$1,000,001 and up	\$6,324.36 for the first \$1,000,000 plus \$4.11 for each additional \$1,000, or fraction thereof.

C. Specialized Permit Fee Schedule and Other Fees**19**

<u>TYPE</u>	<u>RATE</u>
1.) Permit fee if work commenced before required permit issuance.	Double Applicable Fee
2.) Air Conditioning/Evaporative Cooler	\$200.00
3.) Demolition / Excavation	\$165.00
4.) Fence (over 6 ft. in height)	\$85.00
5.) Residential Mechanical	\$200.00
6.) Deck	\$200.00
7.) Non-structural re-roof	\$200.00
8.) Siding	\$200.00
9.) Small Sign (No foundation)	\$80.00
10.) Water Heater	\$200.00
11.) Window Replacement	\$90.00
12.) Repair or replace Existing Gas or Water Line for Single family Dwelling	\$65.00
13.) Building Permits for which no fee is specifically indicated	\$60.00 per inspection
14.) Inspections outside of normal inspection days and hours. (Note: Fees to be charged directly to applicant. 2 hours minimum.)	\$120.00
15.) Re-inspection Fees (Work not ready for inspection or called for when corrections weren't made.)	\$80.00
16.) Inspections and/or Code Enforcement / investigation for which no fee is specified.	\$120.00 hourly
17.) Additional Plan Review required by changes, additions, or revisions to the approved plans.	\$100.00 hourly
18.) Stock/Same as Plan Review - No Change. Plan Review Fee	\$140.00
19.) Stock/Same as Plan Review - Minor Change. Plan Review Fee	\$280.00

D. Factory Built, Manufactured, and Mobile Home and General Move & Set Permit Fee Schedule Sec. 18-14-30

<u>PERMIT</u>	<u>RATE</u>
1.) Pre-Move Inspections within 30 miles of Town	\$220.00
2.) Pre-Move Inspections over 30 miles from Town	Based on travel costs.
3.) Block & Tie	\$480.00
4.) Temporary/Accessory	\$100.00

5.) Permanent Foundation

Fee will be calculated on valuation of foundation, any finishes other than the premanufactured structure, and any accessory structures such as decks, garages, etc. PLUS \$480.00.

E. Electrical Permit Fees

Residential: This includes single-family dwellings, site-built and modular/factory-built homes, duplexes, condominiums, and townhouses. New, remodel, and addition.

<u>TYPE</u>	<u>RATE</u>
1.) Equal to or less than 1,000 square feet.	\$129.95
2.) Over 1,000 square feet and not more than 1,500 square feet.	\$195.50
3.) Over 1,500 square feet and not more than 2,000 square feet.	\$262.20
4.) Greater than 2,001 square feet (\$262.20 + \$11.50 each additional 100 square foot.)	\$262.20 + \$11.50 each additional 100 square feet
5.) Residential Solar Device	\$500.00

Commercial: This includes some residential installations that are not based on square footage (not living area, i.e. garage, shop, SFD, etc.) Fees in this section are calculated from the total cost to customer, (contract price) including electrical material, items, and labor — whether provided by the contractor or property owner.

<u>TYPE</u>	<u>RATE</u>
1.) Equal to or less than \$2,000	\$129.95
2.) Greater than \$2,001. (Always round up to the next \$1,000).	\$129.95 + \$11.50 per \$1,000 of job valuation
3.) Mobile/Modular/Manufactured Home Set (Per Unit)	\$129.95
4.) Temporary Heat Release	\$129.95
5.) Spas/Hot Tubs	Based on table 1a + elec. fee
6.) Commercial Solar Device	\$1,000.00

Fees and Bonds

Condominiumization Inspection Fee
Performance / Security

Sec. 16-23-40(B)

Unpaved \$1,000.00 / + \$5.00/s.f. resurfacing area
Paved \$2,000.00 / +20.00/s.f. paving area

*Refundable After 1 Year Upon
Approval by Town Engineer*

Surcharge

Applicable to All Building Permits

10%

5% Parks / 5% Streets

*Surcharge may be higher at Town's
discretion based on project*

PLANNING & DEVELOPMENT
21

Land Use	Annexation	\$2,500.00	Sec. 16-2-40	<i>Higher fees may apply for large acreages</i>
	Disconnect/Deannexation	\$2,500.00		
	Rezoning			
	Residential	\$500.00		
	Commercial	\$1,000.00		
	PUD	\$2,000.00		
	Special Use Permit	\$500.00	Sec. 16-6-30(A)	
	Variance	\$500.00		
Subdivision Fees*	Major - Residential	\$500.00 + \$25.00/lot	Sec. 16-13-20(A)	<i>\$5,000 Deposit Required</i>
	Major - Non-residential	\$750.00 + \$25.00/lot	Sec. 16-14-10(B)	<i>\$5,000 Deposit Required</i>
	Preliminary Plan / Plat			
	Final Plan / Plat			
	Minor - Residential	\$300.00 + \$25.00/lot	Sec. 16-13-20(A)	<i>\$5,000 Deposit Required</i>
	Minor - Non-residential	\$500.00 + \$25.00/lot	Sec. 16-15-20(B)	<i>\$5,000 Deposit Required</i>
Subdivision Exemption	Lot Line Adjustment	\$500.00+costs		
	Lot Line Elimination	\$500.00+costs		
PUD	PUD Concept Plan	\$500.00 + \$25/lot		<i>\$1,000 Deposit Required</i>
	PUD Preliminary Plan	\$1,000.00 + \$25/lot		<i>\$5,000 Deposit Required</i>
	PUD Final Plan	\$500.00 + \$25/lot		<i>\$5,000 Deposit Required</i>
Professional Fees/Costs*	Deposit	Based on Application Type	Sec. 16-2-40(A)	<i>Required to cover reasonable costs of review by outside contractors</i>
	Planning Fees	Per PSA Approved by Board		
	Engineering	Per PSA Approved by Board		
	Other	Per PSA Approved by Board		
Other	Appeal (Administrative or BOA)	\$300.00	Sec. 16-23-20; Sec. 16-22-100	
	Certificate of Appropriateness	\$10.00	Sec. 16-8-100	
	Encroachment License	\$150.00		
	Land Dedication Fee	Land or Cash	Sec. 16-18-20	
	Parks/Open Space Fee - SFR	\$500.00/per unit	Sec. 16-18-20	
	Parks/Open Space Fee - MF	\$350.00/per unit	Sec. 16-18-20	
	Parking Plan	\$50.00		
	Public Facilities Fees - Nonresidential	8% of Market Land Value	Sec. 16-18-20(B)	
	Public Notice & Hearing Related Fees	Actual Costs	Sec. 16-2-40(D)	
	Subdivision/Development Improvement Agmt	\$100.00		

POLICE**22**

Fees & Charges	VIN Inspection	\$10.00	Sec. 2-5-20
	VIN Certification	\$20.00	
	Records Copies	\$2.00/page	
	Records Search	\$25.00	
	PBTs	\$10.00	
	Civil Standby/Document Service Fee	\$25.00/hour	
	Towing/Impound Fees	Payable to Towing Co.	Sec. 8-2-20
	Burn Permit	Issued by Fire District	Sec. 7-2-130
	Fines & Fees	SEE SEPARATE SCHEDULE	

PUBLIC WORKS

Permits	Street Access / Cut / Excavation Permit	\$550.00	Sec. 11-1-20/40	Performance Bond/Security Req'd
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WATER

Bulk Water	In Town Resident	\$5.70/1,000 gallons	Sec. 2-7-40	
	Out of Town Resident	\$11.40/1,000 gallons		
Plant Investment Fee	3/4" Tap / 1.0 SFE	\$9,400.00	Sec. 13-1-60	
	1" Tap / 1.8 SFE	\$16,920.00		
	1 1/2" Tap / 4.0 SFE	\$37,600.00		
	2" Tap / 7.0 SFE	\$65,800.00		
	3" Tap / 16.0 SFE	\$150,400.00		
	4" Tap / 28.0 SFE	\$263,200.00		
	Outside User Fees	Double		
	Fire Protection Only Tap	25% of PIF + Tapping Charges,	Sec. 13-1-80	
Water Service / Usage Fees	3/4" Tap / 1.0 SFE	\$34.00 + \$5.70 / 1,000 Gal	Sec. 13-1-60 / 260	
	1" Tap / 1.8 SFE	\$61.20 + \$5.70 / 1,000 Gal	Sec. 13-1-10	
	1 1/2" Tap / 4.0 SFE	\$136.00 + \$5.70 / 1,000 Gal		
	2" Tap / 7.0 SFE	\$238.00 + \$5.70 / 1,000 Gal		
	3" Tap / 16.0 SFE	\$544.00 + \$5.70 / 1,000 Gal		
	4" Tap / 28.0 SFE	\$952.00 + \$5.70 / 1,000 Gal		
	Outside / Non-Resident User Fees	Double	Sec. 13-1-270((f)	
Other Fees	Accessory Dwelling Unit (.5 sfe / 400-850 sf)	\$2,280.00 - \$4,845.00	Sec. 16-7-10 (l)	Water Service Expansion/Connection Fee
	Access to Meter Fee	3 Times Regular Base Fee	Sec. 13-1-290	Shut Off May Occur After 3 Months
	After Hours/Weekend/Holiday Mnt/Repair Fees	3 Times Regular Base Fee	Sec. 13-1-280	
	Backflow Testing - Town Service	\$75.00		
	Backflow Testing Past Due Fee (31-60 Days)	\$150.00	Sec. 13-2-20(e)	
	Backflow Testing Past Due Fee(61+ Days)	\$500.00		
	Delinquent Account Fee	\$5.00/month + 1% Interest on Balance		
	Failure to Pay/Code Violation	\$150.00	Sec. 13-1-210	

Lien Charge	\$100.00 + Recording/Other Fees	Sec. 13-1-240(a)	
Unauthorized Water Turn On	\$150.00		
Discontinuance of Service	\$100.00	Sec. 13-1-130	Basic Monthly Use Fee Still Applies
Water Account Lease Holder Fee	\$156.00	Sec. 13-1-230	
Water Shut Off / Turn On	\$25.00 / ea	Sec. 16-1-210	
Water Shut Off / Turn On - After Hours	\$50.00 / ea		
Water Supply Protection District Permit	Testing, Engineering, Inspection	Sec. 13-3-70(a)	
Waste of Water Penalty	\$150.00	Sec. 13-1-160	
Unauthorized Furnishing of Water Violation	\$150.00 + Penalty	Sec. 13-1-170	Penalty is double water use fee

WASTEWATER

System Investment Fee (SIF)	1 - EQR (Equivalent Residential Unit)	\$8,351.00	Sec. 2-7-40
	1 - EQR (Outside User)	Double	
Wastewater Service Fee	1 - EQR User Fee	\$60.00	
	1 - EQR (Outside User)	Double	
Other Fees	ADU Sewer Service/Expansion Fee (.5 sfe / 400-850 s) \$2,088.00 - \$4,437.00 Sec. 16-7-10 (I)		
	Delinquent Account Fee	\$5.00/month + 1% Interest on Balance	
	Disconnect / Reconnect Fee	\$1,000.00 / ea	
	Failure to Install Grease Trap/Interceptor	Per Section 1.9(K) of Rules	
	Failure to Maintain Grease Trap/Interceptor	50% of monthly use fee	
	Improper Discharge of Sewage	\$500.00 or Actual Cost of Damages	
	Inclusion Application	\$200.00 + Attorney Fees	
	Lien Charge	\$100.00 + Recording/Other Fees	
	Line Extension Inspection Fee	\$3.00/l.f. of Sewer Main	
	Line Extension Plan Review Fee	Costs of Engineering Review	
	Post Construction Bond	\$500.00	
	Reinspection Fee	\$75.00	



Town of Fairplay
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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator

RE: New Business Item B – Resolution No. 7, Series of 2023, Town Pay Schedule
REQUEST TO WITHDRAW

DATE: February 6, 2023

BACKGROUND/ANALYSIS:

At the January 23, 2023 Board Meeting, Staff proposed the adoption of Resolution No. 7 to formalize the current Pay Schedule which included pay raises and new positions approved during the Budget process and also adjust the Police positions to separate out a seasoned Police Officer from a Police Recruit or Entry Level Officer. The proposed schedule did not include any salary adjustments for employees, just adjustments to the ranges.

The current schedule was initially adopted in 2009 and the only adjustments have been to increase the ranges by an approved cost of living raise or other similar actions of the Board. Following comments of the Board at that January 23 meeting, Staff spoke with the Employers Council of Colorado (ECC). The Town is currently a member of ECC which offers employment law, HR, and training services to help professionals do their jobs better fill gaps in their organizations. ECC has indicated their team will provide expert guidance, support and tools to review the Town's pay structure to bring it up to date, into alignment with the current organization and ensure the wages paid by the Town are competitive. Staff has also discussed with ECC the need to update all of the Town's job descriptions which is a related part of the process. Therefore, at this time, Staff is requesting to withdraw Resolution No. 7 and will bring it back to the Board when the necessary revisions have been made to the pay schedule.



Town of Fairplay

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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Julie Bullock, Special Events Coordinator

RE: New Business Item C. – Res. No. 8, Series of 2023 Adopting Updated Pack Burro Race Rules

DATE: February 6, 2023

BACKGROUND/ANALYSIS:

The Burro Race Rules for the World Championship Pack Burro Race held in Fairplay since 1949, were written several decades ago. In 2022, our volunteer race director, John Lacroix rewrote some of the rules in an attempt to “clean up” some of the verbiage. Recently, Staff, Mr. Lacroix and a member of the World Pack Burro Association (WPBA) collaborated efforts to create a set of rules for the race that could be used for all burro races and adopted by the WPBA in an effort to simplify the language as well as create cohesiveness for races throughout the racing community. The Triple Crown communities agree with this effort and believe it is important to have consistent rules for the integrity of the events. Therefore, this Resolution is presented to adopt the newly updated rules for the Town of Fairplay’s World Championship Pack Burro Race.

Attached to this memo is a redline version so you can see the proposed changes, and Exhibit A of the Resolution shows how the rules will read and be presented to burro racers for their signature.

STAFF RECOMMENDATION

Staff recommends the Board approve Resolution No. 8, Series of 2023 as presented to adopt the newly written Burro Race Rules as presented by motion, second and a roll call vote.

Attachments:

- Redline version of the Burro Race Rules
- Resolution No. 8 with final copy of the Burro Race Rules

“Where History Meets the High Country”



Town of Fairplay

901 Main Street • P.O. Box 267

Fairplay, Colorado 80440

(719) 836-2622

www.fairplayco.us

Updated/changed 2/1/23 JB

THE WORLD CHAMPIONSHIP PACK BURRO RACE

Fairplay, CO

OFFICIAL RULES

ENTRY

Each entrant, or their sponsor, will pay a \$60 registration fee. This fee can be paid online via the registration website, or must accompany a paper entry application, prior to or on race day. If paying by check, make checks payable to “The Town of Fairplay.”

Entry fees are non-fundable and non-transferable under any circumstances.

EQUIPMENT

Each burro is required to be equipped with a regulation pack saddle, packed with prospector’s paraphernalia, and must include a pick, shovel, and gold pan. It is strongly recommended that all participants carry at least one quart of water, food (an energy bar), and weather appropriate clothing (such as a windbreaker). Loss of all or part of the pack and paraphernalia will disqualify the ~~contestant~~ **runner**.

The burro will be led by the halter to which is attached a rope not to exceed 15 feet in length. **It is recommended that the rope be attached to the burro.** ~~This rope may be single knotted or looped. It is recommended that the rope or strap be attached to the burro. The lead rope may only be connected to the halter ring (or tie loop in the case of a rope halter) and may not be affixed to the saddle or to any other part of the burro. It is also suggested that the runner be in front or behind the burro and not extended out to the side of your burro with your lead rope.~~

~~Jack chains may be used only if used with a pressure release technique. (A jack chain is a chain or strap which is used to apply pressure over the muzzle, under the chin, or through the mouth). Any racer coming across the finish line with nose and/or chin injuries on the animal resulting from the jack chain will be disqualified.~~ **The use of jack chains is prohibited.**

BURRO

Runners are responsible for securing their own burro for participation in the event. This burro can be one that the runner personally owns, one that they have borrowed from a friend or family member (loaner), or one that they have rented from a burro lessor (lessor) of their choosing. In any case where

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the burro is owned by anyone other than the participant him or herself, the owner of the burro will be known as the burro lessor (lessor). Whether money changes hands to obtain a burro or not, or whether a lessor operates as a for-profit or not-for-profit entity, the term “lessor” is used universally.

Entry fees are separate from any burro rental fee a runner may incur from a Burro Lessor.

~~It is not the responsibility of the race to set a runner up with a burro lessor. This is the sole responsibility of the runner, though a race may (or may not) provide recommendations of burro lessors that a participant may want to reach out to. In general,~~ **It is the sole responsibility of the runner to secure a burro for the event.** The Western Pack Burro Association (WPBA) is a reputable source for identifying burro lessors to inquiring runners.

Race organizers and The Town of Fairplay are not a part of any agreement made between a runner and their burro lessor. ~~Whatever agreement made is specifically between the runner and lessor only. The race does not make any agreements with any burro lessors out of a respect for what could be considered a conflict of interest.~~

The following is the definition of a burro and is to be used in selecting a burro: The word “burro” comes from the Spanish word meaning donkey. A donkey is defined as being an ass. They have chestnuts on the forelegs only, while other animals of the same species, such as mules or horses, have them on hind and forelegs. The tail has no hair, except on its lower part, which has a brush.

For those participating in the “Long Course,” it is *suggested* that the team have completed at least 3 training runs together before racing *if possible*.

Burros must be sound and in good health. We will not permit the participation of a lame burro in the event.

Race officials have the right to check any animal prior, during, and/or after the race. ~~A registered veterinarian, or other race official,~~ **A** race official, shall have the authority to disqualify any ~~contestant~~ **runner** and animal that does not match the above description, or whose animal is sick, doped, injured, or mistreated. ~~The veterinarian and/or another qualified race official will check the animal before and after the race.~~

Winning burros can be held in a designated area by the race committee for **up to** 30 minutes for checking **by race officials.** ~~the veterinarian, director, or other qualified staff.~~ While held in the designated area, only the runner is permitted to be with the burro. Should ~~the burro lessor~~ **anyone other than the runner** enter the area, the team ~~will~~ **may** be disqualified.

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All runners must keep their burros under control. ~~This is especially true for runners with jacks.~~ Any burro (~~jacks particularly~~) that interferes with another runner or burro may be disqualified.

After disqualification or completion of the event, all burros are to be returned to a corral or trailer within 30-minutes. They may not be left unattended with a lead rope that can become entangled.

RACE OFFICIALS

Defined as any person performing the duties of a race director, race committee member, race owner, The Town of Fairplay and its staff, or officially recognized race staff or registered volunteer.

Burro lessors, burro racers, and burro owners are *not* race officials. It is imperative that individuals not present themselves as a race official, or behave in any manner that may confuse participants, landowners, other vendors, volunteers, *actual* race officials, or the public into believing that they *are* a race official. Should any individuals present themselves in this manner before, during, or after the event; all teams (see definition of ‘Team’ below) that include the individuals in violation of this rule may be disqualified.

COURSE

The race route must be followed exactly as it has been laid out. Race officials will make every attempt to mark the route with signs, surveyor’s tape, people and/or checkpoints. Race officials do not guarantee that the course will remain free of course vandalism in the hours between marking has started and race operations have terminated. Therefore, it is up to the runner to know the route.

Do not cut switchbacks or any other aspect of the route. **If a runner loses his burro, they must retrieve the burro, return to the place where the burro got away, and resume racing from there.** ~~Any burro leaving the course must be returned to the course at the exact location (or prior to) where the burro left the course.~~ Failure to **do so** ~~follow these rules~~ will result in disqualification.

CRUELTY

Any ~~contestant~~ **runner** mistreating his/her animal may be disqualified. No needles, **jack chains**, electric prods, narcotics, clubs or whips, or **anything** other than the halter rope, may be used.

TEAM

~~Contestant~~ **Runner** and burro starting the race must remain a team throughout the contest. Should any runner hand their lead, rope, halter, etc. to any other person, this will signify that the team has quit the event and they will be officially disqualified.

Burro lessors are considered an extension of the runner, often referred to as “crew” or “team.” Should a lessor violate any rules, policies, or procedures of the event, or what is outlined herein, the runner utilizing that lessor faces the possibility of disqualification.

No assistance will be allowed to accompany any team. **Only registered Teams and Volunteers are allowed on the course!** No team is allowed assistance from a burro lessor while out on the course. Should a runner receive assistance from the lessor for any reason, it will be assumed that this assistance signifies their choice to withdraw themselves as an official participant in the event.

~~Lessors are only allowed to access the course to retrieve their animal and/or the runner the animal is teamed up with in the event of a DQ, emergency, or participant withdrawal. Lessors are not permitted to roam the course during the event or be in any position where it could be assumed that an unfair advantage is provided by the animal seeing their owner.~~ **Spectators are allowed on the course, but they may only spectate from public properties. Should a team receive assistance from family, friends, strangers, or lessors, that team may be disqualified. Furthermore, if a family member, friend, or lessor interferes with any team on the course, the team(s) associated with those individuals may be disqualified.**

~~Lessors—~~**Everyone** must remain at least 15 feet off to the side of the official finish line for the event, **and 15 feet past the finish line, which will be marked by a box.** They may not be *at or in* the finish line, or in the road on the way to the finish line. Runners will lead their burro off the official course ~~and transfer handling of the burro over to the lessor outside of any finish corral.~~ **upon completion of their race and transfer handling of the burro outside of any finish corral.**

NO RIDING

The runner may lead, drive, push, pull, or carry the burro. **The runner may not ride the burro.** The ~~contestant~~ **runner** shall at no time progress except under his/her own power. ~~The runner may not ride the burro or “drag” the burro.~~

Ropes/leads should be held in the runner’s hands. ~~We strongly suggest that no harnesses or other apparatuses be used to tie or anchor the runner to the donkey.~~ **Utilizing a harness or any other apparatus to connect the lead rope to the runner is prohibited.**

FIREARMS

~~The carrying and/or use of firearms will not be permitted.~~ **This section moved to the end of the course rules section.**

COURSE RULES

The lead rope and the runner’s voice are the only legal ways to motivate a burro. Using anything other than the lead rope or the runner’s voice to motivate the burro may result in disqualification. No

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~~contestant runner~~ shall interfere with other ~~contestants runners~~ by deliberate personal contact ~~or receive help deliberately from others~~, nor shall they use anything other than the speed of travel to keep from being passed. ~~No one~~ They shall ~~not~~ scare or startle any opponent's burro. ~~to keep from being passed.~~ Any contestant judged by officials to be deliberately slowing the pace of the race shall be disqualified. This applies especially to the finish of the race. No one is authorized to run with a runner at any time while on the trail. Any trail judge or authorized person may stop a burro while on the trail to check out equipment, runner or burro. If the trail judge or other authorized person feels that a violation has occurred, runner and burro may be disqualified. **This section changed and moved a little below.**

Pacers of any kind are not allowed.

Any race official may stop a burro while on the course to check out equipment, the runner, or the burro. If the race official or other authorized person feels that a violation has occurred, runner and burro may be disqualified.

LIABILITY

No city/town, private-property owners along the course, sponsoring businesses, governmental agencies, persons or organizations will be responsible in **the** case of accident or injury to ~~contestants runners~~. Each entrant must sign a waiver and/or release and **hold harmless agreement.** ~~of responsibility.~~

WINNING TEAM

The winning combination consists of a human and burro which must cross the finish line as a unit. The human may be leading or following the burro but the burro's nose crossing the finish line first constitutes the winner.

TIES

In the event of a tie, the prize money involved, if any, will be equally divided by the contestants involved.

APPEALS

Should a ~~contestant runner~~ be disqualified by a race official, they may continue the race (a second offense will ~~put him off~~ **pull them from the trail course**). **Disqualified runners may appeal their grievance to the race director. Appeals must be submitted no later than 1-hour after notification of disqualification. If a runner wants to file a complaint against another runner, it must be filed within 1-hour of the runner filing the complaint completing the race. and they may appeal their grievance to the race director.** **The decisions of the race director and The Town of Fairplay will be final.**

FIREARMS

The carrying and/or use of firearms will not be permitted.

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CODE OF ETHICS

Each runner, and lessor (team) is required to always follow the race code of ethics, which states: You agree to abide by the following code of conduct before, during, and after this event. You ~~will be~~ always **agree to be** respectful to all other athletes, **race staff/officials, and thankful to all volunteers.** You ~~will be respectful, kind, and thankful to all volunteers. You will be respectful to Race Staff and Directors.~~ You acknowledge that should you, **or those associated with you,** for any reason treat *anyone* poorly before, during, or after this event you ~~will~~ **may** be listed in the results as a DQ and face banishment from all future iterations of the event. **Feedback regarding the rules of burro racing should be addressed to The Western Pack Burro Association (WPBA).** ~~You can offer feedback, you may choose to address any issues that you feel warrant discussion; but this does not come with the right to entitlement or to be mean/nasty, slanderous on social media, or disrespectful in any way. Like you, we're human. Anyone who is found to be posting false, defamatory, slanderous, libelous, rhetorical or any other negative information about this event, its staff or volunteers, is subject to possible banishment from the event.~~ **Feedback regarding the general event as pertains to Burro Days, may be directed towards the Town of Fairplay. Only feedback presented in a respectful manner will be entertained.**

A FEW LAST WORDS TO THE RACERS

This is your race. Keep it clean and remember that spectators make the race possible, so please grin and bear it if they become troublesome.

ENJOY THE RACE!

TOWN OF FAIRPLAY, COLORADO

**RESOLUTION NO. 8
(SERIES 2023)**

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.

WHEREAS, the Town of Fairplay, Colorado (the “Town”) is a statutory town, duly organized and existing under the laws of the State of Colorado;

WHEREAS, the Town has been celebrating Burro Days with a Pack Burro Race since 1949; and

WHEREAS, the Town is a member in good standing of the Western Pack Burro Association and participates in the Triple Crown of Pack Burro Racing with the City of Leadville and the Town of Buena Vista; and

WHEREAS, it has been brought to the Town’s attention that the Pack Burro Race Rules need to be updated; and

WHEREAS, Fairplay, Leadville and Buena Vista believe it is in the best interests of the sport and each entity to adopt uniform race rules and regulations;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO:

Section 1. The Fairplay World Championship Park Burro Race Official Rules attached hereto as “Exhibit A” are hereby adopted.

Section 2. This Resolution shall take effect immediately upon adoption.

APPROVED this 6th day of February, 2023.

TOWN OF FAIRPLAY, COLORADO

Frank Just, Mayor

ATTEST

Janell Sciacca, Town Clerk



Town of Fairplay
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 Fairplay, Colorado 80440
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EXHIBIT A

THE WORLD CHAMPIONSHIP PACK BURRO RACE Fairplay, CO OFFICIAL RULES

ENTRY

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Entry fees are non-fundable and non-transferable under any circumstances.

EQUIPMENT

Each burro is required to be equipped with a regulation pack saddle, packed with prospector’s paraphernalia, and must include a pick, shovel, and gold pan. It is strongly recommended that all participants carry at least one quart of water, food (an energy bar), and weather appropriate clothing (such as a windbreaker). Loss of all or part of the pack and paraphernalia will disqualify the runner.

The burro will be led by the halter to which is attached a rope not to exceed 15 feet in length. It is recommended that the rope be attached to the burro. The lead rope may only be connected to the halter ring (or tie loop in the case of a rope halter) and may not be affixed to the saddle or to any other part of the burro.

The use of jack chains is prohibited.

BURRO

Runners are responsible for securing their own burro for participation in the event. This burro can be one that the runner personally owns, one that they have borrowed from a friend or family member (loaner), or one that they have rented from a burro lessor (lessor) of their choosing. In any case where the burro is owned by anyone other than the participant him or herself, the owner of the burro will be known as the burro lessor (lessor). Whether money changes hands to obtain a burro or not, or whether a lessor operates as a for-profit or not-for-profit entity, the term “lessor” is used universally.

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For those participating in the “Long Course,” it is *suggested* that the team have completed at least 3 training runs together before racing *if possible*.

Burros must be sound and in good health. We will not permit the participation of a lame burro in the event.

Race officials have the right to check any animal prior, during, and/or after the race. A race official, shall have the authority to disqualify any runner and animal that does not match the above description, or whose animal is sick, doped, injured, or mistreated.

Winning burros can be held in a designated area by the race committee for up to 30 minutes for checking by race officials. While held in the designated area, only the runner is permitted to be with the burro. Should anyone other than the runner enter the area, the team may be disqualified.

All runners must keep their burros under control. Any burro that interferes with another runner or burro may be disqualified.

After disqualification or completion of the event, all burros are to be returned to a corral or trailer within 30-minutes. They may not be left unattended with a lead rope that can become entangled.

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COURSE

The race route must be followed exactly as it has been laid out. Race officials will make every attempt to mark the route with signs, surveyor’s tape, people and/or checkpoints. Race officials do not guarantee that the course will remain free of course vandalism in the hours between marking has started and race operations have terminated. Therefore, it is up to the runner to know the route.

Do not cut switchbacks or any other aspect of the route. If a runner loses his burro, they must retrieve the burro, return to the place where the burro got a way, and resume racing from there. Failure to do so will result in disqualification.

CRUELTY

Any runner mistreating his/her animal may be disqualified. No needles, jack chains, electric prods, narcotics, clubs or whips, or anything other than the halter rope may be used.

TEAM

Runner and burro starting the race must remain a team throughout the contest. Should any runner hand their lead, rope, halter, etc. to any other person, this will signify that the team has quit the event and they will be officially disqualified.

Burro lessors are considered an extension of the runner, often referred to as “crew” or “team.” Should a lessor violate any rules, policies, or procedures of the event, or what is outlined herein, the runner utilizing that lessor faces the possibility of disqualification.

Spectators are allowed on the course, but they may only spectate from public properties. Should a team receive assistance from family, friends, strangers, or lessors, that team may be disqualified. Furthermore, if a family member, friend, or lessor interferes with any team on the course, the team(s) associated with those individuals may be disqualified.

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NO RIDING

The runner may lead, drive, push, pull, or carry the burro. The runner may not ride the burro. The runner shall at no time progress except under his/her own power.

Ropes/leads should be held in the runner’s hands. Utilizing a harness or any other apparatus to connect the lead rope to the runner is prohibited.

COURSE RULES

The lead rope and the runner’s voice are the only legal ways to motivate a burro. Using anything other than the lead rope or the runner’s voice to motivate the burro may result in disqualification. No runner shall interfere with other runners by deliberate personal contact, nor shall they use anything other than the speed of travel to keep from being passed. No one shall scare or startle any opponent’s burro.

Pacers of any kind are not allowed.

Any race official may stop a burro while on the course to check out equipment, the runner, or the burro. If the race official or other authorized person feels that a violation has occurred, runner and burro may be disqualified.

LIABILITY

No city/town, private-property owners along the course, sponsoring businesses, governmental agencies, persons, or organizations will be responsible in the case of accident or injury to runners. Each entrant must sign a waiver and/or release and hold harmless agreement.

WINNING TEAM

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In the event of a tie, the prize money involved, if any, will be equally divided by the contestants involved.

APPEALS

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FIREARMS

The carrying and/or use of firearms will not be permitted.

CODE OF ETHICS

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You agree to abide by the following code of conduct before, during, and after this event. You agree to be respectful to all other athletes, race staff/officials, and thankful to all volunteers. You acknowledge that should you, or those associated with you, for any reason treat *anyone* poorly before, during, or after this race you may be listed in the results as a DQ and face banishment from all future iterations of the event. Feedback regarding the rules of burro racing should be addressed to The Western Pack Burro Association (WPBA). Feedback regarding the general event as pertains to Burro Days, may be directed towards The Town of Fairplay. Only feedback presented in a respectful manner will be entertained.

A FEW LAST WORDS TO THE RACERS

This is your race. Keep it clean and remember that spectators make the race possible, so please grin and bear it if they become troublesome.

ENJOY THE RACE!



MONTHLY REPORT

TO: Mayor and Board of Trustees
 FROM: Janell Sciacca, Town Administrator / Clerk
 RE: Monthly Report
 DATE: January, 2023 Monthly Report

PROJECTS

1. RIVER PARK PHASE 2
 - DHM has provided an Environmental Compliance Quote for work on the River Park. I am reviewing this with our CDOT Local Agency Coordinator and, if acceptable to CDOT, will bring it back to the Board for review and discussion.
 - I attended Civil Rights Compliance Training with CDOT in preparation for the Town to use the B2GNow and LCP tracker Systems for the MMOF required reporting.
2. INFILTRATION GALLERY / WELL #4
 - Public Works Staff are beginning to remove equipment at the Water Treatment Plant in preparation for installation of the cartridge filtration system. Supplies have been received, the required Public Hearing was conducted January 23, 2023 and CDPHE finished review of the BDR (Basis of Design) Report. Ken Hardesty is working on required revisions to the BDR and readying Plans & Specification which is the final step before formal loan application. It appears the Town could apply by early March for funding.
3. 501 MAIN
 - Staff has received the Structural Assessment and is now waiting on the formal CIRSA adjustor estimate for repairs. Alex did a walkthrough of the facility with Xcel energy as part of an Energy Audit and the Xcel has preliminarily indicated the Town may qualify to have them upgrade the current ballasts to work with LED's or reduced costs with installation all new energy efficiency fixtures.
4. TRANSIT STUDY AND TRANSIT PROGRAM
 - We are still waiting on CDOT's final approval of the bus transfer from the Cripple Creek Care Center. Hopefully, that will be completed before Mardi Gras. If not, the one bus the Town does have will be used.
 - Mayor Pro Tem Dodge and I attended the Local Coordinating Council and Stakeholder meeting on February 1 at the County Building to review the Draft Service Alternatives Report and discuss next steps. The Transit Study Team will move forward to finalize the report and begin drafting another Community Survey to gather input on the potential alternatives.

EVENTS AND ACTIVITIES

- ✓ Short Term Rental Permit renewals are still moving forward and as of February 1, fourteen (14) permits have been issued and Staff still anticipates that all 20 permits will be issued by the 1st quarter of this year.
- ✓ Staff began the process of moving the Town to a VoIP (Voice Over Internet Protocol) phone system. Phones were ordered for a few Staff, but the majority of employees and the Board members utilize a soft phone (computer-based interface and application on their cellular phones). This process should be completed mid-February and trainings will be held. The system will allow the Town to fully control the system instead of relying on an outside contractor to program changes. It also contains remote meeting capabilities so the Town can move forward to better facilitate remote participation by Staff and citizens.

- ✓ Staff met with Ken Hardesty to review Water and Sewer Infrastructure for preparation of the Asset Inventory and Capital Improvement Plan required for the CDPHE SRF Loan. This was one of the documents included in the volume of information during the January 23 Public Hearing.
- ✓ Mayor Pro Tem Dodge and I attend the Oath of Office ceremonies for the Park County Officials on January 10.
- ✓ The O365 Mail Migration project was completed the week of January 16 with only minor hiccups. Phoenix Technology Staff were on-site and able to get the majority of Staff and Trustees set up and functioning and then worked remotely to facilitate completing the remainder.
- ✓ I had lunch with Xcel representative Nathan Steele and discussed programs the Town is looking into for different projects and potential funding or rebates and incentives. Alex conducted a walk-through of all Town facilities with an Xcel Energy Audit representative and the Town received free LED lightbulbs .
- ✓ Alex helped Kyle with the production of a WUI Map for the Town.
- ✓ Alex is also working on a complete listing of commercial properties within the Town to be used to conduct a Town-wide audit for updating SFE counts for Water and Sewer billings.
- ✓ It's a new year and there are many funding opportunities coming up so Alex and I have been viewing webinars and will be looking at putting in applications for projects. The Board may need to conduct a Work Session to delineate priorities.
- ✓ Alex has been working with SGM to start making preparations for the GPS survey and other updates and improvements to the Town's system. He is also going to attend trainings to help him be more productive and eventually move away from having to utilize SGM's assistance.
- ✓ Nina has provided an Attorney Memo and some forms for use in Abatement of Nuisances. We will prepare to start addressing many issues again when the snow melts. Officer Flannery has suggested that the PD also start working with property owners intensively leading up to the Town clean-up and hopefully we can get several of the identified offender sites cleaned up.
- ✓ I have been officially designated the Park County Transit Local Coordinating Council Chair which is a temporary position at this point and will not require any additional extra time since I have already been serving in that capacity since the study began.
- ✓ Interviews were held for a Facilities Manager, but following the Board's discussion about job descriptions and the Salary Schedule at the January 23 meeting, the position has been canceled until all Town job descriptions can be updated and current Salary Schedule can be adopted.

DEVELOPMENT / LAND USE

- ★ Staff held its monthly Development Review Meeting on January 23. Similar to December, many applications saw no progress and there is an indication one project may be withdrawn or go back to the drawing board for a complete revision. The Stone River Subdivision Exemption Plat application for Lot Line adjustments was approved and closed out and one new Minor Subdivision (administrative process) is under review.
- ★ One PUD application has been deemed complete and is scheduled to move forward to Public Hearing on before the Board on March 6. The Staff Report is being drafted and Public Notices are being made as per code requirements.
- ★ Staff met with the County and Fred Marvel of Brannan Companies to discuss a PUD project he would like to build on property south of the Fire District. The Board will be provided an opportunity to have input on the project as it moves through the County process. A project of the scope and size Marvel is proposing would need water and sewer from the Town so the Board will need to evaluate the impacts and possibilities of extending infrastructure to the site and what other impacts that may involve.
- ★ Both the Town Attorney and I have reviewed Scot Hunn's initial draft of the revised PUD section of the UDC. Scot is evaluating our comments and then will provide a final draft for review that we hope to bring to the Board at a Work Session.



MEMORANDUM

TO: Town of Fairplay Board of Trustees

FROM: Donovan Graham, Director of Public Works

RE: Monthly Report

DATE: February 6, 2023

- Public Works staff has been working on the removal of stockpiled snow throughout the Town and taking it to the Rec Center as per their request. Removal of the piles of snow from Town is allowing us to be better prepared for the possibility of a large winter event and the Rec Center has a new outdoor snowboarding feature for use by the community.
- During the storm on Monday, January 16, Public Works crews experienced several equipment failures and even with only 3 plow drivers, we were still able to effectively take care of the entire Town.
- With the shift of Alex Wagner to a position in Town Hall, I am working with the Town Administrator to investigate contracting some of the plowing for the Town with a private company which will save time and money for the Town. In the interim, Alex will continue to help out as necessary.
- Staff is currently doing random water pressure test throughout Town and verifying readings with our pressure reduction valve vaults to verify PRV's are working properly. This is also giving us a head start on our annual hydrant testing.
- New signs have been purchased and will be installed at the Town Shop and the Public Works Office.
- Water testing is continuing at the Water Plan and both Well #4 and the infiltration gallery are looking good.
- Public Works will be assisting with the dismantling and removal of the original infiltration gallery equipment that was installed in order to make room for the new filtration system. I would like to invite the Board members to visit and tour the Water Plant and observe current operations.
- I completed the Highway Users Tax Fund inventory for the Town and found several needed corrections and additions.

Chief Bo Schlunsen
FAIRPLAY POLICE DEPARTMENT



To: Fairplay Board of Trustees
From: Police Chief Bo Schlunsen
Date: 2 February, 2023
Re: February report to the Board

For January, we had 14 case reports. We had 20 v.i.n. checks, 4 animal calls, 13 agency assists, 136 directed patrols, 14 traffic stops, 8 traffic citations, 2 arrests, 4 traffic crashes, 82 business checks, 7 citizen assists, 2 code violations, 6 alarms, 3 mental health calls and a few other type calls. An interesting fact is our mental health calls are down.

Sgt. Grover received a nice letter from a citizen for noticing the citizen's dog appeared to be in some distress. Barb contacted the owner, who was out of the county and the citizen gave Barb the code to the house and Barb got the dog in. The dog is a big husky but is getting old and so it was bothered by the cold.

Sgt. Grover completed the leadership class.

I picked up our new patrol vehicle and it's outfitted nicely.

Dispatch is still down to a critical staffing level. The Sheriff's Department is still a long way from getting back to 24 hour coverage. CSP has been declared up-to-strength but is still 2 down from pre-covid. They are not expecting any more troops for the foreseeable future.



**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 5th.

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 20th and the 2nd 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 8th 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.

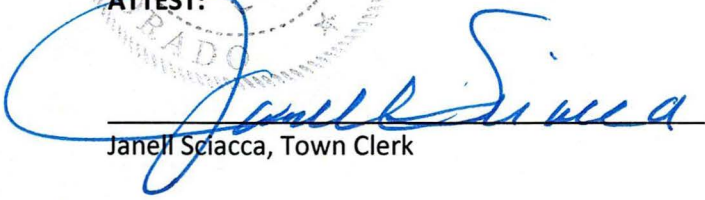
Just also thanked Flume Reporter Becky Salverson for her reporting on the goings-on in Fairplay and stated how much her accuracy was appreciated.

ADJOURNMENT

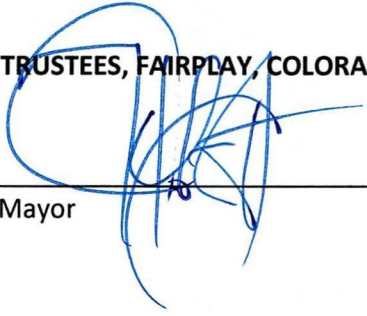
There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 7:46 p.m.



ATTEST:


Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO


Frank Just, Mayor