

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, March 20, 2023, at 6:00 P.M. at the Fairplay Town Hall Meeting Room
901 Main Street, Fairplay Colorado
<https://bluejeans.com/777495065/2389>**

- 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 OF PRIOR MEETING** - March 6, 2023 Regular Meeting.
 - B. **APPROVAL OF EXPENDITURES** – Approval of paid bills for Town Funds in the amount of **\$48,618.09.**
- VI. **CITIZEN COMMENTS** *This portion of the agenda allows for the public to sign up to address the Board on matters that are not on the agenda)*
- VII. **NEW BUSINESS**
 - A. **Consideration of a request from Xcel Energy for a letter of support for the Grid Resiliency and Innovation Partnership (GRIP) Project.** *The Board will consider a request from Xcel Energy for support of an application to the US Dept of Energy for Wildfire Mitigation and Extreme Weather Resilience funding.*
 - B. **FIRST READING:** Resolution No. 11, Series of 2023, entitled, “**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPROVING THE BLUFFS OF FAIRPLAY PLANNED UNIT DEVELOPMENT OVERLAY ZONE DISTRICT APPLICATION LOCATED AT TOWNSHIP 9 RANGE 77 SOUTH 33, SE4 PART OF SE4 SECTION 33 AND PART OF SW4 SECTION 34 INCLUDING 9-77 (KNOWN AS PARCEL E LARSON MINOR SUBDIVISION).**”? *The Board will consider a resolution formalizing the action taken on March 6, 2023 during a Public Hearing to consider a PUD Zoning application.*
- VIII. **PUBLIC HEARINGS** *(This portion of the meeting is where the public is provided facts on important business matters of the Town and given the opportunity to provide input to the Board of Trustees in order to help them make better-informed and appropriate decisions that are in the best interest of the entire community.)*
 - A. **FIRST READING:** Ordinance No. 2, Series of 2023, entitled, “**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING CHAPTER 18 BUILDING REGULATIONS TO REMOVE LANGUAGE RELATED TO AUTOMATIC ELECTRICAL AND PLUMBING CODE UPDATES THAT WILL CONFLICT WITH C.R.S. 30-28-211 PROVISIONS.**”? *The Board will consider amending language recently adopted in Ordinance No. 11, Series of 2022, that would automatically adopt Department of Regulatory Agencies (DORA) language for plumbing and electrical codes thereby placing the Town of Fairplay in non-compliance with HB 22-1362/C.R.S. 30-28-211.*
- IX. **WORK SESSION**
 - A. **Discussions with the Town of Alma regarding topics of mutual interest and concern.** *The Fairplay Board of Trustees will meet with the Town of Alma Board of Trustees and Staff to talk about transit, sewer service, public safety and other topics of mutual interest and concern.*
- X. **BOARD OF TRUSTEE AND STAFF REPORTS**
- XI. **ADJOURNMENT**

Upcoming Meetings/Important Dates

*Board of Trustees Regular Meeting
Board of Trustees Regular Meeting*

*Monday, April 3, 2023
Monday, April 17, 2023*

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of the Board of Trustees of the Town of Fairplay, Colorado
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*Board of Trustees Regular Meeting
Board of Trustees Regular Meeting*

*Monday, April 3, 2023
Monday, April 17, 2023*

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
MARCH 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, March 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 in person were Town Administrator / Town Clerk Janell Sciacca, Public Works Director Donovan Graham, Town Treasurer Kim Wittbrodt, Town Planner Scot Hunn, and Town Attorney Nina Williams while Staff in attendance remotely by ZOOM were Building Official Kyle Parag and Town Engineer Deron Dirksen.

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: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CONSENT AGENDA

- A. APPROVAL OF MINUTES** – January 23, 2023 Regular Meeting.
- B. APPROVAL OF MINUTES** – February 6, 2023 Regular Meeting.
- C. APPROVAL OF EXPENDITURES** – Approval of paid bills for Town Funds in the amount of **\$144,624.11**.

Town Administrator/Clerk Sciacca noted several corrections in spellings, tenses and titles along with one correction to Board of Trustee reports made in the January 23 meeting that were attributed to Trustee Douglas to reflect they were actually made by Trustee Voorhis. She stated that none of the changes were substantive.

Motion #2 by Trustee Voorhis, seconded by Trustee Douglas, that the consent agenda be approved with the expenditures as stated and the noted corrections to minutes. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

CITIZEN COMMENTS – None.

PROCLAMATIONS, PRESENTATIONS AND UPDATES

- A.** Presentation from Park County Coroner David Kintz Jr. regarding Mass Fatality Exercise and request to utilize Town-owned property.

Town Administrator Sciacca reported that Kintz appear just prior to the meeting advising he was being called out to an event in another community and would not be able to attend. She briefly advised that Kintz was requesting authorization to utilize a portion of the Town's Beach area for a Mass Casualty exercise that was being planned for the summer and would involve all Park County first responders. She noted that the exercise would not preclude use of the area by anyone else, and if approved, the Town

would publicize the event throughout the community to get the word out that it was only an exercise. Trustee Douglas added that the event was scheduled for Wednesday, July 21, 2023 and revolved around a wildfire situation. The Board generally felt the exercise would be beneficial and agreed to allow for the use but asked that Kintz be invited back to attend a Board meeting prior to the event to provide specifics and answer questions.

PUBLIC HEARINGS

- A. Consideration of a rezoning application from FP Land, LLC to create a Planned Unit Development (PUD) Overlay Zone District designation for a mixed-use development of Single Family, Multi-family, Light Industrial, and Commercial uses on a 10.72-acre parcel of land currently zoned Commercial within the Town of Fairplay, and located at the Northwest Corner of Platte Drive and US Highway 285 and legally described as T09 R77 S33 SE4 Part of SE4 Section 33 and part of SW4 Section 34 in 9-77 as described in plat R684096 and known as Parcel E Larson Minor Subdivision.?"

Mayor Just opened the Public Hearing at 6:20 PM and introduced the zoning application by providing an opening statement detailing the subject, format and jurisdiction for the hearing. There were no objections to the jurisdiction or the format. Mayor Just requested that any Board member that may have had ex parte communications with the applicant or member of the public on the matter make such a disclosure. Hearing none, Just then requested Staff present the case.

Town Planner Scot Hunn provided an introduction and stated he worked for the Town for almost six years and this was the first PUD he had been presented during that time that came forth to hearing. Hunn advised that the applicant and his team had spent a lot of time working with Staff and reminded the hearing was only for PUD Overlay Zoning and that the Town and applicant were not at final detailed 100% construction-ready drawings to talk about. He reported that the primary focus of the Staff Report was relative to the standards or criteria for approval of a new zone district or planned unit development and is this development proposal consistent with the purpose of a PUD. Following review of the proposal overview, Hunn reviewed the Staff Recommendation on page 7 of the report advising that overall, the Bluffs was viewed favorably by Staff and the consultant team members for its overall conformance with the goals and policies of the Town of Fairplay Comprehensive Plan and general adherence to the dimensional limitations and zoning requirements of the underlying zone district. Hunn then focused on the issues and topics of discussion starting on page 4 of the Staff Report related to utilities, off-site improvements, final drawings and cost estimates, landscaping plans, setbacks and signage. There was brief discussion regarding landscaping and how changes to an approved PUD are accomplished. Hunn advised landscaping details would be worked out at the Staff level in a final landscape plan and contractor's responsibilities, warranty period, etc. would typically be covered in a related development agreement. He then advised there was a provision in the Town code that allows for PUD amendments, but there were not many criteria that go along with it. However, he felt the Town could build a site-specific development plan into any development agreement at this stage. Hunn cautioned that there are typically major and minor PUD amendment processes where minor things like technical drawings or engineering issues are addressed while major things like changing proposed uses within an entire area of the PUD that would affect traffic generation and open space provisions are addressed, but the Town's code is not that specific. Therefore, he suggested the Town think about those things during the drafting of any development agreement. Mayor Just thanked Hunn and then felt it was worthy of note to make the statement that these things are why these types of developments march at a slower pace than some others that the public is more familiar with and it is to everyone's benefit to approach them cautiously and carefully and with much forethought as to all that is involved with a PUD.

Mayor just then invited the applicant to make a presentation. Steve Crozier, Managing General Partner, advised his team had worked with the Town Staff on this matter for about 18 months to fine-tune it. He then presented an overview of a PowerPoint presentation detailing the location, overall site plan, mix of units, amenities, potential architectural look, current sales market, market rent comps, proposed homebuilder Bonna Villa, and the executive team. He introduced David Stranahan and TJ Heupel of Asher Architects and CPA – Financial Analyst Stewart Wedge who were in attendance stating the team had done many developments similar to this one. He stated the overall intent was to create a dynamic residential community that is synergistic with the neighbors and helps to connect the community. Crozier stated that the Bluffs was proposed as a long-term build-to-rent community. Nothing would be for sale and it will all be for rent, and not for tourists, not short-term rental or VRBO, with one-year minimum leases. The goal was to provide housing options and help with housing for the school system to get teachers and administrators and coaches as well as first responders, police, fire, EMS, and medical personnel. Crozier stated that he talked to restaurant and business owners and school officials that were tickled pink about the project and the potential of housing for employees. Crozier ended by stating the rental prices they were shooting for, in about 1 year, were going to be at the \$2.15 to \$2.25 per square foot range or about \$1,000 per bedroom. Discussion took place relative to traffic impacts and improvements at US 285 and Platte and whether or not there was truly need for workforce housing in the area before Mayor Just redirected everyone to the matter at hand returning to the meeting protocol lined out at the start.

Just opened the floor to public comment in support of the application. The following people spoke in favor of the PUD zoning providing their individual comments:

Joshua Dixon, 544 Abandoned Rail Road, currently residing in a lock-off basement apartment and didn't like it spoke in favor of the rental options the project would provide.

- Victoria Dupree, Gold Pan Mobile Home Park US 285, and Alma Diner Manager liked the proposal stating it would help provide housing for much-needed workers.
- Derek Kopunec, 187 Ice Axe Court, Alma, was in favor in order to help keep people that could not afford to buy a home and couldn't find housing from living in their cars, vans or RVs.
- Tracy Curtis, Gold Pan Mobile Home Park US 285, and Alma Diner owner purchased housing for her employees in Fairplay and Hartsel and didn't like them commuting back and forth, especially during winter, and also felt the added housing would allow her and other businesses to hire more employees, serve more people and bring more business to the area.
- Jo Ann Hageman, 520 Busch Run, felt \$1,200 in rent was affordable in the current environment and would keep people from having to live in a mobile home behind the gas station where they still had to pay for water, sewer and HOA/lot fees.
- Cindy Bear, 307 Hathaway and Superintendent of Schools, felt it was difficult to attract employees when there was no place for them live but was also concerned about impacts on the School and providing space for added students in an already cramped campus.

The following 2 letters of support were noted for the record along with one phone call as follows:

- Mark Thomas, owner of 3 Fairplay Commercial Condos and acting HOA President, was not opposed to the project but requested there be no adverse impacts on their property or inhibit their ability to develop Phase II of the commercial condos.
- Jesse Golomb, M41 Real Estate Founding Principal and Platte Fairplay Storage Owner, spoke to Crozier and was in agreement with the project and felt more housing would be great for Fairplay and he liked the large amount of outdoor space and trail.

- Pat Stoinski, Business Connection owner, called Town Hall to voice support for The Bluffs application and added housing for the community.

Mayor Just then opened the floor to comments in opposition of the application. The following people asked questions for clarification or spoke in opposition of the PUD zoning providing their individual comments:

- Laurence Burnett, 490 8th Street, was neither in favor or opposed and questioned responsibilities for snow removal and upkeep of the dog park, pavilion and bathrooms and the Town's ability to provide water and sewer.
- Sisto Ortega, 780 Trout Creek Drive, felt there would be increased traffic impacts on Platte Drive making the already bad road worse, more speeders and people using Platte Drive to access Hwy 9 instead of using US 285, additional impacts on Police, Fire and EMS, rising costs of living and increased demand on water and sewer.

The applicant was provided time to rebut comments in opposition, but Town Staff first clarified the developer would be responsible for snow removal and maintenance of all amenities, that sewer service was not an issue and the current plant had more than enough capacity, and with the Town's current Infiltration Gallery and Well project which should be in operation before the project was built out, there would be water for the development also. It was also clarified that the part of Platte Drive with all the potholes was the responsibility of Park County and complaints should be addressed to the Park County Commissioners. Mayor Just also noted that the Town did repair the potholes last year because they were not being fixed by the County. The applicant replied to the comments in opposition agreeing that the developer would be responsible for the maintenance and upkeep of the subdivision along with its amenities. He also clarified that the project was not creating demand but rather addressing existing demand which also helps people that have businesses and those that are trying to educate children in the community.

The following public members were allowed to ask questions as follows:

- Jenny Harrison, 755 Trout Creek Drive, was permitted to ask a question at this time and inquired if there would be any requirement to live and work in Fairplay for residents.
- Andy Porter, 412 Castello, stated a concern that the storage units permitted under light industrial zoning would allow someone to open a business out of the units.
- Tiger Kulesza, 870 Steinfeld Parkway, questioned if any cap on rents to keep them from going up and up and up prohibiting people from being able to work and live in Town.

Crozier replied the project was not a Workforce Housing project and that there was no requirement for working in Fairplay but he had spoken to the Superintendent of Schools about potentially working with full-time employees to waive the first month's rent or something similar as an incentive. Crozier also advised the storage units would only be 5'x 8' and were not large enough to accommodate a business and were intended to be rented by residents for extra belongings only. It was also clarified that the zoning would also prohibit the businesses Porter was concerned about from occurring. Just reminded that Crozier stated this would be a market-driven project and was not workforce or affordable housing with rents dictated by AMI, deed restrictions, etc.

Just then again reminded the public in attendance that the application being considered was for PUD zoning only and that many of the items being brought up were not pertinent to the current application but would rather be addressed at final plan with a very specific improvement agreement. He stated that Fairplay needs rental units and to have a developer that wants to provide them in the magnitude that FP Land is offering was very unique.

Just then opened the floor to questions and comments from Board members. Trustee Voorhis voiced his like for the trails, accessibility, mixed residential and overall architectural style of the structures. He also stated confusion about what he read from Colorado Natural Gas relative to a minimum five years due to lack of gas availability, yet the notes said expected build-out of the Bluffs would be in 2026. Crozier replied that there would be conversations with Colorado Natural Gas but if they were not able to supply gas the units would all start out as electric only. Voorhis then questioned whether or not 100% rentals was the most desirable path and voiced concerns over school impacts, water availability and costs of providing water, traffic impacts and a guarantee or warranty to complete the project. He also voiced his valuing of dark skies. Mayor Just stated that there is a housing issue in Fairplay and the Town needs inventory which has been talked about for years so that folks like the ladies who spoke earlier are not forced to live where they really don't want to live or pay \$3,000 a month for a trailer house. The developer is proposing to have 149 units and if he can't rent them, he's going to take note and something will change which is the bottom line because rents will be market driven. Mayor Pro Tem Dodge echoed similar comments to Voorhis and also agreed with Just that there is a housing inventory issue, rentals are needed, and the market will drive rents. Dodge was also concerned about traffic impacts but clarified there are other developments in that area, both inside and outside the Town, that will also add to the impacts. He also noted similar traffic impacts on the other side of Town. He then stated his belief that the amenities should be moved to the River Park or Cohen Park instead of having them next to an industrial area. Just then reminded again that the application at hand was for PUD zoning and specifics of what the applicant intends to develop are not the focus. Dodge then added he was also concerned about water, school and childcare impacts but could hopefully work out a few of these things in order to make something happen. Just reminded one more time that the application under consideration was for PUD Zoning and the Town has codes written for developers to follow and it has a planner and staff that works with the developers to make sure those codes are followed. He stressed that opinion and things of that nature really need to take a backseat but if the Board members were not in favor of the rezoning, then certainly they needed to voice that with specific justification. Trustee Douglas stated that a lot of what was heard this evening was putting the cart before the horse and the Board needed to focus on the zoning. He stated he had a lot of questions but they were not applicable at the time. Town Planner Hunn clarified that this is a rezoning and the questions are whether it conforms with the comprehensive plan, and is it compatible, but does it also meet the intent of the PUD regulations? As far as Staff is concerned, the position is Yes, Yes and Yes. The PUD Plan and site-specific development pieces will be refined moving forward during final plan review. Just then stated he had some of the same concerns that other Board members had expressed but tonight the Board needed to determine what it felt was appropriate in that area and he felt the most logical zoning for the subject property was PUD.

Jo Ann Hageman, 520 Busch Run, stated her opinion that the Board approving a PUD in that area could lead to further positive improvements such as the redevelopment of the old Pizza Hut building. Many in attendance generally supported this opinion.

Cindy Bear, 307 Hathaway, felt it was also important that everyone know that there were many students in school that live in homes with no running water and she supported the project if it meant there was even a small chance that those kids would have a decent place to live.

Discussion and comments continued and then Mayor Just reminded everyone in attendance to focus on the facts at hand and the business owners begging for help because their employees have no place to live.

He reminded that most everyone who lived in Fairplay moved to the community from somewhere else and even though each secured their place to live, it did not allow them to deny that opportunity to someone else and growth was inevitable. With that said, he encouraged the board to vote their conscience and opened the floor for a motion to approve a rezoning application from FP Land LLC .

Motion #3 by Mayor Pro Tem Dodge to approve the application from FP Land, LLC to create a Planned Unit Development (PUD) Overlay Zone District designation for a mixed-use development of Single Family, Multi-family, Light Industrial, and Commercial uses on a 10.72-acre parcel of land currently zoned Commercial within the Town of Fairplay, and located at the Northwest Corner of Platte Drive and US Highway 285 and legally described as T09 R77 S33 SE4 Part of SE4 Section 33 and park of SW4 Section 34 in 9-77 as described in plat R684096 and known as Parcel E Larson Minor Subdivision subject to the 7 conditions listed in the Staff Report. Mayor Just seconded the motion.

Trustee Voorhis requested discussion of the motion stating his confusion with condition number 2 and who would be responsible for paying for the improvements on US 285. Hunn clarified the intent is that this is what we need to get to the negotiation table with the development agreement. Who's going to pay for what? When is it going to happen? Just reminded this is not the first blush and there was a Work Session quite a while ago, not zoning and the next step will be a final plan and development agreement months from now. Town Administrator Sciacca then requested that the Board utilize the motion recommended in Hunn's report for the record. Dodge asked if the motion needed to be retracted and Sciacca clarified it could be amended. Trustee Douglas then felt he should also voice some of his concerns stating the current proposal could lead to the percentage of renters in Fairplay going up from 35% to 57% of 254 people renting to 447 renting which he felt was quite high. He questioned the need for that many rentals what the community would feel like. Both Just and Sciacca questioned the figures and math. Town Attorney Williams interrupted and reminded the Board was conducting a quasi-judicial process and it was important that a decision be based only on the objective code factors contained in Planner Hunn's report. Mayor Just then closed the floor to any further comment and discussion at approximately 8:20 p.m.

Amended Motion #3 by Mayor Pro Tem Dodge, and seconded again by Mayor Just, approve The Bluffs of Fairplay Planned Unit Development Overlay rezoning request with the following conditions, and authorize Staff to present a resolution memorializing the Board's action pursuant to Sec. 16-9-70 of the Town of Fairplay Unified Development Code (UDC) because, as conditioned, the rezoning request meets the requirements and standards of the UDC:

1. The Applicant shall provide the following as part of any final plan and Development Agreement submission to the Town:
 - a. A final, detailed Landscape Plan in conformance with Sec. 16-11-10 – *Applicability*; Sec. 16-11-20 – *Landscape design*; Sec. 16-11-40 – *State highway 285 corridor landscaping standards*; Sec. 16-11-60 – *Parking lot landscaping standards*; 16-11-70 – *Storm drainage facilities*; 16-11-80 – *Fences, walls and screening devices*; 16-11-90 – *Submittal standards for landscape plans*; 16-11-100 – *Prohibited plan materials list*; and 16-11-110 – *Recommended plant materials list*.
 - b. All final civil engineering plans, completed to a one hundred (100%) percent construction level design, including all grading, drainage, and stormwater management details; infrastructure and utility details; construction management and erosion control details; and revegetation details for all on- and off-site improvements.

- c. A final phasing plan in coordination with all final civil engineering, landscaping, and public improvements plan details that is accompanied by and a final, detailed Engineer's Estimate of Probable Costs. The Phasing Plan and EEOPC shall be accompanied by proposed form of financial guarantee/securitization acceptable to the Town of Fairplay
2. The Applicant shall address referral comments provided by the Colorado Department of Transportation (CDOT), dated October 30, 2022, including the provision of a valid CDOT access permit, as well as detailed, final design drawings completed to a one hundred (100%) construction level design for all offsite improvements deemed necessary by CDOT within the U.S. Hwy. 285 corridor prior to or concurrent with any final plan and/or development agreement submission to the Town.
3. The Applicant shall address referral comments provided by the Northwest Fire Protection District, dated July 20, 2022, prior to or concurrent with any final plan and/or development agreement submission to the Town.
4. The Applicant shall provide information to the Town confirming Park County requirements, if any, for any off-site improvements (on Platte Drive) necessary to serve the PUD and/or to mitigate any identified impacts on Park County infrastructure or services prior to or concurrent with the submittal of any final engineering documents, associated cost estimates, and development agreements.
5. The Applicant shall review and address all applicable requirements and specifications by Xcel Energy to ensure compliance on all civil engineering plans for The Bluffs of Fairplay prior to any final plan/development agreement submission.
6. The Applicant shall provide more fully developed architectural and site related design standards as part of any final plan/development agreement review to ensure that the specific character intents of the Commercial and Residential-Commercial Multi-Use FLUM designation are met.
7. The Applicant shall work with Town staff to ensure that all proposed signs for the PUD – including those for future commercial buildings/uses facing US Hwy. 285 - comply with the requirements of the UDC prior to final approval of the PUD plan and prior to any sign permit applications are accepted by the Town as part of any and all final plan documents reviewed with any development agreement.

A roll call vote was taken: Douglas – nay, Dodge – aye, Just – aye, Voorhis – nay, Lynn – aye. Motion carried 3 to 2.

Mayor Just called for a 10-minute recess.

NEW BUSINESS

- A. **FIRST READING:** Resolution No. 7, Series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, ADOPTING AN UPDATED 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 request on February 6 for Staff 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. She reviewed the recommendation for East Permits and felt it met the Board intentions. Parag added that he really felt this would streamline everything and make it a lot simpler for everybody involved. Mayor Just commented that Sciacca and Parag took the directive of the Board and worked out a solution to what they considered a significant issue to a degree he was happy with. He did add he would like to see where they could be obtained and paid for online.

Motion #4 by Trustee Voorhis, seconded by Trustee Lynn, to approve Resolution No. 7, Series of 2023, as presented to adopt updated Building Inspection Fees. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

B. FIRST READING: Resolution No. 9, Series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN INDEPENDENT SERVICES AGREEMENT WITH SGM FOR DEVELOPMENT OF A WATER MODEL.”?**

Town Administrator Sciacca presented an overview of the Staff Report reminding of all the discussions since her arrival at the Town in September of 2021 relative to the Town water system due to the infiltration gallery and well project and potential development. She also reminded that both SGM and the Town’s water project engineer Ken Hardesty had mentioned at one time or another the benefits to the Town and the Board directed Staff to bring back a proposal for their consideration. She noted the expense was unbudgeted, but that Staff would be trying to obtain a DOLA grant to reduce the total budgetary cost and she recommended approval. SGM and Town Engineer Deron Dirksen added that he was glad the Town was considering this and looked forward to working with the Town on the project. Mayor Just reported that he first suggested water modeling for the Town back in 2012, and the Town has gone all that time without making an attempt to understand what its system is really capable of. He also felt the pricing was fair. Sciacca reported that Hardesty had also reviewed the proposal and expressed the same. Just questioned the time to complete the project and Sciacca replied it was associated with a GPS inventory that was included in the budget and her understanding was that some of the work had to wait for better weather, but Staff would be working in the interim on anything that could be done to the GIS system to support both and hopefully finish the project in summer.

Motion #5 by Trustee Douglas, seconded by Trustee Dodge, to approve Resolution No. 9 Series of 2023 to approve an Independent Services Agreement with SGM for Water Distribution System Model as presented. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

C. FIRST READING: Resolution No. 10, Series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING FIVE (5) OPIOID SETTLEMENT AGREEMENTS NOT PREVIOUSLY INCLUDED IN THE INITIAL SETTLEMENT DOCUMENTS APPROVED IN 2021.”?**

Town Administrator Sciacca presented an overview of Staff Report reminding that the Board discussed this matter on October 18, 2021, and subsequently approved Resolution No. 23, Series of 2021, agreeing to participate in the Colorado Memorandum of Understanding related to federal settlement agreements being pursued by Attorney General Phil Weiser. She reported that Attorney Williams advised that the first approval did not cover new settlement agreements and recommended subsequent action. She recommended approval of Resolution No. 10 to approve the latest agreements as well as any future agreements.

Motion #6 by Trustee Voorhis, seconded by Trustee Douglas, to approve Resolution No. 10, Series of 2023, as presented to approve the Town of Fairplay’s participation in the five new Opioid settlement agreements and subsequent future agreements that may be reached. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

DISCUSSION ITEMS

- A. Review and discussion of new Ordinance No. 1, Series of 2023 entitled, “AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FAIRPLAY MUNICIPAL CODE BY CREATING A NEW ARTICLE 29 OF CHAPTER 16, UNIFIED DEVELOPMENT CODE, ESTABLISHING INCLUSIONARY HOUSING.”**

Town Attorney Williams presented an overview of the Staff Report and led discussions on the proposed ordinance. She stated that all feedback would be incorporated into an Ordinance that would be presented to the Board at a future meeting and public hearing. Discussions ensued relative to the AMI level, percentage of set aside units and alternatives for satisfying inclusionary housing requirements. Mayor Just reminded that the Board directed Staff to obtain data from at least 20 locals to establish a Fairplay AMI. Sciacca advised that was yet to be done and she needed additional guidance from the Town Attorney before proceeding.

The Board generally felt that instead of a fee in lieu for housing or other specified items, it was better to leave the requirement general so when an application were brought before the Board they could discuss and set those parameters on a case-by-case basis so the Board has more negotiation leverage. It was also agreed the AMI would be addressed when the local data was obtained from people who live and work in Fairplay, not that live in Fairplay but work elsewhere. Williams then stated that some things in the ordinance are just legal things recommended to protect the Town, such as the deed restriction requirements and Staff will bring the matter back when AMI data is available, but she shouldn't need to make many other changes to it. Mayor Just stated that he hoped everybody understood what the Board was doing with the ordinance to help control growth and have as much say in the growth and type of growth that we provide for in the Town of Fairplay. Williams then stated that requiring 50% of dwelling units to be affordable was forward-thinking and the highest she had seen was 25%. Hunn agreed that 25% was the highest he had seen but also agreed it could provide the ability to negotiate and if the Board had other things in mind, whether it's another public benefit or some other alternative means to satisfy the requirements then he believed it was the right path. He did caution the Board to anticipate many discussions with developers who say they cannot meet the 50% requirement and Just replied that they also do not have to build in Fairplay. It was also clarified that if the ordinance was approved with the 50% affordability requirement, anyone wanting to develop 2 or more residential units would be subject to the requirements and the Town Attorney was going to write language that is general enough the Town can navigate with strength and with teeth, and the Board can sit here and say, that the developer is going to help supplement costs for the additional water line or whatever else. Williams stated she had what she needed to move forward and then clarified she would be drafting ordinances relative to a density bonus program, reduced parking requirements, and expedited review and also connect Sciacca with someone in Salida to discuss their infrastructure fund program funding.

STAFF AND BOARD OF TRUSTEE REPORTS

Town Administrator Sciacca reported March was grants month and Staff would be working to submit multiple grant applications for multiple Town projects. She noted the ChargePoint units had been Unavailable for several weeks and were now being replaced and due to these issues she was talking with Xcel about the potential of placing several other units throughout the Town. She also reported that the Town was able to get the quarterly newsletter into the monthly utility bills for a nominal fee saving Staff time and mailing costs and hopefully reaching a wider audience. She then noted that a solicitation for volunteers to sit on PPACG Boards, Committees and Commissioner for Fairplay and Park County was on

the last page of the newsletter. Finally, she provided an update on the potential adoption of consistent burro race rules by Leadville, Buena Vista and the Wester Pack Burro Association. She reported that Buena Vista was not having their race in 2023 and that the WPBA was currently surveying its membership about the rules, but Leadville was expected to adopt almost identical rules to what Fairplay adopted and that Julie reassumed the position of Race Director and the Board would make all future appointments. She also reported that the Summit Stage would be deadheading from Summit County due to the fact that increased ridership and space complaints had forced them to utilize actual buses that did not fit in the Hathaway barn and Staff was working with them, the School and the County to hopefully locate space to build a joint storage and maintenance facility. Lastly, Sciacca reported that the Intergovernmental Meeting was held on February 28 with a good turnout of representatives from the Towns of Fairplay and Alma and the School District but no one from the County due to County IT issues and the Commissioners not receiving details on the location. The group that attended designated the County as the next host. She also noted the Town of Alma did ask if Fairplay was willing to reopen discussions with them about a potential sewer line from their Town to the Fairplay plant. Alma was also willing to discuss the potential of partnering on a Transit program for the benefit of their residents. The Board generally agreed to meet with Alma to discuss sewer service, transit and other topics of mutual concern and benefit and directed Sciacca to set up a time with the Alma Town Administrator.

Public Works Director Graham noted the Water Loss and Production reports and Mayor Just reported that the Gold Pan trailer park paid for 1.5 million gallons of water and associated wastewater fees to the tune of over \$8,000. It was reported that the owner has committed to repairing the park's infrastructure properly or the Town will do it and bill him since this has been an ongoing problem.

Mayor Pro Tem Dodge asked that Staff take a look at the pedestrian bridge at the Beach between where the river is and the crossing to inspect for nails that are working their way out in the railings.

Trustee Voorhis questioned the need to discuss school, water and other impact fees. Sciacca reported that she, Hunn and Williams were discussing these as part of changes to the UDC and Mayor Just felt the first thing that needed to be done for the School was the development and implementation of an IGA.

Mayor Just stated that the sidewalks on 6th needed to be plowed and then Dodge noted that TBK had not plowed its sidewalk during the latest storm. Graham stated he would give them a call in the morning. Just also reported that a fraudulent towing company was advertising on Facebook, and this was noted by multiple residents and the Flume newspaper was doing an article on it. Sciacca reported that Staff received a complaint on the same thing, and it was referred to the Police Department for investigation.

Trustee Douglas reminded that when he was appointed to the Board, he stated his desire to see some kind of a beautification program implemented. Sciacca advised Staff was working on incorporating that into Town cleanup and a potential adopt-a-block program.

Sciacca added that the Town was now providing the opportunity for citizens to attend meetings remotely and there would be a link on all future agendas. She did not the need for a different microphone and dedicated computer, but felt the improvements were positive even though no one took advantage of it for this meeting other than Staff.

ADJOURNMENT

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at approximately 9:42 p.m.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk

UNOFFICIAL



MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Kim Wittbrodt, Treasurer
RE: Paid Bills/Financial Statements
DATE: March 15, 2023

Agenda Item: Bills

Attached is the list of the invoices paid between March 3, 2023, and March 15, 2023.

Total Expenditures: \$48,618.09

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

Please contact me with any questions.

Attached are the financial statements for all Town of Fairplay funds.

Town of Fairplay

Paid Invoice Report - Paid Bills - Board

Page: 1

Check issue dates: 3/3/2023 - 3/15/2023

Mar 15, 2023 03:23PM

Report Criteria:

Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
03/09/2023	19019	The Flume	legal /ads	1	02/28/2023	64.56	106125
03/09/2023	19019		display ads	2	02/28/2023	405.00	105166
Total 868:						469.56	
03/09/2023	19017	Ferrellgas	propane-501 main	1	02/10/2023	864.01	105195
03/09/2023	19017		850 hathaway	1	02/13/2023	1,363.17	105186
03/09/2023	19017		1800 beaver creek road	1	02/13/2023	807.66	517495
Total 916:						3,034.84	
03/09/2023	19020	Town of Fairplay	850 hathaway	1	02/28/2023	96.00	105186
03/09/2023	19020		501 main	1	02/28/2023	303.20	105195
Total 2134:						399.20	
03/09/2023	19022	Xcel Energy	san plant	1	02/23/2023	4,066.93	517680
03/13/2023	19032		901 main	1	02/23/2023	328.12	105023
03/13/2023	19032		747 bogue	1	02/23/2023	15.96	105841
03/13/2023	19032		fairplay sign #1	1	02/23/2023	13.39	105640
03/09/2023	19022		chlorinator	1	02/23/2023	81.02	517470
03/13/2023	19032		1800 beaver creek road	1	02/23/2023	1,013.81	517495
03/13/2023	19032		1190 castello	1	02/23/2023	226.63	105650
03/13/2023	19032		200 2nd street	2	02/23/2023	99.53	517470
03/13/2023	19032		157 6th street	3	02/23/2023	80.55	105640
03/13/2023	19032		156 5th street	4	02/23/2023	11.63	105640
03/13/2023	19032		589 platte	5	02/23/2023	11.63	105841
03/13/2023	19032		419 front	6	02/23/2023	12.09	105640
03/09/2023	19022		117 silverheels road	1	02/23/2023	11.63	105841
03/13/2023	19032		850 hathaway	1	02/23/2023	291.70	105186
03/13/2023	19032		501 main	1	02/23/2023	428.18	105195
03/13/2023	19032		monument sign	1	02/23/2023	32.83	105640
03/09/2023	19022		street lights	1	03/01/2023	908.35	105640
Total 2296:						7,633.98	
03/13/2023	19031	South Park Ace & Lumber	Supplies	1	02/25/2023	48.49	105682
03/13/2023	19031		Supplies	2	02/25/2023	7.90	105630
03/13/2023	19031		Supplies	3	02/25/2023	105.32	105025
03/13/2023	19031		Supplies	4	02/25/2023	431.99	517465
03/13/2023	19031		Supplies	5	02/25/2023	17.18	105166
Total 2405:						610.88	
03/13/2023	19030	Laser Graphics	banner	1	03/09/2023	97.00	105130
Total 2437:						97.00	
03/06/2023	19009	KONICA MINOLTA BUSIN	C364E Copier	1	02/26/2023	372.90	105032
Total 2448:						372.90	
03/09/2023	19015	CIRSA	deductible for claim	1	03/08/2023	1,000.00	105070

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2490:						1,000.00	
03/13/2023	19024	CARD SERVICES	Supplies	1	03/01/2023	251.84	105030
03/13/2023	19024		postage	2	03/01/2023	7.00	105445
03/13/2023	19024		parts	3	03/01/2023	131.97	105027
03/13/2023	19024		Supplies	4	03/01/2023	39.91	105625
03/13/2023	19024		Food for meeting	5	03/01/2023	111.00	105630
03/13/2023	19024		car wash	6	03/01/2023	5.00	105420
03/13/2023	19024		car wash	7	03/01/2023	3.25	105420
03/13/2023	19024		Food for meeting	8	03/01/2023	21.03	105630
03/13/2023	19024		Supplies	9	03/01/2023	83.80	105134
03/13/2023	19024		gis annual subscription	10	03/01/2023	500.00	105655
03/13/2023	19024		conference	11	03/01/2023	325.00	105015
03/13/2023	19024		Food for meeting	12	03/01/2023	88.56	105110
03/13/2023	19024		tahoe repair	13	03/01/2023	227.50	105420
03/13/2023	19024		Supplies	14	03/01/2023	1,129.24	105166
03/13/2023	19024		web hosting	15	03/01/2023	19.99	105130
03/13/2023	19024		Supplies	16	03/01/2023	8.68	105445
03/13/2023	19024		burro days state registratio	17	03/01/2023	10.00	105162
Total 2503:						2,963.77	
03/09/2023	19014	CenturyLink	acct 719-836-4609 502B	1	02/19/2023	71.65	517470
03/13/2023	19025		7198362622355B	1	02/19/2023	572.23	105065
03/09/2023	19014		acct 82239760	1	02/24/2023	25.03	105065
Total 2614:						668.91	
03/09/2023	19016	Colorado Natural Gas, Inc.	natural gas	1	03/03/2023	302.51	105023
03/09/2023	19016		natural gas-shop	1	03/03/2023	1,264.22	105650
03/09/2023	19016		san office	1	03/03/2023	350.61	517234
03/09/2023	19016		sewer treatment plant	1	03/03/2023	3,060.10	517680
Total 2728:						4,977.44	
03/09/2023	19018	Mobile Record Shredders	record shredding	1	03/08/2023	12.00	105030
Total 2793:						12.00	
03/06/2023	19010	Mountain Peak Controls, In	blower for san plant	1	02/28/2023	13,385.00	517610
Total 2861:						13,385.00	
03/13/2023	19027	Falcon Environmental Corp	pump for lift station	1	03/06/2023	159.01	517636
Total 2877:						159.01	
03/13/2023	19026	Fairplay Auto Supply	supplies	1	02/28/2023	441.43	105625
03/13/2023	19026		supplies	2	02/28/2023	12.69	105682
03/13/2023	19026		supplies	3	02/28/2023	180.49	517465
03/13/2023	19026		supplies	4	02/28/2023	5.99	517480
Total 2948:						640.60	
03/06/2023	19008	Just, Frank	mardi gras food	1	03/06/2023	3,844.43	105166

Town of Fairplay

Paid Invoice Report - Paid Bills - Board
Check issue dates: 3/3/2023 - 3/15/2023Page: 3
Mar 15, 2023 03:23PM

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2959:						3,844.43	
03/06/2023	19007	Hunn Planning & Policy, LL	planning fees	1	03/06/2023	625.00	105105
03/06/2023	19007		planning fees-cdot	2	03/06/2023	120.00	105145
03/06/2023	19007		planning fees-bill back-bluff	3	03/06/2023	2,120.00	105107
03/06/2023	19007		planning fees-bill back- bea	4	03/06/2023	600.00	102295
Total 3183:						3,465.00	
03/13/2023	19029	High Country Roto-Rooter	clean out storm drain	1	03/07/2023	2,830.00	105670
Total 3287:						2,830.00	
03/09/2023	19021	UniFirst	calibration	1	03/09/2023	132.20	517655
Total 3462:						132.20	
03/06/2023	19006	Hayes Poznanovic Korver	legal	1	03/03/2023	1,500.00	517360
Total 3518:						1,500.00	
03/13/2023	19028	Harrington Industrial Plasti	parts	1	02/20/2023	421.37	517430
Total 3683:						421.37	
Grand Totals:						48,618.09	

Report Criteria:

Detail report type printed

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAXES</u>					
10-40-05 AD VALOREM TAX	330.65	330.65	236,805.00	236,474.35	.1
10-40-10 SPEC. OWNERSHIP TAX	2,162.78	2,162.78	25,000.00	22,837.22	8.7
10-40-30 INTEREST ON PROPERTY TAX	.00	.00	500.00	500.00	.0
10-40-55 50% SHAREBACK OF R&B LEVY	69.52	69.52	8,000.00	7,930.48	.9
10-40-60 MOTOR VEHICLE REGISTRATION	345.88	345.88	4,000.00	3,654.12	8.7
10-40-70 SALES TAX	129,743.39	238,600.31	1,569,457.00	1,330,856.69	15.2
10-40-75 SALES TAX - STREETS	43,247.79	79,533.42	523,152.00	443,618.58	15.2
10-40-80 HIGHWAY USER'S TAX	2,724.77	2,724.77	36,468.00	33,743.23	7.5
10-40-85 SEVERANCE TAX	.00	.00	500.00	500.00	.0
10-40-86 MINERAL LEASE REVENUE	.00	.00	500.00	500.00	.0
10-40-90 CIGARETTE TAX	270.47	586.84	2,000.00	1,413.16	29.3
10-40-96 LODGING TAX	3,192.00	3,214.00	60,000.00	56,786.00	5.4
TOTAL TAXES	182,087.25	327,568.17	2,466,382.00	2,138,813.83	13.3
<u>LICENSES</u>					
10-41-10 LIQUOR LICENSES	175.00	597.50	5,000.00	4,402.50	12.0
10-41-30 DOG LICENSES	5.00	65.00	100.00	35.00	65.0
10-41-32 LIVESTOCK PERMIT	.00	.00	75.00	75.00	.0
10-41-34 COMMERCIAL FISHING PERMIT	300.00	300.00	450.00	150.00	66.7
10-41-40 BUILDING PERMITS	500.00	2,472.06	10,000.00	7,527.94	24.7
10-41-41 SURCHARGE: STREETS	25.00	174.21	796.00	621.79	21.9
10-41-42 SURCHARGE: PARKS & REC	25.00	174.21	796.00	621.79	21.9
10-41-50 FRANCHISE TAX	.00	.00	65,000.00	65,000.00	.0
10-41-60 GOLD PANNING PERMITS/DONATION	.00	.00	8,000.00	8,000.00	.0
10-41-70 BUSINESS LICENSES	575.00	5,175.00	3,000.00	(2,175.00)	172.5
10-41-74 SHORT TERM RENTAL PERMITS	.00	4,500.00	6,000.00	1,500.00	75.0
10-41-80 SIGN PERMITS	.00	.00	300.00	300.00	.0
10-41-90 EXCAVATION PERMIT	.00	.00	600.00	600.00	.0
10-41-92 MECHANICAL PERMIT	.00	395.50	100.00	(295.50)	395.5
10-41-94 STREET CUT PERMIT	.00	.00	1,000.00	1,000.00	.0
10-41-96 FENCE PERMIT	.00	.00	320.00	320.00	.0
10-41-97 SPECIAL EVENTS PERMIT	.00	.00	1,300.00	1,300.00	.0
10-41-98 RESIDE/REROOF PERMIT	.00	.00	3,000.00	3,000.00	.0
TOTAL LICENSES	1,605.00	13,853.48	105,837.00	91,983.52	13.1
<u>FEE INCOME</u>					
10-42-75 PLANNING & DEVELOPMENT FEES	.00	.00	3,000.00	3,000.00	.0
10-42-90 COPIES & FAXES	.00	.00	200.00	200.00	.0
TOTAL FEE INCOME	.00	.00	3,200.00	3,200.00	.0

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LAW ENFORCEMENT</u>					
10-45-05 TRAFFIC FINES	1,290.00	1,785.00	12,000.00	10,215.00	14.9
10-45-10 SURCHARGE: POLICE TRAINING	255.00	330.00	1,500.00	1,170.00	22.0
10-45-15 COURT COSTS	31.00	62.00	310.00	248.00	20.0
10-45-30 OTHER FINES	.00	.00	500.00	500.00	.0
10-45-80 VIN INSPECTIONS	140.00	460.00	3,000.00	2,540.00	15.3
10-45-90 MISCELLANEOUS	125.00	125.00	1,000.00	875.00	12.5
TOTAL LAW ENFORCEMENT	1,841.00	2,762.00	18,310.00	15,548.00	15.1
<u>INTEREST INCOME</u>					
10-46-05 INTEREST ON COLOTRUST	10,124.27	21,002.94	60,000.00	38,997.06	35.0
10-46-30 INTEREST ON CHECKING	20.99	32.66	400.00	367.34	8.2
TOTAL INTEREST INCOME	10,145.26	21,035.60	60,400.00	39,364.40	34.8
<u>MISCELLANEOUS INCOME</u>					
10-47-00 MISCELLANEOUS INCOME	36,372.08	36,372.08	10,000.00	(26,372.08)	363.7
10-47-10 CEMETERY	.00	.00	300.00	300.00	.0
10-47-39 FOURTH OF JULY	.00	.00	8,000.00	8,000.00	.0
10-47-49 STREET LIGHTING	881.16	1,775.06	10,800.00	9,024.94	16.4
10-47-50 SUMMER CONCERT SERIES	.00	.00	25,000.00	25,000.00	.0
10-47-52 REAL COLORADO CHRISTMAS	.00	.00	500.00	500.00	.0
10-47-56 BURRO DAYS	1,650.00	2,370.00	60,000.00	57,630.00	4.0
10-47-59 BURRO DAYS RETAIL SALES	3.00	3.00	300.00	297.00	1.0
10-47-62 501 MAIN - RENT & UTILITY	.00	.00	1,500.00	1,500.00	.0
10-47-65 MARDI GRAS	5,210.00	5,310.00	10,000.00	4,690.00	53.1
10-47-75 COMMERCIAL FISHING FEES	.00	.00	6,000.00	6,000.00	.0
10-47-82 CAMPING PERMITS/FACILITY USE	.00	10.00	600.00	590.00	1.7
10-47-83 GRANT - FEDERAL	.00	.00	197,812.00	197,812.00	.0
10-47-88 GRANT - RIVER PARK	.00	.00	750,000.00	750,000.00	.0
10-47-90 MISCELLANEOUS REVENUE-EVENTS	.00	.00	2,500.00	2,500.00	.0
10-47-91 TOWN HALL - 901 MAIN	.00	.00	12,397.00	12,397.00	.0
TOTAL MISCELLANEOUS INCOME	44,116.24	45,840.14	1,095,709.00	1,049,868.86	4.2
TOTAL FUND REVENUE	239,794.75	411,059.39	3,749,838.00	3,338,778.61	11.0

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
ADMINISTRATION					
10-50-02 401(A) EMPLOYER MATCH	533.93	939.06	7,137.00	6,197.94	13.2
10-50-05 SALARIES -ADMIN./CLERK/TREASUR	17,797.44	31,659.69	237,915.00	206,255.31	13.3
10-50-10 EMPLOYEE HEALTH AND WELLNESS	.00	.00	7,000.00	7,000.00	.0
10-50-11 SS/MEDICARE EXPENSE	1,408.31	2,504.12	18,338.00	15,833.88	13.7
10-50-12 UNEMPLOYMENT EXPENSE	36.75	65.37	479.00	413.63	13.7
10-50-13 EMPLOYEE HEALTH INSURANCE	3,782.11	7,564.22	50,084.00	42,519.78	15.1
10-50-14 WORKER'S COMPENSATION	.00	592.00	592.00	.00	100.0
10-50-15 EDUCATION	327.08	327.08	4,000.00	3,672.92	8.2
10-50-16 ADMIN VEHICLE	461.56	923.12	6,000.00	5,076.88	15.4
10-50-23 TOWN HALL EXPENSE - UTILITIES	759.48	888.48	7,000.00	6,111.52	12.7
10-50-25 TOWN HALL EXP - REPAIR & MAINT	187.74	217.74	25,000.00	24,782.26	.9
10-50-27 TOWN HALL EXPENSE - SUPPLIES	.00	18.88	1,000.00	981.12	1.9
10-50-30 OFFICE SUPPLIES	475.30	487.30	4,000.00	3,512.70	12.2
10-50-32 EQUIPMENT RENTAL	356.83	356.83	7,100.00	6,743.17	5.0
10-50-35 POSTAGE EXPENSE	3.48	3.48	750.00	746.52	.5
10-50-40 BANK/CREDIT CARD FEES	417.42	797.90	4,000.00	3,202.10	20.0
10-50-50 ELECTION EXPENSE	.00	.00	3,000.00	3,000.00	.0
10-50-55 BOARD OF TRUSTEE SALARY	150.00	150.00	1,800.00	1,650.00	8.3
10-50-57 TOWN ATTY LEGAL SERVICES	2,641.55	2,641.55	30,000.00	27,358.45	8.8
10-50-58 BUILDING OFFICAL CONTRACT	2,466.84	2,466.84	20,000.00	17,533.16	12.3
10-50-60 COMPUTER/SOFTWARE/SUPPORT	736.76	2,568.86	40,000.00	37,431.14	6.4
10-50-65 TELEPHONE/INTERNET	2,033.42	2,233.42	11,000.00	8,766.58	20.3
10-50-70 MISCELLANEOUS EXPENSE	1,073.54	1,123.50	6,000.00	4,876.50	18.7
10-50-75 CODIFICATION	.00	1,863.85	3,000.00	1,136.15	62.1
10-50-76 ESTIP AGREEMENT	.00	.00	40,000.00	40,000.00	.0
10-50-80 VEHICLE RENTAL PAYMENT TO ISF	.00	.00	5,000.00	5,000.00	.0
TOTAL ADMINISTRATION	35,649.54	60,393.29	540,195.00	479,801.71	11.2

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY DEVELOPMENT</u>					
10-51-05 PROFESSIONAL FEES	1,034.25	1,034.25	40,000.00	38,965.75	2.6
10-51-07 PROFESSIONAL FEES-BILL BACK	3,096.00	3,096.00	.00	(3,096.00)	.0
10-51-10 EDUCATION/BENEVOLENCE (BOT)	.00	15.00	7,500.00	7,485.00	.2
10-51-20 VISITOR CENTER	378.13	756.26	4,000.00	3,243.74	18.9
10-51-30 ADVERTISING AND MARKETING	239.30	279.31	15,000.00	14,720.69	1.9
10-51-34 TOWN BEAUTIFICATION	.00	3,895.50	12,000.00	8,104.50	32.5
10-51-35 TOWN CLEAN UP	.00	172.50	12,000.00	11,827.50	1.4
10-51-40 DUES AND MEMBERSHIPS	50.00	1,600.00	1,000.00	(600.00)	160.0
10-51-45 WORKFORCE HOUSING	.00	.00	75,000.00	75,000.00	.0
10-51-50 TGIFAIRPLAY EXPENSE	422.50	422.50	29,500.00	29,077.50	1.4
10-51-62 BURRO DAYS	35.00	35.00	55,000.00	54,965.00	.1
10-51-66 MARDI GRAS	3,074.40	3,074.40	10,000.00	6,925.60	30.7
10-51-70 MISCELLANEOUS EVENTS	83.94	83.94	5,500.00	5,416.06	1.5
10-51-71 FIREWORKS/4TH OF JULY	.00	.00	25,000.00	25,000.00	.0
10-51-74 REAL COLORADO CHRISTMAS	.00	.00	3,400.00	3,400.00	.0
10-51-75 DONATIONS	500.00	500.00	5,000.00	4,500.00	10.0
10-51-76 EMERGENCY SUPPLIES	.00	.00	3,000.00	3,000.00	.0
10-51-80 FAIRPLAY FORWARD	.00	.00	10,000.00	10,000.00	.0
10-51-85 PROPERTY IMPROVEMENT INCENTIV	.00	.00	20,000.00	20,000.00	.0
10-51-86 850 HATHAWAY-BUS BARN	3,489.82	3,489.82	15,000.00	11,510.18	23.3
10-51-95 501 MAIN STREET	2,432.47	2,432.47	20,000.00	17,567.53	12.2
10-51-96 501 MAIN STREET REMODEL	.00	.00	400,000.00	400,000.00	.0
TOTAL COMMUNITY DEVELOPMENT	14,835.81	20,886.95	767,900.00	747,013.05	2.7
<u>DEPARTMENT 52</u>					
10-52-05 SALARIES	.00	.00	30,000.00	30,000.00	.0
10-52-11 SS/MEDICARE EXPENSE	.00	.00	2,295.00	2,295.00	.0
10-52-12 UNEMPLOYMENT EXPENSE	.00	.00	60.00	60.00	.0
10-52-14 WORKERS COMPENSATION	.00	.00	1,000.00	1,000.00	.0
10-52-15 DRIVER TRAINING/PHYSICALS	.00	.00	900.00	900.00	.0
10-52-30 OFFICE SUPPLIES	.00	.00	500.00	500.00	.0
10-52-35 INSURANCE	1,010.12	1,010.12	1,000.00	(10.12)	101.0
10-52-40 OPERATING SUPPLIES	.00	.00	500.00	500.00	.0
10-52-45 MISCELLANEOUS	.00	.00	1,000.00	1,000.00	.0
10-52-50 TELEPHONE	.00	.00	600.00	600.00	.0
10-52-55 UTILITIES	.00	.00	1,200.00	1,200.00	.0
10-52-60 VEHICLE MAINTENANCE	.00	.00	5,000.00	5,000.00	.0
10-52-70 FUEL	.00	.00	6,000.00	6,000.00	.0
TOTAL DEPARTMENT 52	1,010.12	1,010.12	50,055.00	49,044.88	2.0

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>JUDICIAL SYSTEM</u>					
10-53-02 401(A) EMPLOYER MATCH	11.10	21.62	144.00	122.38	15.0
10-53-05 MUNICIPAL JUDGE SALARY	701.46	1,386.23	9,119.00	7,732.77	15.2
10-53-10 COURT CLERK	369.72	720.28	4,806.00	4,085.72	15.0
10-53-11 SS/MEDICARE EXPENSE	81.96	161.16	1,065.00	903.84	15.1
10-53-12 UNEMPLOYMENT EXPENSE	2.14	4.21	28.00	23.79	15.0
10-53-13 EMPLOYEE HEALTH INSURANCE	91.49	182.98	1,097.00	914.02	16.7
10-53-14 WORKER'S COMPENSATION	.00	37.00	37.00	.00	100.0
10-53-20 COURT ATTORNEY	.00	.00	500.00	500.00	.0
10-53-30 EDUCATION	.00	.00	500.00	500.00	.0
10-53-40 OPERATING EXPENSE	.00	.00	400.00	400.00	.0
10-53-50 DUES AND MEMBERSHIPS	.00	.00	136.00	136.00	.0
TOTAL JUDICIAL SYSTEM	1,257.87	2,513.48	17,832.00	15,318.52	14.1
<u>PUBLIC SAFETY</u>					
10-54-01 POLICE SALARIES	18,084.20	37,783.32	293,961.00	256,177.68	12.9
10-54-04 PART TIME OFFICERS	950.00	1,800.00	15,000.00	13,200.00	12.0
10-54-05 PENSION CONTRIBUTION	2,427.28	4,968.47	37,921.00	32,952.53	13.1
10-54-08 POLICE SALARIES OVERTIME	525.16	1,781.36	.00	(1,781.36)	.0
10-54-10 UNIFORMS AND ACCESSORIES	.00	.00	5,000.00	5,000.00	.0
10-54-11 SS/MEDICARE EXPENSE	352.60	720.96	5,410.00	4,689.04	13.3
10-54-12 UNEMPLOYMENT EXPENSE	40.58	84.18	618.00	533.82	13.6
10-54-13 EMPLOYEE HEALTH INSURANCE	7,528.55	15,057.10	118,564.00	103,506.90	12.7
10-54-14 WORKER'S COMPENSATION	.00	11,708.00	11,708.00	.00	100.0
10-54-15 FUEL	1,508.15	1,508.15	15,000.00	13,491.85	10.1
10-54-20 VEHICLE MAINTENANCE	836.92	1,477.58	10,000.00	8,522.42	14.8
10-54-24 PROFESSIONAL TRAINING EXPENSE	.00	.00	3,500.00	3,500.00	.0
10-54-26 IN-SERVICE TRAINING EXPENSE	.00	.00	1,000.00	1,000.00	.0
10-54-28 VEHICLE RENTAL PAYMENT	3,134.26	6,268.52	37,611.00	31,342.48	16.7
10-54-30 RADAR & RADIO MAINTENANCE	.00	.00	1,000.00	1,000.00	.0
10-54-32 AMMUNITION	.00	.00	500.00	500.00	.0
10-54-45 OPERATING SUPPLIES	9.16	9.16	1,000.00	990.84	.9
10-54-50 EQUIPMENT EXPENSE	.00	.00	10,500.00	10,500.00	.0
10-54-55 TELEPHONE - POLICE LINE	567.12	970.75	7,000.00	6,029.25	13.9
10-54-60 MEMBERSHIPS - DUES	.00	.00	500.00	500.00	.0
10-54-65 COMPUTER/SOFTWARE/SUPPORT	11,610.00	16,248.46	13,000.00	(3,248.46)	125.0
10-54-75 INVESTIGATIVE SERVICES	.00	.00	3,500.00	3,500.00	.0
10-54-80 OFFICER RECRUITING	.00	.00	1,000.00	1,000.00	.0
10-54-87 LIABILITY INSURANCE	.00	.00	10,329.00	10,329.00	.0
10-54-97 PUBLIC RELATIONS	.00	.00	1,000.00	1,000.00	.0
TOTAL PUBLIC SAFETY	47,573.98	100,386.01	604,622.00	504,235.99	16.6

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS</u>					
10-56-01 SALARIES	9,231.91	19,781.88	154,762.00	134,980.12	12.8
10-56-02 401(A) EMPLOYER MATCH	276.94	591.14	4,643.00	4,051.86	12.7
10-56-10 SEASONAL WAGES	.00	.00	15,000.00	15,000.00	.0
10-56-11 SS/MEDICARE EXPENSE	706.25	1,513.34	12,936.00	11,422.66	11.7
10-56-12 UNEMPLOYMENT EXPENSE	10.63	24.34	400.00	375.66	6.1
10-56-13 EMPLOYEE HEALTH INSURANCE	2,358.46	4,716.92	41,644.00	36,927.08	11.3
10-56-14 WORKER'S COMPENSATION	.00	6,820.00	6,820.00	.00	100.0
10-56-15 FUEL	825.17	825.17	7,000.00	6,174.83	11.8
10-56-25 REPAIRS & MAINT - EQUIPMENT	213.11	213.11	15,000.00	14,786.89	1.4
10-56-30 TOOLS, MAT'L'S, & SUPPLIES	426.54	426.54	5,000.00	4,573.46	8.5
10-56-35 EDUCATION & TRAINING	.00	.00	2,000.00	2,000.00	.0
10-56-40 ELECTRIC STREET LIGHTS & SIGNS	1,085.33	2,006.59	12,000.00	9,993.41	16.7
10-56-45 TELEPHONE/COMPUTER	201.08	1,629.63	2,300.00	670.37	70.9
10-56-50 MAINTENANCE BUILDING - UTILITY	1,587.99	1,716.99	9,000.00	7,283.01	19.1
10-56-55 MAPPING	.00	250.50	40,000.00	39,749.50	.6
10-56-60 VEHICLE RENTAL PAYMENT	5,068.86	10,137.72	64,826.00	54,688.28	15.6
10-56-70 STREET REPAIRS	8,592.59	8,592.59	275,000.00	266,407.41	3.1
10-56-82 TOWN SHOP BUILDING REPAIRS	940.00	940.00	10,000.00	9,060.00	9.4
10-56-90 EQUIPMENT	.00	.00	115,000.00	115,000.00	.0
TOTAL PUBLIC WORKS	31,524.86	60,186.46	793,331.00	733,144.54	7.6
<u>PARKS & RECREATION</u>					
10-58-30 TOOLS, MATERIALS, & SUPPLIES	179.99	179.99	6,000.00	5,820.01	3.0
10-58-41 PARKS UTILITIES	40.01	40.01	430.00	389.99	9.3
10-58-42 VAULT RESTROOMS MAINTENANCE	531.19	1,062.38	7,000.00	5,937.62	15.2
10-58-50 CEMETERY EXPENSE	.00	.00	5,000.00	5,000.00	.0
10-58-83 COHEN PARK PROJECT	1,431.70	1,431.70	135,000.00	133,568.30	1.1
10-58-86 FAIRPLAY RIVER PARK	.00	.00	1,000,000.00	1,000,000.00	.0
TOTAL PARKS & RECREATION	2,182.89	2,714.08	1,153,430.00	1,150,715.92	.2
<u>NON-DEPARTMENTAL EXPENDITURE</u>					
10-61-15 LIABILITY INSURANCE	.00	28,316.84	20,378.00	(7,938.84)	139.0
10-61-17 AUDIT FEES	.00	.00	4,638.00	4,638.00	.0
10-61-23 TREASURER'S FEES - MILL LEVY	6.61	6.61	6,000.00	5,993.39	.1
10-61-25 PUBLISHING EXPENSE	.00	.00	2,000.00	2,000.00	.0
10-61-30 DUES & MEMBERSHIPS	250.00	4,011.00	5,900.00	1,889.00	68.0
10-61-60 ABATEMENT	.00	.00	2,000.00	2,000.00	.0
TOTAL NON-DEPARTMENTAL EXPEND	256.61	32,334.45	40,916.00	8,581.55	79.0
TOTAL FUND EXPENDITURES	134,291.68	280,424.84	3,968,281.00	3,687,856.16	7.1

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
NET REVENUE OVER EXPENDITURES	105,503.07	130,634.55	(218,443.00)	(349,077.55)	59.8

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

		CONSERVATION TRUST FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>INTERGOVERNMENTAL REVENUES</u>						
20-44-10	COLORADO LOTTERY FUNDS	.00	.00	4,500.00	4,500.00	.0
	TOTAL INTERGOVERNMENTAL REVE	.00	.00	4,500.00	4,500.00	.0
<u>INTEREST INCOME</u>						
20-46-50	INTEREST INCOME SAVINGS	6.66	13.57	20.00	6.43	67.9
	TOTAL INTEREST INCOME	6.66	13.57	20.00	6.43	67.9
	TOTAL FUND REVENUE	6.66	13.57	4,520.00	4,506.43	.3

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

		CONSERVATION TRUST FUND				
		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPERATION EXPENSE</u>						
20-73-75	BURRO PARK	.00	.00	10,000.00	10,000.00	.0
	TOTAL OPERATION EXPENSE	.00	.00	10,000.00	10,000.00	.0
	TOTAL FUND EXPENDITURES	.00	.00	10,000.00	10,000.00	.0
	NET REVENUE OVER EXPENDITURES	6.66	13.57	(5,480.00)	(5,493.57)	.3

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

INTERNAL SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUE</u>					
32-47-20 DEPT RENTAL PAYMENTS	10,138.12	20,276.24	130,658.00	110,381.76	15.5
TOTAL REVENUE	10,138.12	20,276.24	130,658.00	110,381.76	15.5
TOTAL FUND REVENUE	10,138.12	20,276.24	130,658.00	110,381.76	15.5

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

INTERNAL SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
32-58-10 POLICE VEHICLES	.00	17,980.61	.00	(17,980.61)	.0
32-58-20 PUBLIC WORK EQUIPMENT	.00	35,950.00	58,000.00	20,050.00	64.2
32-58-40 ADMINISTRATION VEHICLE	.00	.00	25,000.00	25,000.00	.0
TOTAL EXPENDITURES	.00	53,930.61	81,000.00	27,069.39	66.6
TOTAL FUND EXPENDITURES	.00	53,930.61	81,000.00	27,069.39	66.6
NET REVENUE OVER EXPENDITURES	10,138.12	(33,654.37)	49,658.00	83,312.37	(67.8)

TOWN OF FAIRPLAY
REVENUES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

FAIRPLAY UTILITY ENTERPRISE					
	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>WATER REVENUE</u>					
51-42-05 POTABLE WATER	36,221.52	67,614.22	400,000.00	332,385.78	16.9
51-42-20 LIEN REVENUE	.00	.00	5,000.00	5,000.00	.0
51-42-32 WATER FACILITY MAINTENANCE FEE	.00	121.82	487.00	365.18	25.0
51-42-34 WATER METERS, PRV, PARTS	.00	.00	1,000.00	1,000.00	.0
51-42-36 PENALTY NON-COMPLIANCE	40.00	80.00	480.00	400.00	16.7
51-42-40 PLANT INVESTMENT FEES	.00	.00	13,500.00	13,500.00	.0
51-42-60 OTHER WATER REVENUE	.00	.00	570,000.00	570,000.00	.0
TOTAL WATER REVENUE	36,261.52	67,816.04	990,467.00	922,650.96	6.9
<u>WATER-MISCELLANEOUS REVENUE</u>					
51-44-10 FEMA PROJECT	162,010.22	162,010.22	.00	(162,010.22)	.0
TOTAL WATER-MISCELLANEOUS REV	162,010.22	162,010.22	.00	(162,010.22)	.0
<u>WASTEWATER REVENUE</u>					
51-46-05 WW USER FEES	56,196.00	112,512.00	675,360.00	562,848.00	16.7
51-46-40 PLANT INVESTMENT FEES	.00	.00	16,702.00	16,702.00	.0
51-46-60 OTHER WASTEWATER REVENUE	.00	.00	100.00	100.00	.0
TOTAL WASTEWATER REVENUE	56,196.00	112,512.00	692,162.00	579,650.00	16.3
<u>INTEREST/FEE REVENUE</u>					
51-48-10 INTEREST ON INVESTMENTS	5,092.33	10,394.89	20,000.00	9,605.11	52.0
51-48-30 LATE FEES	707.69	1,194.29	8,000.00	6,805.71	14.9
TOTAL INTEREST/FEE REVENUE	5,800.02	11,589.18	28,000.00	16,410.82	41.4
TOTAL FUND REVENUE	260,267.76	353,927.44	1,710,629.00	1,356,701.56	20.7

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

FAIRPLAY UTILITY ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
EMPLOYEE EXPENSES					
51-70-01 SALARIES	10,799.24	23,635.16	151,957.00	128,321.84	15.6
51-70-02 401A EMPLOYER MATCH	322.77	705.54	4,559.00	3,853.46	15.5
51-70-10 EMPLOYEE HEALTH AND WELLNESS	.00	.00	3,000.00	3,000.00	.0
51-70-11 SS/MEDICARE EXPENSE	830.67	1,812.58	11,717.00	9,904.42	15.5
51-70-12 UNEMPLOYMENT EXPENSE	19.04	41.92	306.00	264.08	13.7
51-70-13 EMPLOYMENT HEALTH INSURANCE	2,995.22	5,990.44	44,575.00	38,584.56	13.4
51-70-14 WORKER'S COMPENSATION	.00	3,184.00	3,184.00	.00	100.0
51-70-15 BOARD OF TRUSTEE SALARIES	60.00	60.00	1,200.00	1,140.00	5.0
TOTAL EMPLOYEE EXPENSES	15,026.94	35,429.64	220,498.00	185,068.36	16.1
OFFICE/GENERAL EXPENSE					
51-72-02 BANK/CREDIT CARD FEES	323.69	636.72	5,000.00	4,363.28	12.7
51-72-06 COMPUTER/SOFTWARE/SUPPORT-O	453.00	1,362.25	18,000.00	16,637.75	7.6
51-72-10 MISCELLANEOUS	.00	.00	1,400.00	1,400.00	.0
51-72-14 OFFICE SUPPLIES	253.93	253.93	2,500.00	2,246.07	10.2
51-72-18 POSTAGE EXPENSE	347.65	347.65	4,000.00	3,652.35	8.7
51-72-22 PUBLISHING EXPENSE	.00	.00	600.00	600.00	.0
51-72-26 TELEPHONE/INTERNET EXPENSE	201.08	301.08	4,000.00	3,698.92	7.5
51-72-30 TOWN HALL RENTAL PAYMENT	.00	.00	12,397.00	12,397.00	.0
51-72-34 UTILITIES-OFFICE	391.19	391.19	2,500.00	2,108.81	15.7
51-72-38 VEHICLE/EQUIP RENTAL TO ISF	1,935.00	3,870.00	23,220.00	19,350.00	16.7
51-72-42 VEHICLE MAINTENANCE/REPAIR	82.95	82.95	2,500.00	2,417.05	3.3
51-72-44 FUEL	825.16	825.16	9,000.00	8,174.84	9.2
51-72-60 REPAIR & MAINT - OFFICE BLDG	30.00	60.00	3,000.00	2,940.00	2.0
TOTAL OFFICE/GENERAL EXPENSE	4,843.65	8,130.93	88,117.00	79,986.07	9.2
CONTRACTUAL FEES					
51-73-20 AUDITOR FEES	.00	.00	4,638.00	4,638.00	.0
51-73-40 INSURANCE-PROPERTY/LIABILITY	.00	18,845.21	17,934.00	(911.21)	105.1
51-73-60 LEGAL FEES	.00	.00	5,000.00	5,000.00	.0
51-73-70 TREASURER FEES	.00	.00	1,000.00	1,000.00	.0
TOTAL CONTRACTUAL FEES	.00	18,845.21	28,572.00	9,726.79	66.0

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

FAIRPLAY UTILITY ENTERPRISE

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER - PLANT & EQUIPMENT</u>					
51-74-15 COMPUTER EXPENSE-WATER SYSTE	.00	.00	14,000.00	14,000.00	.0
51-74-17 CONTRACT PLANT OPERATOR	4,500.00	4,500.00	54,000.00	49,500.00	8.3
51-74-20 DITCH MAINTENANCE	.00	.00	500.00	500.00	.0
51-74-25 EDUCATION	1,270.00	1,270.00	2,000.00	730.00	63.5
51-74-30 INFILTRATION GALLERY PROJECT	9,631.97	11,581.23	570,000.00	558,418.77	2.0
51-74-32 ENGINEERING FEES	.00	.00	5,000.00	5,000.00	.0
51-74-40 HASP MEMBERSHIP DUES	.00	.00	1,610.00	1,610.00	.0
51-74-45 LEAKS AND REPAIRS	.00	.00	30,000.00	30,000.00	.0
51-74-50 MISCELLANEOUS	.00	.00	1,000.00	1,000.00	.0
51-74-55 PERMITS/DUES/LOCATES	3.87	472.96	1,500.00	1,027.04	31.5
51-74-65 REPAIR & MAINTENANCE-EQUIP	.00	.00	5,000.00	5,000.00	.0
51-74-70 UTILITIES	262.55	262.55	3,000.00	2,737.45	8.8
51-74-75 TESTING CHEMICALS AND SUPPLIES	24.00	48.00	5,000.00	4,952.00	1.0
51-74-80 TOOLS AND SUPPLIES	39.98	39.98	2,000.00	1,960.02	2.0
51-74-85 WATER METERS	.00	.00	10,000.00	10,000.00	.0
51-74-90 WATER TANKS	20.93	42.65	10,000.00	9,957.35	.4
51-74-95 WATER TREATMENT PLANT	1,921.68	1,921.68	50,000.00	48,078.32	3.8
TOTAL WATER - PLANT & EQUIPMENT	17,674.98	20,139.05	764,610.00	744,470.95	2.6
<u>WASTEWATER-PLANT & EQUIPMENT</u>					
51-76-10 CAPITAL EXPENDITURES	.00	.00	20,000.00	20,000.00	.0
51-76-20 COLLECTION SYSTEM MAINTENANC	.00	.00	10,000.00	10,000.00	.0
51-76-25 COMPUTER EXPENSE-WWW SYSTEM	.00	.00	7,000.00	7,000.00	.0
51-76-27 CONTRACT - ORC	5,000.00	5,000.00	60,000.00	55,000.00	8.3
51-76-30 EDUCATION	.00	.00	2,000.00	2,000.00	.0
51-76-35 ENGINEERING FEES	.00	.00	5,000.00	5,000.00	.0
51-76-36 LIFT STATION	875.00	875.00	5,000.00	4,125.00	17.5
51-76-45 MISCELLANEOUS	.00	.00	3,000.00	3,000.00	.0
51-76-50 PERMITS/DUES/LOCATES	3.87	3.87	4,300.00	4,296.13	.1
51-76-55 REPAIRS AND MAINTENANCE-EQUIP	8,710.40	10,075.90	10,000.00	(75.90)	100.8
51-76-60 SLUDGE REMOVAL/DISPOSAL	.00	.00	100,000.00	100,000.00	.0
51-76-65 TESTING CHEMICALS AND SUPPLIES	403.00	1,890.60	8,000.00	6,109.40	23.6
51-76-70 TOOLS AND SUPPLIES	23.35	23.35	2,000.00	1,976.65	1.2
51-76-75 TRASH	86.00	172.00	1,500.00	1,328.00	11.5
51-76-80 UTILITIES-PLANT	7,072.38	7,072.38	67,000.00	59,927.62	10.6
TOTAL WASTEWATER-PLANT & EQUIP	22,174.00	25,113.10	304,800.00	279,686.90	8.2
<u>DEBT SERVICE</u>					
51-80-02 LOAN PRINCIPAL	.00	.00	231,000.00	231,000.00	.0
51-80-04 LOAN INTEREST	.00	.00	86,616.00	86,616.00	.0
TOTAL DEBT SERVICE	.00	.00	317,616.00	317,616.00	.0

TOWN OF FAIRPLAY
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 2 MONTHS ENDING FEBRUARY 28, 2023

FAIRPLAY UTILITY ENTERPRISE					
	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
TOTAL FUND EXPENDITURES	59,719.57	107,657.93	1,724,213.00	1,616,555.07	6.2
NET REVENUE OVER EXPENDITURES	200,548.19	246,269.51	(13,584.00)	(259,853.51)	1812.9



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. – Xcel Energy Request for Letter of Support

DATE: March 20, 2023

BACKGROUND/ANALYSIS:

Xcel Energy High Country Area Manager Nathan Steele has reached out to the government entities within his service area requesting support for Xcel's application to the US Department of Energy for federal funding being distributed to utilities for Wildfire Prevention. According to Steele, Xcel is currently putting about \$250,000,000 a year into wildfire prevention and the grant would be a massive boost to their program. Therefore, Xcel is requesting the Town's endorsement of their application via a letter of support similar to the one attached to this Staff Report.

Staff feels that a letter of support is appropriate and generally supports the request, but Nathan Steele will be in attendance to present and answer any specific questions the Board may have.

STAFF RECOMMENDATION

Staff recommends the Board approve a letter of support for Xcel Energy's application to the US Department of Energy for federal funding for Wildfire Prevention as presented by motion, second and a roll call vote.

Attachments:

- Sample Letter of Support

March 10, 2023

The Honorable Jennifer M. Granholm, Secretary of Energy

U.S. Department of Energy

1000 Independence Avenue, SW

Washington, DC 20585

Re: Letter of Support for Xcel Energy's Grid Resiliency and Innovation Partnership Project

Dear Secretary Granholm:

XXX is pleased to provide a letter of support for Xcel Energy's application to *BIL – Grid Resilience and Innovation Partnerships (GRIP) (DE-FOA-0002740)*, titled Wildfire Mitigation and Extreme Weather Resilience for Xcel Energy. We are very supportive of this funding pursuit and believe that the projects Xcel Energy is seeking funding for will further our community's efforts to reduce the impacts and risks of wildfire to our community and all residents of Colorado.

-Background on partner-

We have a longstanding relationship with Xcel Energy and a common interest in advancing Xcel Energy's pursuit of clean energy while working to ensure energy delivery is reliable and resilient. We support Xcel Energy's request for funding for wildfire mitigating activities including improved asset fire resistance, advanced asset inspection technology, advancements in wildfire safety and restoration response, fire spread modeling capabilities and other included projects.

We encourage the Department of Energy to select Xcel Energy's application for funding from the GRIP program.

Sincerely,

< signature>

< name>

< title>



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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator
 Scot Hunn, Town Planner
 Nina Williams, Town Attorney

RE: New Business Item B. – Res. No. 11, Series of 2023 for The Bluffs PUD Overlay Zoning

DATE: March 20, 2023

BACKGROUND/ANALYSIS:

At the regular meeting held on March 6, 2023, the Board of Trustees conducted a Public Hearing for an application submitted by FP Land, LLC for PUD Overlay Zoning for 10.72 acres of vacant land currently zoned “Commercial” and located just south of the Fairplay River Park and downtown Fairplay at the northwest corner of Platte Drive and US Hwy 285. Following the public hearing, the application for zoning was approved by a vote of 3-2 and Staff was directed to present a resolution for consideration memorializing the Board’s action pursuant to Sec. 16-9-70 of the Town of Fairplay Unified Development Code (UDC). The attached Resolution No. 11, Series of 2023, is being presented for the Board’s consideration as per the motion on March 6, 2023.

Exhibits A-C to Resolution No. 11 are very large documents and are viewable via the link at the bottom of this report. They will be printed and attached to Resolution No. 11 for recording with the Park County Clerk & Recorder upon approval by the Board on March 20, 2023.

STAFF RECOMMENDATION

Staff recommends the Board approve Resolution No. 11, Series 2023 as presented by motion, second and a roll call vote.

Attachments:

- Resolution No. 11, Series 2023
- Exhibits A-C ([Viewable via this link](#))

“Where History Meets the High Country”

TOWN OF FAIRPLAY, COLORADO

RESOLUTION NO. 11

(Series of 2023)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPROVING THE BLUFFS OF FAIRPLAY PLANNED UNIT DEVELOPMENT OVERLAY ZONE DISTRICT APPLICATION LOCATED AT TOWNSHIP 9 RANGE 77 SOUTH 33, SE4 PART OF SE4 SECTION 33 AND PART OF SW4 SECTION 34 INCLUDING 9-77 (KNOWN AS PARCEL E LARSON MINOR SUBDIVISION)

WHEREAS, the Applicant, FP Land LLC, has applied for approval of new residentially oriented Planned Unit Development Overlay Zone District (hereinafter the “PUD”) to be created on 10.72 acres of vacant land currently zoned “Commercial” and located just south of the Fairplay River Park and downtown within the Town of Fairplay; and

WHEREAS, a public hearing on the application was held before the Board of Trustees of the Town of Fairplay on March 6, 2023, preceded by the required public notice of such hearing; and

WHEREAS, at the public hearing the Board of Trustees heard evidence from interested parties and followed the procedures for approval of the PUD as set forth in Sec. 16-9-80 of the Fairplay Municipal Code, as well as relevant goals and policy statements from the Town’s Comprehensive Plan which generally support the proposed PUD; and

WHEREAS, at the public hearing the Board of Trustees approved the PUD with conditions, and therefore now wishes to memorialize such approval with conditions pursuant to Sec. 16-9-90, as well as execute a Planned Unit Development Agreement.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY;

Section 1. Planned Unit Development Overlay Zone District Approval. The PUD as depicted in “The Bluffs of Fairplay Planned Unit Development Concept Plan Submittal 4” (the “Plan”) and reviewed in conjunction with accompanying reports, plans, and supporting evidence (hereinafter the “Application”) is hereby approved with the following conditions:

1. The Applicant shall provide the following as part of any final plan and Development Agreement submission to the Town:
 - a. A final, detailed Landscape Plan in conformance with Sec. 16-11-10 – Applicability; Sec. 16-11-20 – Landscape Design; Sec. 16-11-40 – State

Highway 285 Corridor Landscaping Standards; Sec. 16-11-60 – Parking Lot Landscaping Standards; Sec. 16-11-70 – Storm Drainage Facilities; ec. 16-11-80 – Fences, Walls and Screening Devices; Sec. 16-11-90 – Submittal Standards for Landscape Plans; Sec. 16-11-100 – Prohibited Plan Materials List; and Sec. 16-11-110 – Recommended Plant Materials List.

- b. All final civil engineering plans, completed to a one hundred (100) percent construction level design, including all grading drainage, and stormwater management details; infrastructure and utility details; construction management and erosion control details; and revegetation details for all on- and off-site improvements.
 - c. A final phasing plan in coordination with all final civil engineering, landscaping, and public improvements plan details that is accompanied by and a final, detailed Engineer's Estimate of Probable Costs. The Phasing Plan and EEOPC shall be accompanied by proposed form of financial guarantee/securitization acceptable to the Town of Fairplay.
2. The Applicant shall address referral comments provided by the Colorado Department of Transportation (CDOT), dated October 30, 2022, including the provision of a valid CDOT access permit, as well as detailed, final design drawings completed to a one hundred (100) percent construction level design for all offsite improvements deemed necessary by CDOT within the U.S. Highway 285 corridor prior to or concurrent with any final plan and/or development agreement submission to the Town.
3. The Applicant shall address referral comments provided by the Northwest Fire Protection District, dated July 20, 2022, prior to or concurrent with any final plan and/or development agreement submission to the Town.
4. The Applicant shall provide information to the Town confirming Park County requirements, if any, for any off-site improvements (on Platte Drive) necessary to serve the PUD and/or to mitigate any identified impacts on Park County infrastructure or services prior to or concurrent with the submittal of any final engineering documents, associated cost estimates, and development agreements.
5. The Applicant shall review and address all applicable requirements and specifications by Xcel Energy to ensure compliance on all civil engineering plans for The Bluffs of Fairplay prior to any final plan/development agreement submission.
6. The Applicant shall provide more fully developed architectural and site related design standards as part of any final plan/development agreement review to ensure

that the specific character intents of the Commercial and Residential-Commercial Multi-Use FLUM designation are met.

7. The Applicant shall work with Town staff to ensure that all proposed signs for the PUD – including those for future commercial buildings/uses facing US Highway 285 – comply with the requirements of the UDC prior to final approval of the PUD plan and prior to any sign permit applications are accepted by the Town as part of any and all final plan documents reviewed with any development agreement.

Section 2. Planned Unit Development Details. Pursuant to Sec. 16-9-90 of the Fairplay Municipal Code and The Bluffs of Fairplay Planned Unit Development Concept Plan Submittal 4 the following disclosures are included.

1. The density allocated to the property by type and number of units;

Unit Type	Number of Structures	Number of Units
Single Family	11	11
Duplex (Two-Family)	24	48
Fourplex (Townhome)	7	28
Apartments	2	60
Managers Quarters	1	2
Total	24	149

2. Approved uses on each development parcel or use areas within the PUD site;

Use Area	Approved Uses
Residential	• Single Family Dwelling Units • Duplex Dwelling Units • Multi-family Dwelling Units: ○ Four-plex Dwelling Units ○ Apartment Dwelling Units ○ Property Manager Quarters • Open Space Uses • Parking and Circulation Uses
Commercial	• Up to a maximum of 89,000 sq. ft. of commercial uses pursuant to those uses

	permitted by right or by special use review within the Commercial Zone District in accordance with Sec. 16-5-30 – Table of Uses, of the Town of Fairplay Unified Development Code • Parking • Open Space and stormwater
Light Industrial	• Personal storage by residents of The Bluffs Planned Unit Development
Common Area	• Common area • Usable and passive open space • Pedestrian circulation • Stormwater facilities • Vehicular circulation • Parking

3. Approved densities in total numbers of units for each development parcel identified;
 - a. Residential = 149 Dwelling Units
 - b. Commercial = Up to 89,000 square feet (3:1 FAR x .68 acres)
4. Approved density transfers from one (1) parcel to another, if any;
 - a. Not applicable.
5. The phasing and general timetable of development that shall ensure the logical and efficient provision of municipal services;

Phase	Timeline	Proposed Improvements
Phase I	Spring 2023-Spring 2024	Infrastructure: Roads, intersections, utilities, grading, drainage, and stormwater facilities. Structures: • Clubhouse • 32 Storage Units • 3 Single-Family Dwelling Units • 36 Townhome Dwelling Units • 30 Apartment Dwelling Units • Commercial Pad Site

Phase II	Spring 2024-Spring 2025	Structures: • 8 Single-Family Dwelling Units • 42 Townhome Dwelling Units • 30 Apartment Dwelling Units
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6. Specific conditions applied to the development of any parcels that, by their nature, are subject to special development constraints;
 - a. Not Applicable.
7. Variations in any dimensional limitations expressed as either an allowable maximum or specific maximum; and
 - a. Not Applicable.
8. Such facts and information illustrating compliance of the PUD with the applicable site plan review criteria set forth in Sec. 16-9-100 of this Article;
 - a. The PUD has an appropriate relationship with the surrounding area, with adverse effects on surrounding area being minimized:
 - i. The proposed PUD includes a layout that responds to and respects the surrounding areas. Specifically, the design includes appropriate setbacks on all sides, along with landscaping, trail connections, and open spaces that should provide adequate buffering. Commercial or more intense uses are proposed in close proximity to U.S. Highway 285 and neighboring uses of a similar nature, while residential uses are concentrated north of Platte Drive and next to existing town-owned open lands.
 - b. The PUD provides an adequate internal street circulation system designed for the type of traffic generated, safety, separation from living areas, convenience and access. Private internal streets are proposed that provide adequate access for police, fire and emergency protection; streets are named in a logical fashion to avoid confusion; and provisions for using and maintaining the streets are imposed upon the private users and approved by the Board of Trustees:
 - i. The PUD provides adequate internal street circulation system in accordance with the Town's street design manual and requirements. Circulation includes adequate access for emergency and service vehicles, with turning radii considered as well as access to structures.
 - c. The PUD provides parking areas adequate in terms of location, area, circulation, safety, convenience, separation and screening:
 - i. Parking ratios have been detailed for each use and unit type contemplated within the PUD; those ratios meet or exceed the minimum requirements of the Town of Fairplay Unified Development Code.

- d. The PUD provides common open space adequate in terms of location, area and type of space, and the uses permitted in the PUD. The PUD does strive for optimum preservation of the natural features of the terrain:
 - i. The PUD Plan provides 37% total, usable open space whereas the Town requires a minimum of 30%. Within the 37% open space or common areas surrounding residential development, there are numerous public improvements inclusive of trails, parks, and formal yard areas surrounding proposed rental housing units..
- e. The PUD provides for variety in housing types and densities, other facilities and common open space:
 - i. The PUD is planned and designed specifically to provide a variety of housing types, densities and, complimentary facilities and amenities such as individual storage units, management office with fitness facilities, and open spaces for use of residents of the PUD.
- f. The PUD provides adequate privacy between dwelling units:
 - i. The layout, scale, and spacing between and around residential structures is adequate and generally reflects typical setbacks required within the Commercial Zone District.
- g. The PUD provides pedestrian ways adequate in terms of safety, separation, convenience, access to points of destination, and attractiveness:
 - i. The PUD is designed to provide adequate, safe, convenient internal pedestrian ways between parking areas and buildings, as well as between common areas and buildings.

Section 3. Site Specific Development Plan. “The Bluffs of Fairplay Planned Unit Development Concept Plan Submittal 4” by Archer Architects (dated December 2022, and attached hereto under Exhibit ‘A’); The Bluffs of Fairplay Conceptual Site Plan by Archer Architects (dated December 15, 2022, and attached hereto under Exhibit ‘B’); and “The Bluffs at Fairplay – PUD” civil engineering drawings by Asher Architects (dated December 15, 2022, and attached hereto under Exhibit ‘C’), together with application forms and associated reports submitted and reviewed in support of the Application shall constitute The Bluffs of Fairplay PUD site specific development plan.

Section 4. Effective Date. This Resolution shall become effective upon adoption.

RESOLVED, APPROVED AND ADOPTED this 20th day of March, 2023.

TOWN OF FAIRPLAY, COLORADO

ATTEST:

Frank Just, Mayor

Janell Sciacca, Town Clerk

PUBLIC HEARING FORMAT

LEGISLATIVE HEARINGS (Policy issues such as ordinances amending the Municipal Code, Budget Hearings, Etc.

1. Mayor will introduce the topic and announce that the Public Hearing is open at _____ (time).
2. Mayor will ask for Staff presentation and allow for questions from the Board and suggested amendments, if any.
3. Mayor will solicit public comment in favor of or in opposition to issue/matter.
4. Mayor will close the public hearing and ask for Board deliberation.
5. Following deliberation, Mayor will ask for a motion to continue, approve as presented, approve with stated amendment(s) or deny.



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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Kyle Parag, Building Official

RE: Public Hearing Item A. – Ord. No. 2, Series of 2023, Removal of Automatic ICC Adoptions

DATE: March 20, 2023

BACKGROUND/ANALYSIS:

As part of the code update that went into effect on January 1, 2023, the Town of Fairplay adopted modern language that provides an automatic adoption of codes regulated by us from the State of Colorado, DORA. The automatic updates language is designed to move the Town to the current codes for plumbing and electrical systems as required within one year of DORA adoption without going through a new code adoption by reference to stay in compliance with the requirements of DORA.

The State of Colorado Attorney has declared that jurisdictions that have language as described will trigger the HB22-1362 (C.R.S. 30-28-211) Energy Code laws that require jurisdictions to update the energy code at any new adoption. Since the State plans to update to the 2023 Electrical Code in August (after the July 1st deadline in the energy code law) the Town would then be in non-compliance with our energy codes adoption.

These two laws conflict with each other since the adoptions happen at inopportune times, and changing the energy code is a lengthy process of adoption by reference.

Charles Abbott and Associates' solution for this conflict is to remove the language such as "Currently" or "As modified", eliminating the direct change in our adopted codes when the basis codes change. Since we are just removing the future automatic update aspect, not changing the adopted codes, this is an easy fix without proceeding through an adoption by reference process.

STAFF RECOMMENDATION

Staff recommends the Board approve Ordinance No. 2, Series 2023 as presented by motion, second and a roll call vote.

Attachments:

- Ordinance No. 2, Series 2023

"Where History Meets the High Country"

TOWN OF FAIRPLAY, COLORADO

**ORDINANCE NO. 2
(SERIES OF 2023)**

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING CHAPTER 18 BUILDING REGULATIONS TO REMOVE LANGUAGE RELATED TO AUTOMATIC ELECTRICAL AND PLUMBING CODE UPDATES THAT WILL CONFLICT WITH C.R.S. 30-28-211 PROVISIONS.

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

WHEREAS, pursuant to C.R.S. §31-15-401, the Town by and through its Board of Trustees (“Board”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, Colorado Revised Statutes §31-16-201 to 208 provides that municipalities may adopt certain codes and standards by reference; and

WHEREAS, Pursuant to CRS§31-16-204, the Board of Trustees may alter and amend any building code; and

WHEREAS The Town of Fairplay, Board of Trustees did approve Ordinance 11, Series of 2022, adopting with certain amendments the International Building Code, 2018 Edition which will be codified as Fairplay Municipal Code Chapter 18– Building Regulations, and the Board of Trustees now desires to update portions of that adoption to remove language that automatically adopts updates to the plumbing and electrical codes based on DORA regulations that the Colorado State Attorney has ruled will trigger a non-compliance with C.R.S. 30-28-211 provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD FOR THE TOWN OF FAIRPLAY, COLORADO AS FOLLOWS:

Section 1. Chapter 18–Building Regulations, ARTICLE I Building Codes, Sec. 18-1-20. Adoption of codes, and specifically subsections (c), (e), (f) and (k), are amended as follows:

(c) The International Residential Code, 2018 Edition, Fourth Printing, September 2020, and appendix J for existing buildings and structures, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including sections as amended ~~or as is from time to time modified~~, by the State of Colorado; Department of Regulatory Agencies, as part of the Colorado Plumbing Code and Colorado Fuel Gas Code listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Fairplay Residential Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows:

...

(e) The ~~current~~ Colorado Fuel Gas Code, as ~~currently~~ adopted by the State of Colorado; Department of Regulatory Agencies, ~~or as is from time to time modified, re-enacted or re-adopted by the State of Colorado~~ as listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Fairplay Fuel Gas Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows: ...

(f) The ~~current~~ Colorado Plumbing Code, as ~~currently~~ adopted by the State of Colorado; Department of Regulatory Agencies, ~~or as is from time to time modified, re-enacted or re-adopted by the State of Colorado~~ as listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Fairplay Plumbing Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows: ...

(k) The ~~current~~ National Electrical Code, as ~~currently~~ adopted by the State of Colorado; Department of Regulatory Agencies, ~~or as is from time to time modified, re-enacted or re-adopted by the State of Colorado~~ as listed in Rule 3 CCR 710-1 is hereby adopted by reference as the Town of Fairplay Electrical Code as if fully set out in this ordinance...

Section 2. Safety Clause. The Town Board hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Fairplay, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 3. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 4. This Ordinance shall become effective 30 days following publication.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED this 20th day of March, 2023.

TOWN OF FAIRPLAY, COLORADO

ATTEST:

Frank Just, Mayor

Janell Sciacca, Town Clerk

**MINUTES OF THE REGULAR MEETING OF THE
FAIRPLAY BOARD OF TRUSTEES
MARCH 20, 2023**

CALL TO ORDER

A Regular Meeting of the Board of Trustees for the Town of Fairplay was called to order by Mayor Frank Just on Monday, March 20, 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, Town Treasurer Kim Wittbrodt, Chief of Police Bo Schlunsen, Town Planner Scot Hunn (online) and Building Official Kyle Parag.

APPROVAL OF AGENDA

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

CONSENT AGENDA

A. APPROVAL OF MINUTES – March 6, 2023 Regular Meeting.

B. APPROVAL OF EXPENDITURES – Approval of paid bills for Town Funds in the amount of **\$48,618.09**. Town Administrator/Clerk Sciacca noted several non-substantive spelling and format corrections to the March 6 minutes.

Trustee Douglas inquired if the \$1,000 paid to CIRSA was the deductible for the vehicle incident in December. Treasurer Wittbrodt replied it was.

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

CITIZEN COMMENTS – None.

NEW BUSINESS

A. Consideration of a request from Xcel Energy for a letter of support for the Grid Resiliency and Innovation Partnership (GRIP) Project.

Town Administrator Sciacca advised that Xcel Energy High Country Area Manager Nathan Steele was supposed to attend the meeting to provide an overview and answer questions but did not appear in person or online. Following a brief discussion regarding the difference between mitigation and preventing fires versus protecting infrastructure from fires, the Board generally agreed that it would be best to continue the request to April 3 for Steele to be present.

B. FIRST READING: Resolution No. 11, Series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPROVING THE BLUFFS OF FAIRPLAY PLANNED UNIT DEVELOPMENT OVERLAY ZONE DISTRICT APPLICATION LOCATED AT TOWNSHIP 9 RANGE 77**

SOUTH 33, SE4 PART OF SE4 SECTION 33 AND PART OF SW4 SECTION 34 INCLUDING 9-77 (KNOWN AS PARCEL E LARSON MINOR SUBDIVISION).”?

Mayor Just introduced the matter. Town Planner Hunn presented reminding that at the Public Hearing held on March 6, the Board voted 3 to 2 to approve The Bluffs of Fairplay Overlay Zone District or PUD, and Resolution 11 sets forth or memorializes that action and also the conditions of approval. Approval of the Resolution allows Staff to move forward to work with the applicant in the coming months to receive and review final plans for the development and negotiate any development agreement. Trustee Voorhis inquired how the resolution differs from what was approved on March 6. Town Administrator Sciacca replied the resolution formalizes the approval with the conditions listed in the Staff Report and is required by Fairplay Municipal Code Section 16-9-70. She clarified this was the standard process and there was no going back nor negotiating or re-discussing the matter and the Resolution would be recorded with Park County. Mayor Just inquired about discussing a letter of credit to secure improvements and Hunn replied that collateralization of infrastructure would be worked out with the development improvements agreement for presentation to the Board at a later date.

Motion #3 by Mayor Pro Tem Dodge, and seconded by Trustee Lynn, to approve Resolution No. 11, Series of 2023, as presented. A roll call vote was taken: Douglas – nay, Dodge – aye, Just – aye, Voorhis – nay, Lynn – aye. Motion carried 3 to 2.

PUBLIC HEARINGS

A. FIRST READING: Ordinance No. 2, Series of 2023, entitled, “AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING CHAPTER 18 BUILDING REGULATIONS TO REMOVE LANGUAGE RELATED TO AUTOMATIC ELECTRICAL AND PLUMBING CODE UPDATES THAT WILL CONFLICT WITH C.R.S. 30-28-211 PROVISIONS.”?

Mayor Just introduced providing an overview of the format for the proceedings and then opened the Public Hearing at 6:12 p.m. Building Official Parag presented an overview of the Staff Report explaining the intent of the ICC codes adopted in January was to automatically adopt new plumbing and electrical codes to stay in compliance with DORA requirements, but the Attorney General declared this would trigger HB22-1362/CRS 30-28-211 also requiring automatic Energy Code updates. Therefore, Charles Abbott Associates, LLC, was recommending the Town remove certain language from the previous adoption to eliminate direct changes in the adopted codes when the basis code changes. Mayor Just questioned that if the Town had not adopted the 2018 code in January, it would be forced to go to the 2021 code in July and Parag agreed adding this would buy the Town a little time. Mayor Just asked how much time until the Town would have to move to the updated codes and Parag stated that the Energy Board was working on the 2025 code and the Town would be forced to adopt it by July 1, 2025. There being no public comments in favor or in opposition to the Ordinance, Mayor Just closed the floor to further comment and requested a motion to approve.

Motion #4 by Trustee Douglas, seconded by Mayor Pro Tem Dodge, to approve Ordinance No. 2, Series of 2023, as presented with the explanation provided by Building Official Parag. A roll call vote was taken: Douglas – aye, Dodge – aye, Just – aye, Voorhis – aye, Lynn – aye. Motion carried unanimously.

WORK SESSION

A. Discussions with the Town of Alma regarding topics of mutual interest and concern.

Town Administrator Sciacca provided a brief background stating that at the Intergovernmental Meeting held on February 28, Town of Alma posed the question as to whether or not the Fairplay Board would be willing to reopen discussions as to whether or not the Town of Alma could somehow be serviced by the Fairplay sewer system. When asked about it, the Board approved scheduling a work session and hence

the evening's meeting. Gary Goettelman, Alma Town Administrator, introduced himself as did Alma Trustees Patrick Gleason, Ian Green, Tim Zingler and Delia Rollow. Mayor Golgoon was unable to attend and Trustee Lafever was late arriving. Goettelman stated that the Town of Alma was pretty far down the road at this point and in the process of applying for another grant for the construction with 60% of the design done so connecting to the Fairplay system wasn't really a viable option any longer. He stated the Town was more interested in pursuing the sharing of an operator (ORC) since their system will require a Class A operator. Trustee Voorhis felt that would make sense recalling in his prior community of Oak Creek, the Town shared its operator with 3 other communities because it was outrageously expensive and hard to find the right operator. Town Administrator Sciacca stated that she had suggested at some time both Towns look to partner to hopefully entice a company to the area to provide the services to both communities. Mayor Just shared part of the prior history of discussions and then shared his insight on the potential costs today to run a sewer line from Alma to Fairplay. He reported that when originally discussed, the costs were \$9.2 million and at today's costs the budget has risen to \$14.48 million, and with a 25-year plan that number would probably triple given the circumstances. Following additional discussion, Mayor Just invited Goettelman to reach out to him for any insight he could provide as they moved forward with their project. Sciacca then also noted that she had mentioned at the Intergovernmental Meeting that Fairplay was accepting 2 shuttle buses and hoped to roll out service in May. She reported that the current Transit Study was indicating one of the desired routes was between Alma and Fairplay so she suggested the Towns partner on a shuttle between the communities during the summer months to start. She added Fairplay would run the service and would look to have Alma subsidize it financially for the benefit of its residents and also help Fairplay qualify for additional funding. Alma expressed general interest in discussing the service as further details developed. The group also discussed public safety briefly and whether there was also the opportunity to partner on services and then Alma indicated they spoke to the Park County Sheriff's Department but decided against contracting with them due to the fact the Town would not see any different level of services than those already being received and the Sheriff wanted to keep all traffic fine monies. He stated instead he was looking at installing photo radar. Sciacca also advised them to take a look at private companies. Alma Trustee Lafever arrived and Mayor Just stated that the evening's meeting certainly reinforced the need for quarterly intergovernmental meetings to discuss problems in kind. There was also a short discussion on the maintenance of the bike path between the two Towns. It was felt this was the responsibility of the County and money they were receiving from a CDOT MMOF grant was to make it better and potentially usable as a roadway in an emergency evacuation situation. Mayor Pro Tem Dodge invited Alma to attend the Transportation Region meetings and bring the subject up as well as participate in those discussions and get information firsthand. He reported the next meeting was being held in Fairplay on April 17 at the Northwest Fire Protection District location. Trustee Voorhis then stated he would support any way the Towns could partner for funding for the path. Mayor Just closed the Work Session thanking the Alma Board and Administrator for sharing their plight and encouraged support of their Administrator. Sciacca confirmed that the next quarterly Intergovernmental Meeting was set for May 23 and Park County had agreed to host.

STAFF AND BOARD OF TRUSTEE REPORTS

Chief Schlunsen stated there were not a lot of cases to report over the last month but there had been two house fires.

Building Official Parag reported he was fielding a lot of inquiries about construction of new homes, but otherwise things had slowed but he anticipated the workload picking up in the next few months.

Town Administrator Sciacca reported Staff was meeting with the CDOT Workforce Housing development team again Tuesday afternoon and the Town had still not received any formal plans or notification to

vacate the Hathaway Barn. She echoed that she was fielding a lot of inquiries, especially on Short Term Rentals, but most ended up being for County properties. She noted the email Town Treasurer Wittbrodt sent out to the Board relative to the security of the Town's monies adding Staff was confident in its financial security. Sciacca added she would begin making calls to see if she could obtain income and family information to determine a true Fairplay AML.

Trustee Douglas noted an email from Kerrie Lynn about the lack of cleaning of snow on the sidewalks to the school baseball and track field. Sciacca reported that Staff would be discussing the subject in its weekly meeting and that the Town needed to set a good example.

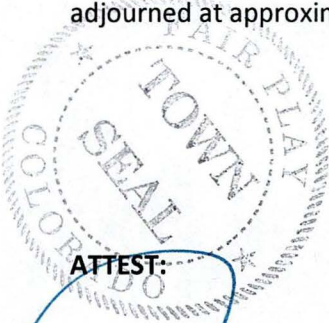
Trustee Dodge reported he had been hiking around Town looking at things and picking up. He asked if it was possible to change the direction of the entrance for the School and Mayor Just and Chief Schlunsen agreed this was not possible as it would lead to traffic backing up onto Highway 9. Just felt the situation had improved to a palatable point following last year's discussions with the School officials and CDOT.

Trustee Voorhis reported that trucks and longer, larger vehicles parked at Casa Sanchez and Mr. Burro extended over the sidewalk and into the street/Highway 9 at times making walking difficult for pedestrians. He questioned if there was anything that could be done to remedy the situation. Sciacca advised that the owners could be asked to put up signs to limit use to compact vehicles but it probably would not help, and the parking allowed there had been going on for so long it would be difficult to resolve. Voorhis then reported he would talk to the Biologist in his office to see if she could help the Town out on its wildlife impacts for the Phase 2 of the River Park when she returned to the office next week.

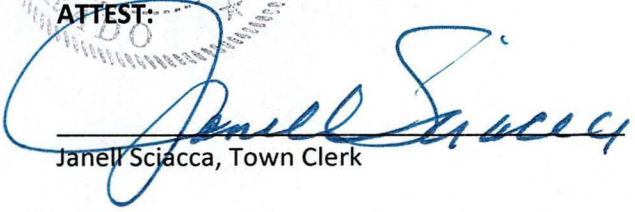
Mayor Just read a thank you letter from the Park County Creative Alliance for the Town's membership and he hoped to also receive one from the Chamber. Sciacca reported that the Chamber President had provided a very nice and well-written letter of support for the Town's Congressionally Directed Spending request for grant funding for the 501 Main renovations. She added that there were multiple grants Staff was working on during the month of March. Just closed by reporting on the upcoming meetings of the Board on April 3 and 17.

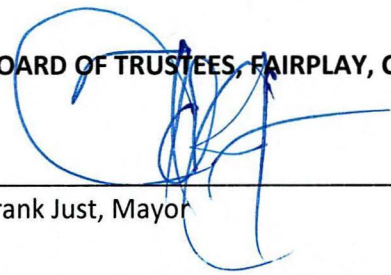
ADJOURNMENT

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at approximately 7:21 p.m.



ATTEST:


Janell Sciacca, Town Clerk


BOARD OF TRUSTEES, FAIRPLAY, COLORADO

Frank Just, Mayor