



**OFFICIAL MINUTES
REGULAR BOARD MEETING
MAY 19, 2025
901 MAIN STREET, FAIRPLAY, CO 80440**

I. REGULAR MEETING – CALL TO ORDER

A Regular Meeting of the Fairplay Board of Trustees was called to order on Monday, May 19, 2025, at 6:00 PM at Town Hall, 901 Main Street, Fairplay, CO, having previously been posted in accordance with Colorado Open Meetings law.

II. PLEDGE OF ALLEGIANCE

Mayor Just led the pledge of allegiance.

III. ROLL CALL

BOARD MEMBERS PRESENT: Mayor Frank Just, Mayor Pro Tem Ray Douglas, Trustee Courtney Avery, and Trustee Josh Voorhis.

BOARD MEMBERS ABSENT: Trustee Erik Baum.

STAFF IN ATTENDANCE: Town Administrator Janell Sciacca, Building Official Kyle Parag, Town Attorney Joe Rivera.

IV. APPROVAL OF AGENDA

MOTION to approve the agenda as presented was made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

V. CONSENT AGENDA

A. APPROVAL OF EXPENDITURES – Paid bills for all Town funds from May 9, 2025, through May 14, 2025, in the amount of **\$51,291.92**.

MOTION to approve the Consent Agenda as presented with the expenditures as stated was made by Trustee Voorhis and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

VI. CITIZEN COMMENTS

Pat Stoinski, 1150 Castello Avenue, expressed frustration with the Town's development processes, particularly regarding a lot line adjustment. Stoinski indicated that what she had been advised was a simple process was not. She felt there were many complications and unclear communication which made the process overwhelming. She was concerned about costs and indicated there was no clear explanation of the fees for contract staff and criticized that they were unfamiliar with Fairplay and how things were done. Stoinski suggested the Town Planner have a more central role to help streamline the processes and suggested the Town should take middle-ground on matters for more user-friendly processes and encourage business growth. Mayor Just thanked Stoinski for her comments and requested that she put her concerns in writing to the Board if she desired a formal response.

VII. PROCLAMATIONS, PRESENTATIONS & UPDATES

A. Proclamation recognizing May 18-24, 2025 as National Public Works Week.

Mayor Just read the proclamation into the record and signed it recognizing the importance of public works professionals in maintaining vital infrastructure and services. He extended appreciation to the Town's staff for their work on behalf of the community.

B. Proclamation recognizing May 19, 2025 as Celebrate Your Elected Officials Day.

Mayor Just read the proclamation into the record and signed it acknowledging the vital role of local elected officials in representing community interests and needs, their commitment to public service, accountability, and community betterment. He and Town Administrator Sciacca expressed appreciation to the Fairplay Board of Trustees for their service and dedication.

- C. Update from Steve Crozier, Managing Partner of FP Land, LLC, regarding The Bluffs Development with presentation regarding Colorado Housing Finance Authority (CHFA) Land Banking Program.

Steve Crozier provided an introduction on the topic of land banking program as part of Proposition 123. He introduced Tanner Crawley of Trellis Housing Partners who presented details of the program and how those would apply to the Bluffs project. Crawley reviewed a presentation reporting on Prop123 funding and the Land Banking Program. He highlighted:

- o Prop123 was funded by 0.1% of state income tax creating a \$300 million fund for affordable housing.
- o The Land banking program allows purchase of land for affordable and middle-income housing development.
- o Provides 100% funding for land costs as a recoverable grant that becomes forgivable if an affordable housing project is developed within 10 years.

Crawley reported that 2 rounds of funding already occurred, with \$25 million and \$48 million distributed respectively, and the next funding round opened in July 2025 with a focus on rural and rural resort applications. He stated that the loan terms were 10 years at 2.5% interest, non-recourse, no liability, and no interest payments and the program covers 100% of closing costs, legal costs, and other associated expenses. Crawley then presented the opportunity of the Bluffs development as a potential application for Fairplay noting it was a 10.72-acre parcel with an approved PUD for 149 mixed-use units. He highlighted the project included diverse housing types: single-family homes, duplexes, townhomes, and apartments which aligned with the program criteria: relative density, mixed-income potential, modular construction. He advised that the Town of Fairplay would be an ideal applicant as a local government entity that had opted in for Prop123 funding. Crawley then reviewed two potential methods for implementation:

- o Town purchases land directly and issues RFP for development partners; or
- o Town applies for funds and provides a mirror loan to a development partner.

Steve Crozier highlighted Grand Junction's recent use of the program to purchase 30 acres.

Board discussion ensued with the potential for phased development to address specific community needs over time. The program's attractiveness was highlighted due to minimal financial risk and potential for leveraging additional state funding. Mayor Just expressed concern about the Town's ability of Staff to handle administrative tasks and emphasized the need for zero financial exposure. Crawley assured that the program could be structured to minimize the administrative burden on the town. Board members requested more time to digest the information and suggested a future work session for further discussion. Mayor Just proposed moving the effective date to December 31st to align better with construction planning cycles. Town Administrator Sciacca advised she would follow up with Crozier and Crawley to schedule a work session date.

VIII. PUBLIC HEARINGS

- A. **FIRST READING** – Should the Board of Trustees for the Town of Fairplay approve the adoption of Ordinance No. 3, Series of 2025, entitled “**AN ORDINANCE ADOPTING BY REFERENCE THE 2024 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL SWIMMING POOL AND SPA CODE, INTERNATIONAL WILDLAND-URBAN INTERFACE CODE, INTERNATIONAL FIRE CODE, THE 2023 NATIONAL ELECTRICAL CODE, COLORADO FUEL GAS CODE, COLORADO PLUMBING CODE, COLORADO WILDFIRE RESILIENCY CODE, COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE ALL REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES, AND BUILDING SERVICE EQUIPMENT; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE OF SEPTEMBER 1, 2025.**”?

Kyle Parag, Building Official, introduced the new building code suite recommended for adoption. He advised the ordinance included adoption of 2024 editions of various international codes and Colorado-specific codes. Parag advised that he made initial changes based on previous feedback received:

- o Removed unnecessary mandates from the ADU section.
- o Removed sprinkler requirement from the Wildland code.
- o Removed the radon appendix.

He stated the proposed effective date was September 1, 2025. Mayor Just suggested moving the effective date to December 31st to better align with construction planning cycles. He also raised concerns about the requirement for Heat Recovery Ventilators (HRVs) in buildings over 800 square feet and costs and installation implications of HRV systems. Just expressed concern about the broad language in the administrative section (18-1-10) regarding building permits. Clarification was requested on the ability of the Town to modify certain code requirements. Concerns were also raised regarding electrical work requirements, with Mayor Just arguing for more flexibility in allowing homeowners to perform simple electrical tasks. He also

suggested changes to wording in various sections for clarity and reasonableness. Following additional discussion, Parag advised he would bring back responses at the next meeting and Town Attorney Rivera would review potential modifications to code language, particularly administrative sections. Parag encouraged Board members to compile a list of other desired changes for further discussion and the Board generally felt a work session would be beneficial for more detailed review of the ordinance. Town Administrator Sciacca advised that the required publications were completed, and the first official public hearing of the ordinance was scheduled for July 7th.

B. FIRST READING – Should the Board of Trustees for the Town of Fairplay approve the adoption of Ordinance No. 4, Series of 2025, entitled “**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING THE FAIRPLAY MUNICIPAL CODE CHAPTER 8 – VEHICLES AND TRAFFIC TO IMPLEMENT A NEW AUTOMATED VEHICLE IDENTIFICATION SYSTEM (AVIS) TO REPLACE THE PREVIOUSLY-APPROVED AVIS TO SUPPORT THE FAIRPLAY TRAFFIC SAFETY INITIATIVE.**”?

Mayor Just introduced the topic and opened the public hearing. Chief Worley presented an overview of the ordinance. He reported the ordinance aims to establish public safety corridors for automated speed enforcement on certain designated roads. Those corridors include sections of Highway 285 and Highway 9 within town limits. He advised the program would allow for 24/7 automated speed violation detections using stationary cameras or speed trailers and that specific signage was required if approved. Worley reported the initial implementation would be done using handheld lidar devices, with potential for stationary cameras in the future. Trustee Avery sought clarification on the extent of the program, which Worley confirmed was primarily for speeding on Highway 285 and Highway 9. Worley also clarified that the cameras were solely for speed enforcement, with potential for license plate reading to detect stolen vehicles. Mayor Pro Tem Douglas inquired about coordination with CDOT for signage implementation. Chief Worley emphasized the program's goal is to reduce speeding and improve safety, not generate revenue. Board members voiced general support with everyone voicing concerns with the level of speeding being seen, both on the highway and in the school zone, and for pedestrian safety.

MOTION to approve adoption of Ordinance No. 4, Series of 2025, as presented was made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

IX. STAFF AND BOARD OF TRUSTEE REPORTS

Chief Worley inquired about board interest in regular police bulletins or crime reports for the community. Trustee Avery suggested offering the information to The Flume for publication. Town Administrator Sciacca mentioned using Facebook for sharing important updates, noting it generates significant community engagement. The Chief also reported on a recent child sexual assault case that resulted in a plea deal, with the perpetrator receiving 12 years in prison.

Building Official Parag provided an update on building permits and inspection noting a recent uptick in activity with several big projects submitted and increased inspection numbers. He reported he was anticipating a busy year ahead for Fairplay.

Town Administrator Sciacca provided updates on various town projects:

- Ongoing sidewalk construction progress around town, with some minor setbacks near 501 Main.
- Update on the 501 Main building roof damage claim, which may be denied by insurance.
- River Park project progressing, with positive feedback from the community.
- Code enforcement efforts to be increased with the help of Officer Berlanga.
- Upcoming CDOT presentation on the access study for Highway 285 on May 21st at 501 Main.
- Planned power outage by Excel, potentially rescheduled due to weather concerns.
- Consumer Confidence Report for water quality to be mailed with June bills.

Mayor Pro Tem Douglas mentioned attending an upcoming spring conference in Keystone, offering to share any concerns or questions from the Board.

X. EXECUTIVE SESSION

- A.** An executive session of the Board of Trustees to discuss the acquisition of certain real property and to develop negotiation strategy, instruct negotiators, and receive legal advice regarding same, as authorized under sections 24-6-402(4)(a), (4)(b), and (4)(e) of the Colorado Revised Statutes. At the conclusion of the executive session, the Board of Trustees will reconvene the open meeting and, if necessary, take action on this item in open session.

MOTION to enter into executive session for the purpose of discussing the acquisition of certain real property and to develop negotiation strategy, instruct negotiators, and receive legal advice regarding same, as authorized under sections 24-6-402(4)(a),

(4)(b), and (4)(e) of the Colorado Revised Statutes and return to regular session to take action as necessary was made by Mayor Just and seconded by Mayor Pro Tem Douglas at 8:22 PM.

- Roll call vote: Unanimous approval.

XI. RECONVENE REGULAR MEETING AND ADJOURNMENT.

Upon returning to regular session at 8:40 PM, the Town Attorney presented five motions for the Board's consideration:

MOTION to retain Amy Caniglia to represent the Town in the purchase of real property and authorize the Mayor to execute all related contracts as approved by the Town Attorney. Motion made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

MOTION to authorize the town to obtain an appraisal of the vacant real property, including market value with water rights, as approved by the Town Attorney. Motion made by Trustee Voorhis and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

MOTION to authorize the Town Administrator to obtain a legal description of the real property at issue and execute related contracts as approved by the Town Attorney. Motion made by Mayor Pro Tem Douglas and seconded by Trustee Voorhis.

- Roll call vote: Unanimous approval.

MOTION to authorize the Town Attorney to obtain necessary financing for the property acquisition, with the board retaining full discretion to approve the preliminary loan application at a future meeting. Motion made by Mayor Pro Tem Douglas and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

MOTION to authorize the Town Administrator to enter into a purchase contract for the real property, with or without water rights, including the minimum earnest money required by loan terms, with the board retaining full discretion to approve the final purchase at a future open meeting. Motion made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 8:45 PM.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

ATTEST:

Janell Sciacca, Town Clerk

Frank Just, Mayor

