



OFFICIAL MINUTES
SEPCIAL BOARD MEETING
JUNE 23, 2025
901 MAIN STREET, FAIRPLAY, CO 80440

I. SPECIAL MEETING – CALL TO ORDER

A Special Meeting of the Fairplay Board of Trustees was called to order on Monday, June 23, 2025, at 6:04 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, Trustee Josh Voorhis and Trustee Baum.

BOARD MEMBERS ABSENT:

STAFF IN ATTENDANCE: Town Administrator Janell Sciacca and Town Attorney Joe Rivera.

IV. NEW BUSINESS

A. Should the Board of Trustees for the Town of Fairplay, Colorado approve the purchase of real property adjacent to the Town's Water Plant, 1582 Beaver Creek Road and TBD Beaver Creek Road, Fairplay, CO 80440 AKA county parcel ID R0048989 and R0048990, and the purchase of 10 water stock certificates?

Town Attorney Rivera provided a history offers reminding that the Board's last offer was countered so no binding offer was on the table, just a verbal agreement at \$430,000 for both lots and the water rights. Mayor Just confirmed the Board's agreement and offer at \$430,000 with \$360,000 allocated for the land and \$70,00 for the water rights. Town Attorney Rivera proposed that the Town consider separating out the land from the water based on a preliminary discussion with the Water Attorney and his preference for a separate contract. Following additional discussion, the Board generally agreed the financing structure be flexible as long as the total price remained at \$430,000. Town Administrator Sciacca read an email from Town Attorney Matt Poznanovic highlighting he had no issue with the parcels being under one contract and recommended conveyance of the water certificates by assignment and special deed. Amy Caniglia, Town's agent, clarified that the Town was purchasing water stock certificates and not deeded water rights and there were no wells on either property. Town Attorney Rivera noted that Poznanovic requested pushing of the water rights examination due diligence deadline and typically needed 30 days for this and the Board agreed to extend the deadline by 30 days if the seller also agreed. Sciacca noted possible financing with TBK Bank and discussions ensued on whether to finance the full \$430,000 or split the financing. Mayor Just suggested financing \$360,000 and paying \$70,000 cash for the water certificates. The entire Board generally agreed to this approach. Caniglia confirmed that \$5,000 in earnest money would need to be deposited and held in escrow, closing fees would be around \$300 and the real estate commission would be paid by the seller.

MOTION to authorize the Mayor to sign a proposed contract to purchase real property adjacent to the town's water plant, for \$430,000, \$360,000 allocated to the real property, and \$70,000 allocated to the water certificates in a form approved by the Town Attorney to also include a \$5,000 earnest deposit was made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

V. STAFF AND BOARD OF TRUSTEE REPORTS – None.

VI. ADJOURNMENT

There being no further Business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 6:21 PM.

ATTEST:

Janell Sciacca, Town Clerk

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

Frank Just, Mayor