



**OFFICIAL MINUTES
REGULAR BOARD MEETING
JULY 7, 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, July 7, 2025, at 6:02 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 Erik Baum

BOARD MEMBERS ABSENT: Trustee Josh Voorhis (excused)

STAFF IN ATTENDANCE: Town Administrator Janell Sciacca, Town Attorney Joe Rivera, Town Planner Scot Hunn and Town Building Official Kyle Parag

IV. APPROVAL OF AGENDA

MOTION to approve the Consent Agenda with the minutes as written and expenditures as stated and clarified by Staff was made by Mayor Trustee Baum and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

V. CONSENT AGENDA

A. APPROVAL OF PRIOR MEETING MINUTES – May 12, 2025 Special Meeting.

B. APPROVAL OF PRIOR MEETING MINUTES – May 19, 2025 Regular Meeting.

C. APPROVAL OF CHECK EXPENDITURES – Paid bills for all Town funds from June 13, 2025, through July 3, 2025 in the amount of **\$83,626.50**

MOTION to approve the Consent Agenda with the minutes as written and expenditures as stated and clarified by Staff was made by Mayor Pro Tem Douglas and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

VI. CITIZEN COMMENTS

Laurence Burnett, 490 8th Street, spoke concerning stop sign violations in Town, especially at 6th Street and Castello. Sgt. Martinez reported that he would get the word out to Officers for increased patrols and ticketing enforcement. Burnette also inquired about funding for the Town shuttle service. Administrator Sciacca explained the program was partially funding by a \$100,000 CDOT Faster Grant and the purpose was to provide free service for students, seniors, visitors, etc. She also noted the Town partnered with the Town of Alma, Senior Coalition and other service organizations to serve mobility needs in the community.

VII. NEW BUSINESS

A. FIRST READING – Should the Board of Trustees for the Town of Fairplay approve the adoption of Resolution No. 21, Series of 2025, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AUTHORIZING THE EXECUTION OF A PROPERTY IMPROVEMENT INCENTIVE PROGRAM (PIIP) AGREEMENT BETWEEN THE TOWN AND MARCIA MCMAHON FOR THE 200 6TH STREET STAIN AND PAINT PROJECT.**”?

Town Administrator Sciacca presented the PIIP request for exterior painting and staining at 200 6th Street and introduced the applicant in attendance. Sciacca reported that the application was in order, funding was available and Staff was recommending approval as presented.

MOTION to approve Resolution No. 21, Series of 2025, approving a PIIP with Marcia McMahon for 200 6th Street as presented was made by Trustee Baum and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

B. REQUEST FOR WAIVER OF TAP FEE - Should the Board of Trustees for the Town of Fairplay, sitting at the Water and Wastewater Enterprise Board, approve a request from Park County for waiver of a Water Tap / Plant Investment Fee for the Park County Sheriff's Office Bunkhouse?

Town Administrator Sciacca presented providing an overview of the Staff Report. She introduced Park County Public Works Director Nick Bredsnadger and Project Manager Jared McQueer who provided details on the bunkhouse installation and purpose and respectfully requested waiver of the new water tap. There was clarification that the tap size would be a 1" tap and the amount to be waived was \$16,920. Following discussion regarding the improved intergovernmental relationship between the entities, Mayor Just requested formal agreements for the fuel arrangement, and another agreement between the Sheriff and the Chief of Police for use of bunk space for Town Officers be put in place. He also requested future collaboration on possible transfer of the property owned by the County at 5th and Clark for affordable housing opportunities. Bredsnadger and McQueer verbally agreed to the requests.

MOTION to approve the a request from Park County Government for waiver of a 1" Water Tap for the Park County Sheriff's Office Bunkhouse in an amount not to exceed \$20,000 and a formal MOU be brought back to the Board for space at the Bunkhouse for Town Officers along with formalization of other ongoing intergovernmental cooperations and ongoing relationship matters was made by Mayor Pro Tem Douglas and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

C. FIRST READING – Board Should the Board of Trustees for the Town of Fairplay approve the adoption of Resolution No. 22, Series of 2025, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN AMENDED CONSTRUCTION CONTRACT AGREEMENT WITH HIGH PEAK CONSTRUCTION, INC. FOR SIDEWALK CONSTRUCTION.**”?

Town Administrator Sciacca presented providing an overview of the Staff Report advising that the original estimate for sidewalks was \$245,000 and had come in closer to \$293,629. She reviewed the completed sections to date and advised that the sections yet to be completed would push the project closer to \$400,000. Mayor Just advised that concrete costs were expected to rise 20-22% in 2026 and prompted urgency to complete the projects outlined in 2025. The Board generally agreed to proceed with all remaining identified sidewalk projects also agreeing that they were a valuable capital investment for the community as a whole and that there was strong community support and appreciation voiced to date on the sections completed.

MOTION to approve adoption of Resolution No. 22, Series of 2025, as presented approving an amended construction agreement with High Peak Construction, Inc. was made by Trustee Avery and seconded by Trustee Baum.

- Roll call vote: Unanimous approval.

D. SECOND READING – Should the Board of Trustees for the Town of Fairplay approve the adoption of Resolution No. 20, Series of 2025, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AN AGREEMENT WITH TERRAGENESIS, LLC FOR DEWATERING, TRANSPORTATION AND LAND APPLICATION SERVICES FOR BIOSOLIDS.**”?

Town Administrator Sciacca presented providing an overview of the Staff Report and noted the cost was \$91,000 and significantly lower than amounts paid in prior years and other proposals. Following discussion surrounding “dry ton” versus “wet ton,” the Board generally felt comfortable proceeding based on historical data and expected volumes.

MOTION to approve adoption of Resolution No. 20, Series of 2025, as presented approving an agreement with TerraGenesis LLC was made by Trustee Baum and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

E. 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 reported that the loan package was delayed due to changed financing conditions and additional unexpected fees. He advised the seller remains patient while the Town south out better financing terms, and following additional discussion, the Board reaffirmed their commitment to purchase the property and water certificates at the original agreement upon amount of \$430,000 which was \$360,000 for the land and \$70,000 for the certificates. Rivera advised Staff would continue to negotiate terms and return with updates when necessary.

VIII. PUBLIC HEARINGS

- A. CERTIFICATE OF APPROPRIATENESS REQUEST – COA 2025-004.** Should the Board of Trustees for the Town of Fairplay, sitting at the Architectural Review Committee, approve an application from South Park Health Services District for renovations for a Physical Therapy Building at 540 Front Street?

Mayor Just announced the public hearing item and format. Town Planner Scot Hunn presented providing and overview of the Staff Report and advised the application was fairly straightforward and Staff was recommending approval as presented with no conditions. Charlie Schultz appeared on behalf of the applicant and responded to questions of the Board. There was not public comment for or against the Certificate of Appropriateness.

MOTION to approve the application for a Certificate of Appropriateness filed by the South Park Health Services District for the exterior addition of a porch enclosure and front walkway for the Physical Therapy Building located at 540 Front Street within the Town Center Overlay District, because the proposal meets the Town's criteria and standards for approval; and that the Board direct the Town Clerk to issue said Certificate of Appropriateness within seven (7) business days as per the plans submitted and approved was made by Trustee Baum and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

- B. CONTINUED FROM APRIL 7, 2025: VARIANCE REQUEST – VAR 2025-001.** Should the Board of Trustees for the Town of Fairplay, sitting at the Board of Review, approve an application from ACL Real Estate dba Highside Brewing for a variance for relief from required parking requirements and parking lot design standards; and a variance for relief from the required State Highway 285 landscape setback and buffer for the property located at 411 US 285?

Mayor Just announced the public hearing item and format. Town Planner Scot Hunn presented providing an overview of the Staff Report and announced the applicant worked with Staff to revise the landscaping and parking plan to include ADA parking spaces, graded and delineated gravel lot for general parking and barrels and seasonal planters along US 285 for landscaping and traffic delineation. He announced that Staff reversed its prior position and was now recommending approval with conditions. There was no comment for or against the request. The Board and the applicants both expressed appreciation of the collaborative effort and felt the outcome was a mutually beneficial compromise.

MOTION to approve the variance request(s) by ACL Real Estate, LLC as per Staff's recommendation because the application MEETS the required criteria and standards, and that the Town Attorney and/or the Town Planner be directed to prepare a finding and order and resolution consistent with the Board's for the Board's approval at a future meeting was made by Trustee Baum and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

- C. SECOND 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.**”?

Mayor Just announced the public hearing item and format. Town Building Official Kyle Parag presented providing an overview of the Staff Report and reviewing the different codes and purposes and recent legislation impacting adoption deadlines. He advised the Town was not technically required to adopt new codes in 2025 but future adoptions after July 1, 2026 could trigger mandatory low energy, low carbon codes which would make construction more restrictive and costly. Parag recommended adoption before the July 1 deadline to avoid stricter mandates. Following questions and discussions, the Board generally agreed to continue the ordinance in order to conduct further discussions and gather more input from builders and stakeholders prior to adoption.

MOTION continue consideration of Ordinance No. 3, Series of 2025 to September 15, 2025 was made by Mayor Pro Tem Douglas and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

IX. STAFF AND BOARD OF TRUSTEE REPORTS

A. 2nd Quarter Water and Sewer Operator In Responsible Charge (ORC) Report from Warm Springs Consulting, LLC. Operators in Responsible Charge Marty Deline and Keith Chisholm reviewed the quarterly report. Discussion ensued relative to acceptable water loss and gallons not billed being 10-20% and not 30% or more that were being seen. It was felt that matters contributing to the figures were non-reading meters, leaks and data entry errors. Unmetered leaks, such as the one at the Forest Service building, were significant contributors. It was noted that the lift station also lacks metering and was instead estimated from pump runtimes. Sciacca advised that contractor Ken Hardesty would work with Staff to revise and refine the tracking spreadsheet, and Staff would continue to investigate and report on leaks.

Town Administrator Sciacca reported on Transit figures, the River Park project, Staff training on the Water Billing software, the 501 Main roof repair, the upcoming Park County Fair and a proposal from Park County to close Bullet Road through the Fairgrounds.

X. ADJOURNMENT.

There being no further business before the Fairplay Board of Trustees, Mayor Just declared the meeting adjourned at 8:34 PM.

BOARD OF TRUSTEES, FAIRPLAY, COLORADO

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk