



**OFFICIAL MINUTES
REGULAR BOARD MEETING
OCTOBER 20, 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, October 20, 2025, at 6:01 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, Town Attorney Joe Rivera, Town Planner Scot Hunn, and Town Engineer Deron Dirksen.

IV. APPROVAL OF AGENDA

Town Administrator Sciacca noted that New Business Item A was being withdrawn at the applicant's request.

MOTION to approve the agenda as amended with New Business Item A withdrawn was made by Trustee Baum and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

V. CONSENT AGENDA

A. APPROVAL OF CHECK AND ACH EXPENDITURES ISSUED THROUGH BILL.COM – Paid bills for all Town funds from October 2, 2025, through October 16, 2025, in the amount of \$205,162.23.

MOTION to approve the Consent Agenda as presented with the expenditures as state was made by Mayor Pro Tem Douglas and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

VI. CITIZEN COMMENTS

Phil (last name unknown), 490 Hwy 285, inquired about the status of a criminal investigation of a Fairplay Police Officer.

Callie Edwards, 360 9th Street, thanked the Town of Fairplay for its continued support of the Boys & Girls Club and their annual Halloween event.

Scott Dodge, 1317 Meadow Drive, spoke regarding trash that has been deposited on the hillside above the Beach by bears getting into dumpsters on Front Street.

Elena Michael of CSU Extension, Bogue Street, introduced herself and touched on a plans and a proposal for a greenhouse at Cohen Park.

Barbie McBee, 600 Main Street, provided an overview of programs provided by Rocky Mountain Rural Health and requested the Town consider support with \$10,000 in funding to offset reduce revenue which would impact 113 Town residents served by the organization's programs.

VII. PUBLIC HEARINGS

A. APPEAL HEARING – EP 2025-003: Should the Board of Trustees for the Town of Fairplay approve an application from Pat Stoinski appealing the Town Administrator's denial of a Lot Line Adjustment Plat on the property commonly known at 1150 Castello Avenue, Fairplay, CO?

Mayor Just introduced the case. Town Attorney Rivera provided an overview of the format for the hearing. Ben Monarch of JVAM Law entered on behalf of Pat Stoinski and requested a continuance for time to prepare.

MOTION to continue Appeal Hearing EP2025-003 to November 3, 2025 was made by Trustee Voorhis and seconded by Trustee Baum.

- Roll call vote: Unanimous approval.

B. CONTINUED FROM JULY 7, 2025 - THIRD 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 MARCH 1, 2026.**”?

Mayor Just introduced the ordinance and provided an overview of the format of the evening’s hearing. Building Official Parag reviewed the requirements and need to update:

ISO (Insurance Services Office) Rating

- Updating to 2024 codes would allow the Town to apply for a BCEGS (Building Code Effectiveness Grading Schedule) rating.
- Improve insurance availability and potentially slow insurance cost increases.
- Without adoption by March 1, the Town may not be included in a regional ISO application.

Grant Eligibility

- Some state housing and infrastructure grants require building codes to be within six years of the current edition.
- Remaining on 2018 codes may disqualify the Town from certain grants.

Avoiding Future Energy Code Mandate

- If the Town updates codes after July 1, 2026, it would be required to adopt the more restrictive “model energy code.”
- Adopting now would “lock in” the 2024 cycle and avoid stricter future mandates until at least 2030.

There was also discussion regarding cost impacts to developers with Parag advising the result of moving from 2018 to 2024 codes would increase residential construction costs approximately 1–2% and there was no impact on remodels.

Just opened the floor to public comment. Local business owners and/or residents Jim Carpenter, Scott Dodge, Pat Stoinski and Tom Burnett were in the audience and provided feedback and raised concerns that additional community outreach was needed, stricter codes increasing housing costs and discouraging development, and that more coordination with neighboring jurisdictions should be considered. Just closed the floor to comment and the Board conducted follow-up discussions with staff.

MOTION to approve Ordinance No. 3, Series of 2025, was made by Trustee Voorhis and failed for lack of second.

MOTION to continue Ordinance No. 3, Series of 2025, to November 17, 2026 to allow for more public notice and input was made was made by Trustee Baum and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

VIII. NEW BUSINESS

A. FIRST READING – Should the Board of Trustees for the Town of Fairplay approve the adoption of Resolution No. 32, 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 ROBERT SMYLY FOR THE 701 FRONT STREET RESIDING PROJECT.**”?

Item withdrawn at request of applicant.

B. FIRST READING – Should the Board of Trustees for the Town of Fairplay approve the adoption of Resolution No. 33, Series of 2025, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A CONTRACT FOR HEARING OFFICER SERVICES WITH EHREN PENIX.**”?

Town Attorney Sciacca provide and overview of the purpose of the agreement noting Penix would serve as an independent hearing officer for Phot Radar/AVIS citations. She provided background information on state law, the Municipal Judge declining to serve as the first-level hearing officer, number of contested citation over the past six months.

MOTION to approve adoption of Resolution No. 33, Series of 2025, as presented was made by Trustee Voorhis and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Approved 4 to 1 with Baum voting No.

C. FIRST READING – Should the Board of Trustees for the Town of Fairplay approve the adoption of Resolution No. 34, Series of 2025, entitled “**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING CONTRACTS TO PURCHASE THE 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 WATER CERTIFICATES**”?

Town Attorney Rivera presented an overview of the draft agreement for acquiring land adjacent to the Town water plant for \$360,000 and associated water certificates for \$70,000. He noted the transactions are interdependent of one another and the proposed closing date has been set as December 3, 2025. Rivera also reviewed the leaseback structure reporting the interest rate would be 5.15%. He then requested the Board delegate authority to Mayor and Town Administrator to finalize agreements, that Staff be able to adjust non-material terms (e.g., dates) and approve reasonable transaction costs (e.g., surveys, title work). He also advised that Bond Counsel was on stand-by to clarify any portion of the agreement for the Board’s satisfaction.

MOTION to approve the adoption of Resolution No. 34. Series of 2025 as presented was made by Mayor Pro Tem Douglas and seconded by Trustee Baum.

- Roll call vote: Unanimous approval.

D. Consideration of whether to accept an expanded/new water and sanitary easement from Habitat for Humanity and the encumbered property is located near 525 and 527 Castello Ave., Fairplay Colorado

Town Engineer Dirksen provided an overview of the matter noting the 2 foot wide, 137 foot long easement was being granted to the Town for public water and sanitary sewer access and protection of the Town. He advised the existing easement was encroached upon by three porches built over it, homeowners were not impacted and prevents future conflicts.

MOTION to approve acceptance of the expanded water and sanitary sewer easement as presented was made by Trustee Baum and seconded by Mayor Pro Tem Douglas.

- Roll call vote: Unanimous approval.

E. Submission of FY2025 Amended Budget and FY2025 Proposed Budget to the Board of Trustees for all funds of the Town of Fairplay, CO.

Town Attorney Rivera presented the ordinance stating this legislation would allow the Board of Trustees to waive or modify certain Unified Development Code (UDC) requirements when those requirements were not proportional to the scale or impact of a proposed development. This would allow applicants to request waivers early, before incurring costly engineering or study requirements and ensures decisions are made by the Board rather than Staff when code requirements exceed project impacts.

MOTION to approve the adoption of Ordinance No. 7. Series of 2025 as presented and read into the record was made by Trustee Baum and seconded by Trustee Avery.

- Roll call vote: Unanimous approval.

IX. 2025 BUDGET WORK SESSION WITH SPECIFIC FOCUS ON UTILITIES FUND.

Town Administrator Sciacca reported the budgets were submitted to the Board in accordance with requirements of state law and adoption was targeted for December 1. She provided an overview of the structural deficit and reviewed some of the reasons behind it including personnel, rising insurance costs, and projects. Sciacca also provided an overview of revenues noting most were coming in higher than preliminary projections. She also raised the question of a ballot question for the April 2026 election to increase the lodging tax from \$2.00 per night to \$5.00 per night. Sciacca also reviewed expenditures by Department highlighting efforts to reduce costs, one-time projects, and contractor expenses. She closed noting reconciliation by Plante Moran was ongoing and that there would be work sessions and regular meeting discussions/hearings before final adoption on December 1.

X. STAFF AND BOARD OF TRUSTEE REPORTS

Town Administrator Sciacca provided updates on projects, upcoming meetings and events, and ongoing issues.

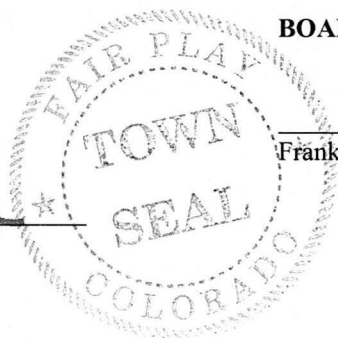
XI. ADJOURNMENT

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

ATTEST:

Janell Sciacca
Janell Sciacca, Town Clerk



Frank Just
Frank Just, Mayor