



**AGENDA for a Regular Meeting
of the Board of Trustees of the Town of Fairplay, Colorado
Monday, December 4, 2023, at 6:00 P.M in the
Fairplay Town Hall Board Room, 901 Main Street, Fairplay, CO**
[Click here to join the meeting](#)
(Meeting ID: 276 878 100 685 / Passcode tfaYyW)

- 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 EXPENDITURES** – Paid bills for all Town funds from November 18, 2023 through November 30, 2023 in the amount of **\$83,891.48**.
- VI. **CITIZEN COMMENTS** *(This item allows for the public to sign up to address the Board on matters that are NOT on the agenda)*
- VII. **PROCLAMATIONS, PRESENTATIONS AND UPDATES**
 - A. Update from American Civil Constructors and Yeh Associates regarding CDOT US285 Widening and CO9 Intersection Improvements Project.
- VIII. **PUBLIC HEARINGS**
 - A. **CONTINUED FROM NOVEMBER 20, 2023** – Should the Board of Trustees, acting as the Local Licensing Authority, approve an application from Family Dollar Stores of Colorado, LLC for a new Retail Fermented Malt Beverage and Wine Liquor License for Family Dollar Store #30395 located at 1010 Castello Avenue. *The Board will consider an application for a new off-premise retail liquor license at 1010 Castello Avenue.*
 - B. **CONTINUED FROM NOVEMBER 20, 2023 – THIRD HEARING AND FINAL HEARING** – 2023FY Amended Budget and 2024FY Proposed Budget for all Funds of the Town of Fairplay, Colorado. *The Board will conduct the 3rd and final public hearing on the 2023FY Amended Budget and the 2024FY Proposed Budget.*
- IX. **NEW BUSINESS**
 - A. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 34, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AND INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT WITH THE PARK COUNTY BOARD OF COMMISSIONERS AND PARK COUNTY SHERIFF’S OFFICE.”**? *The Board will consider an agreement with the Park County Sheriff’s Office for interim law enforcement services for the Town of Fairplay during reorganization and rebuilding of the Town’s Police Department.*
 - B. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 35, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2023 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO.”**? *The Board will consider adoption of an amended FY2023 Town Budget.*
 - C. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 36, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE AMENDED 2023 BUDGET.”**? *The Board will consider approval of amended appropriations for each of the Town’s funds for the amended FY2023 Budget.*
 - D. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 37, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024.”**? *The Board will consider adoption of the FY2024 Town Budget.*
 - E. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 38, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO FOR THE 2024 BUDGET YEAR.”**? *The Board will consider approval of appropriations to each of the Town funds for the adopted FY2024 Budget.*
 - F. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 39, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO CERTIFYING DELINQUENT 2023 UTILITY ACCOUNTS TO THE PARK COUNTY TREASURER.”**? *The Board will consider approving the certification of unpaid/delinquent water and sewer accounts to the Park County Treasurer for collection alongside property taxes.*
 - G. **FIRST READING** – Should the Board Approve Adoption of Resolution No. 40, series of 2023, entitled, **“A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, ADOPTING A SCHEDULE OF FEES FOR FY2024.”**? *The Board will consider adoption of an updated Fee Schedule for FY2024.*
- X. **STAFF AND BOARD OF TRUSTEE REPORTS**
- XI. **ADJOURNMENT**

Upcoming Meetings/Important Dates

Board of Trustees Regular Meeting – Final Mtg for 2023	Monday, December 4, 2023
Christmas Holiday – TOWN OFFICES CLOSED	Friday & Monday, December 22 & 25, 2023
New Year’s Holiday – TOWN OFFICES CLOSED	Monday, January 1, 2024
Board of Trustees Regular Meeting – 1 st for 2024	Monday, January 8, 2024



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Jennie Danner, Treasurer

RE: Paid Bills

DATE: November 30th, 2023

Attached is the list of the invoices paid between November 18th, 2023, and November 30th, 2023. Total Expenditures: \$83,891.48. Upon motion to approve the consent agenda, the expenditures will be approved.

Please note \$12,235.24 was paid to Hardesty Engineering for the Infiltration Gallery Project which will be reimbursed through DOLA grand / CWRPDA loan funds. \$13,330.00 was paid to Rocks & Walls Excavation for the water and sewer install at 594 4th St.

Recent activities: Utility payment follow ups, bill back follow ups, account reconciliations, and completed budget finalization for amended 2023 and proposed 2024 budgets.

Report Criteria:

Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
11/29/2023	19746	ACA Products, Inc.	sand for roads	1	11/18/2023	1,330.25	105670
Total 16:						1,330.25	
11/29/2023	19750	Business Solutions Group,	envelopes	1	11/20/2023	112.41	105030
Total 292:						112.41	
11/21/2023	19729	Dana Kepner Company, In	water meter parts	1	11/07/2023	1,160.20	517485
11/29/2023	19753		water meter radio parts	1	11/20/2023	206.04	517485
Total 682:						1,366.24	
11/21/2023	19730	Galls, LLC	PD uniforms	1	11/15/2023	914.00	105410
Total 994:						914.00	
11/29/2023	19764	Park County Sheriff's Office	PCSO IGA payment	1	11/16/2023	6,750.00	105478
Total 1594:						6,750.00	
11/21/2023	19736	Postal Pros Southwest, Inc	water billing	1	11/07/2023	407.42	517218
11/21/2023	19736		water billing insert	2	11/07/2023	92.34	105130
Total 1699:						499.76	
11/21/2023	19740	Town of Fairplay	501 main	1	11/21/2023	308.90	105195
Total 2134:						308.90	
11/21/2023	19742	USABlueBook	Testing supplies-powder pil	1	11/02/2023	374.02	517665
Total 2176:						374.02	
11/29/2023	19770	Verizon Wireless	cell Phone-PD	1	11/15/2023	480.38	105455
11/29/2023	19770		VOIP	2	11/15/2023	543.74	105065
11/29/2023	19770		hotspot	3	11/15/2023	40.01	105130
11/29/2023	19770		cell Phone - public works	4	11/15/2023	40.80	105645
11/29/2023	19770		cell Phone-Transportation	5	11/15/2023	17.40	105250
Total 2212:						1,122.33	
11/29/2023	19773	Xcel Energy	901 Main St	1	11/17/2023	176.77	105023
11/29/2023	19773		fairplay sign	1	11/17/2023	14.56	105640
11/29/2023	19773		1800 beaver creek water	1	11/17/2023	695.05	517495
11/29/2023	19773		747 bogue st	1	11/17/2023	16.61	105841
11/29/2023	19773		117 silverheels rd blg conc	1	11/17/2023	12.69	105841
11/29/2023	19773		501 main st	1	11/17/2023	394.03	105195
11/29/2023	19773		town sign	1	11/17/2023	31.79	105640
11/29/2023	19773		chlorinator	1	11/20/2023	87.76	517470
Total 2296:						1,429.26	
11/29/2023	19747	AmeriGas	Propane - WTP	1	11/21/2023	238.51	517680

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
11/29/2023	19747		Propane - 501 Main	1	11/29/2023	437.81	105195
Total 2468:						676.32	
11/21/2023	19727	CIRSA	deductible for claim	1	11/09/2023	500.00	105070
Total 2490:						500.00	
11/29/2023	19774	CARD SERVICES	Lunch vehicle recall service	1	11/25/2023	14.41	104590
11/29/2023	19774		burro banquet basket	2	11/25/2023	361.87	105162
11/29/2023	19774		training pd	3	11/25/2023	500.00	105424
11/29/2023	19774		equipment	4	11/25/2023	48.60	105450
11/29/2023	19774		dues	5	11/25/2023	50.00	105460
11/29/2023	19774		vehicle safety supplies	6	11/25/2023	503.57	105475
11/29/2023	19774		recruiting, lunch interview	7	11/25/2023	428.36	105480
11/29/2023	19774		office supplies	8	11/25/2023	105.80	517214
11/29/2023	19774		education	9	11/25/2023	97.00	105015
11/29/2023	19774		office supplies	10	11/25/2023	53.60	105030
11/29/2023	19774		Postage	11	11/25/2023	220.08	105035
11/29/2023	19774		ads	12	11/25/2023	111.94	105130
11/29/2023	19774		office supplies	13	11/25/2023	119.60	105340
11/29/2023	19774		PD training	14	11/25/2023	100.00	105424
11/29/2023	19774		office supplies	15	11/25/2023	20.00	105445
11/29/2023	19774		Carwash	16	11/25/2023	13.75	105625
11/29/2023	19774		Primer for curbs	17	11/25/2023	292.90	105670
Total 2503:						3,041.48	
11/29/2023	19772	Wittbrodt, Kim	contract accounting suppor	1	11/27/2023	700.00	517450
11/29/2023	19772		contract accounting suppor	2	11/27/2023	700.00	105070
Total 2655:						1,400.00	
11/29/2023	19763	Mobile Record Shredders	town hall routine shredding	1	11/24/2023	13.20	105030
Total 2793:						13.20	
11/29/2023	19749	Bullock, Julie	cell phone reimburse	1	11/29/2023	25.00	105645
11/29/2023	19749		cell phone reimburse	2	11/29/2023	25.00	517226
Total 2812:						50.00	
11/29/2023	19752	Colorado Analytical Lab	water testing	1	11/29/2023	352.00	517475
11/21/2023	19728		water testing	1	11/09/2023	24.00	517475
Total 2864:						376.00	
11/29/2023	19769	Tolin Mechanical	town cleanup fridge evac	1	11/29/2023	450.00	105135
Total 2867:						450.00	
11/29/2023	19758	Falcon Environmental Corp	SS lift station parts	1	11/14/2023	2,658.69	517636
Total 2877:						2,658.69	
11/29/2023	19768	Shirley Septic Pumping, In	visitor center	1	11/24/2023	411.80	105120
11/29/2023	19768		cohen park	1	11/24/2023	215.80	105842

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2893:						627.60	
11/21/2023	19732	Hunn Planning & Policy, LL	planning fees	1	11/21/2023	1,196.53	105105
Total 3183:						1,196.53	
11/29/2023	19767	SGM	general engineering	1	11/29/2023	585.00	105105
11/29/2023	19767		general engineering	1	11/29/2023	180.00	105105
11/29/2023	19767		Stone Creek - Bill Back	1	11/29/2023	450.00	105107
11/29/2023	19767		burro park	1	11/29/2023	3,332.00	207375
11/29/2023	19767		water system model	1	11/29/2023	7,942.20	517432
11/29/2023	19767		waterline replacement hath	1	11/29/2023	2,147.50	517432
11/29/2023	19767		general engineering	1	11/29/2023	1,215.00	105105
11/21/2023	19738		general engineering	1	11/17/2023	585.00	105105
Total 3272:						16,436.70	
11/29/2023	19756	Ernst, Sarah	wellness reimbursement	1	11/28/2023	39.99	517010
11/29/2023	19756		wellness reimbursment	2	11/28/2023	65.39	517010
11/29/2023	19756		cell phone reimburse	1	11/29/2023	50.00	105065
Total 3313:						155.38	
11/29/2023	19748	Bannister, Chris	cell phone reimburse	1	11/29/2023	25.00	105645
11/29/2023	19748		cell phone reimburse	2	11/29/2023	25.00	517226
Total 3464:						50.00	
11/29/2023	19771	Wagner, Alex	cell phone reimburse oct+n	1	11/29/2023	100.00	105065
Total 3506:						100.00	
11/29/2023	19759	Graham, Donovan	cell phone reimburse	1	11/29/2023	25.00	517226
11/29/2023	19759		cell phone reimburse	2	11/29/2023	25.00	105645
Total 3519:						50.00	
11/21/2023	19739	Star Playgrounds	basketball post and backbo	1	11/21/2023	1,907.00	105883
Total 3551:						1,907.00	
11/21/2023	19735	Phoenix Technology Group	laptop for admin	1	11/10/2023	1,262.65	105060
11/21/2023	19735		laptop for admin	2	11/10/2023	841.76	517206
11/29/2023	19765		admin IT	1	11/29/2023	819.73	105060
11/29/2023	19765		pw IT	2	11/29/2023	819.73	105645
11/29/2023	19765		pd IT	3	11/29/2023	819.74	105445
Total 3580:						4,563.61	
11/29/2023	19766	Sciacca, Janell	cell phone reimburse	1	11/29/2023	50.00	105065
Total 3583:						50.00	
11/29/2023	19761	Kleinschmidt, Sean	cell phone reimburse	1	11/29/2023	25.00	105645
11/29/2023	19761		cell phone reimburse	2	11/29/2023	25.00	517226

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 3590:						50.00	
11/29/2023	19757	Excell Pump Services	pressure reduction valve D	1	11/25/2023	711.37	517445
Total 3594:						711.37	
11/21/2023	19737	Rocks & Walls Excavation	594 4th st water & sewer in	1	11/10/2023	6,930.00	517445
11/21/2023	19737		594 4th st water & sewer in	2	11/10/2023	6,400.00	517610
Total 3614:						13,330.00	
11/21/2023	19731	Hardesty Engineering and	infiltration gallery project	1	11/08/2023	12,235.24	517430
Total 3618:						12,235.24	
11/29/2023	19751	Charles Abbott Associates,	building official services	1	10/31/2023	611.71	105058
Total 3655:						611.71	
11/29/2023	19762	Konica Minolta Premier Fin	copier	1	11/29/2023	202.27	105032
Total 3700:						202.27	
11/21/2023	19741	Tri-Tech Forensics, Inc.	test kits	1	10/30/2023	129.81	105475
Total 3707:						129.81	
11/29/2023	19760	Kleinschmidt, Mark	cell phone reimb	1	11/29/2023	25.00	517226
11/29/2023	19760		cell phone reimb	2	11/29/2023	25.00	105645
Total 3752:						50.00	
11/29/2023	19754	Danner, Jennie	cell phone reimbursement	1	11/29/2023	50.00	105065
Total 3753:						50.00	
11/29/2023	19755	Denver Electric Motor	rebuild blower motor san pl	1	11/27/2023	5,575.00	517655
Total 3756:						5,575.00	
11/21/2023	19733	Mark Wallick	officer recruiting expense	1	11/21/2023	2,000.00	105480
Total 3760:						2,000.00	
11/21/2023	19734	Personnel Evaluation, Inc.	PEP test kit	1	10/15/2023	361.40	105480
11/21/2023	19734		PEP test	1	10/31/2023	75.00	105480
Total 3773:						436.40	
Grand Totals:						83,891.48	

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
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Report Criteria:
Detail report type printed

**MAYOR'S OPENING STATEMENT
FAMILY DOLLAR STORE LIQUOR LICENSE**

MAYOR JUST:

I will now open the public hearing on the application of Family Dollar Stores, LLC for a new Retail Fermented Malt Beverage and Wine Liquor License at 1010 Castello Avenue in Fairplay, Colorado.

The Fairplay Board of Trustees, acting as the local liquor licensing authority, has jurisdiction to conduct this public hearing under the Colorado Liquor and Beer Codes found at Title 44, Article 3 and 4 of the Colorado Revised Statutes and also under the provisions of the Town's Code. Notice of this hearing has been given as required by C.R.S. Section 44-3-311, and the publisher's affidavit and the posted notices included in the packet are hereby made part of the record of this proceeding.

The purpose of this hearing is to consider whether a new Fermented Malt Beverage and Wine liquor license should be issued to the applicant. In considering that matter the Board will address the criteria set forth in C.R.S. § 44-3-311 and particularly the reasonable requirements of the neighborhood for the type of license for which application has been made and the desires of the adult inhabitants of the neighborhood.

The procedure to be followed in this case will be as follows:

1. The applicant, or the applicant's legal counsel, may give an opening statement.
2. Following the opening statement, if any, the applicant and any other persons supporting the application may present any evidence supporting issuance of the license.
3. At the conclusion of the applicant's case, any persons opposing the issuance of the license and any other persons entitled to be heard may present evidence.
4. The applicant may then present any rebuttal evidence.

All witnesses may be cross-examined by any party, counsel for any party, or the members of the Authority.

Are there any objections to the jurisdiction of the Liquor Authority or to the form or substance of these proceedings?

Hearing none, the applicant will now present his/her/their case.



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator/Clerk

RE: Public Hearing Item A – CONTINUED FROM NOVEMBER 20, 2023
Application from Family Dollar Stores, LLC for new Fermented Malt Beverage and Wine Off-Premise Liquor License for Family Dollar Store #30395 at 1010 Castello

DATE: December 4, 2023

OVERVIEW

This application came before the Board of Trustees on both November 6, 2023 and November 20, 2023. The initial hearing was continued for the applicant to provide an updated drawing showing exact location of the alcohol and proof of needs and desires of the inhabitants with a petition. On November 20 the hearing was again continued at the request of the applicant’s representative as they could not be attendance that evening.

ANALYSIS

The original packet was submitted to the Town on or around May 30, 2023. Due to Staff transition with the Town Treasurer who had been handling liquor licensing retiring, the liquor licensing program was returned to the Town Clerk’s office. During review and preparation for the original hearing set for October 16, the firm the applicant hired to represent their application also experienced turnover and the Licensing Specialist assigned to the file was released. A new Licensing Specialist was assigned and quickly discovered that the previous Specialist had marked the wrong box. The premises was reposted and a new notice was published in the newspaper for the hearing that was reset for November 6.

As noted in the overview, on November 6 there was no proof submitted substantiating the needs and desires of the adult inhabitants and there was only one person in the audience to provide input, another liquor establishment owner. When the hearing was continued, the applicant’s representative contracted with LiquorPros for the petition that the Town was requiring. Certified petition documents were submitted on November 16, 2023, and the associated summary report on November 17. The applicant’s contractor performed an “unbiased” petition process allowing for parties In Favor or In Opposition to sign. They also surveyed both businesses and residents. There were 15 business managers that were In Favor and 3 business managers in Opposition. 2 of the 3 business managers against granting the license work for other liquor licensed establishments. There were also 3 managers of other liquor licensed establishments that were In Favor of the license. There were 22 in-town residents that signed In Favor of the license and 12 in-town residents that signed In Opposition.

On November 16, another liquor establishment owner in the Town became aware of the application when LiquorPros entered their business seeking to obtain a signature. That proprietor questioned the Town Staff for providing a sample petition to the applicant's representative. It is standard practice across the state to do this. Providing forms approved by the Town/City helps to make the application process uniform and fair for all applicants. Following that inquiry, a Facebook post appeared on a community page soliciting only signatures In Opposition of the granting of the license and inviting those who wanted to sign to appear at two separate retail liquor establishments in the Town. Those petitions were submitted to the Town on November 20 with an unsigned cover letter and no Affidavits of Certification for the signatures collected.

On Monday, November 27, one of the petition circulators who solicited and obtained signatures In Opposition retrieved those petitions in order to cure the lack of certification attesting to the witnessing of the signatures. As of the writing of this report, the petition pages were not returned to the Clerk's Office with the requested attestation(s).

As has been previously reported, there is no minimum number of signatures required to be obtained and C.R.S. 44-3-301 simply states "The local licensing authority shall consider...the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise."

Another item to bring back to the Board's attention is that the same one part that appeared on November 6 to speak In Opposition cited C.R.S. 44-3-301 and felt that section required the local licensing authority consider the effect on competition of the granting or disapproving of ANY additional Beer and Wine licenses. That statute actually maintains that the local authority shall consider the effect of competition when it comes to granting a second or additional license to a licensee who already possesses the same class of license in that jurisdiction. It does not apply to a new applicant that does not already possess that class of license.

Finally, as was also discussed in a prior meeting, chain stores or other entities that have multiple liquor licenses located throughout the state like Family Dollar have what are referred to as Master Files and are not subject to printing at the local level. In this case, individuals or officers on the application are not subject to repetitive background investigations in each jurisdiction and the State Liquor Enforcement Division conducts the background investigations instead.

SUMMARY

Staff maintains that the application is complete, the applicable fees have been paid and the applicant will have satisfactorily met the Town and State requirements to be granted a Fermented Malt Beverage and Wine Liquor License if the Board so finds that evidence presented at the Public Hearing supports need and desire for the issuance of the liquor license. If granted, the total number of licensed establishments in the Town would grow to 20 and this would be 1 of 3 Fermented malt Beverage & Wine retailers. There are a total of 7 off-premise retailers in the Town – 1 Retail Liquor Store; 1 Brewery/Manufacturer; 1 Brewery/Manufacturer/Distillery; 1 Winery; 1 Distillery; and 2 Fermented Malt Beverage & Wine retailers.

Recommended Action:

Following public input, Staff recommends the Board of Trustees move by motion and second to APPROVE or DENY the application from Family Dollar Stores, LLC finding that the applicant HAS or HAS NOT satisfied the Board of Trustees that there IS or IS NOT a need and desire in the Town of Fairplay for the issuance of a new Fermented Malt Beverage and Wine Off-Premise Retail Liquor License for Family Dollar Store #30395 located at 1010 Castello Avenue.

Attachments:

- Application Packet
- Applicant Petitions & Summary Report From LiquorPros
- List of Current Town Liquor Licenses

**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING ON LIQ-
UOR LICENSE APPLICATION**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Board of Trustees of the Town of Fairplay, Colorado, in the Council Chambers of the Fairplay Town Hall, 901 Main Street, Fairplay, Colorado, on Monday, November 6, 2023, beginning at 6:00 p.m. or approximately thereafter. This hearing is on an application for a new RETAIL FERMENTED BEVERAGE AND WINE LIQUOR LICENSE for the Family Dollar Store located at 1010 Castello Avenue, Fairplay, Colorado and as submitted by Family Dollar Stores of Colorado, LLC. The following information is provided:

APPLICATION CLASS:

Retail Fermented Malt Beverage and Wine Liquor License

LOCATION:

1010 Castello Avenue, Fairplay, Colorado

DATE OF APPLICATION:

May 5, 2023

DATE AND TIME OF HEARING:

Monday, November 6, 2023 at 6:00 PM

APPLICANT:

Family Dollar Stores of Colorado, LLC

500 Volvo Pkwy

Chesapeake, VA 23320-1604

All interested parties are encouraged to attend. Further information can be obtained at the Clerk's Office, 901 Main Street, Fairplay, CO, or by calling (719) 836-2622.

For the Board of Trustees of the

Town of Fairplay, Colorado

Janell Sciacca

Town Clerk

As per Section 44-3-311 C.R.S., Public notice - posting and publication, this notice is posted by sign in a conspicuous place on the premises for which this application has been made on or before Friday, October 27, 2023, and published in The Fairplay Flume on Friday, October 27, 2023.

Published in the Park County Republican and Fairplay Flume on October 27, 2023

AFFIDAVIT

Regarding the Required Posting of Property:

HEARING ON: Beer & Wine Off Premise Liquor License

Property Address: 1010 Castello Avenue, Fairplay, CO 80440

I, Janell Sciacca, Town Clerk, do hereby certify that I have posted the property located as stated above, with the required public notice for:

Public Hearing before the Fairplay Board of Trustees on November 6 2023



Date of Posting: October 20, 2023

Date of Affidavit: October 20, 2023

Janell Sciacca, Town Clerk

Colorado Beer and Wine License Application

This application only applies to Fermented Malt Beverage On-Premises, Fermented Malt Beverage On/Off-Premises, and Fermented Malt Beverage and Wine Retailer.

<input checked="" type="checkbox"/> New License <input type="checkbox"/> New-Concurrent <input type="checkbox"/> Transfer of Ownership			
<ul style="list-style-type: none"> • All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Local license fee \$ _____ \$1003.75 • Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor 			
1. Applicant is applying as a/an <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships) <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other			
2. Applicant(s) If an LLC, name of LLC; if partnership, at least 2 partners' names; if corporation, name of corporation <p style="text-align: center;">Family Dollar Stores of Colorado, LLC</p>			FEIN
2a. Trade Name of Establishment (DBA) <p style="text-align: center;">Family Dollar #30395</p>		State Sales Tax No. 0867335-0148	Business Telephone
3. Address of Premises (specify exact location of premises) <p style="text-align: center;">1010 Castello Ave.</p>			
City Fairplay	County Park	State CO	ZIP Code 80440
4. Mailing Address (Number and Street) <p style="text-align: center;">500 Volvo Parkway (8th Floor)</p>		City or Town Chesapeake	State VA ZIP Code 23320
5. Email Address <p style="text-align: center;">ab-licensing@dollartree.com; bkole@decisions-consulting.com</p>			Home Phone Number
6. If the premises currently has a liquor or beer license, you MUST answer the following questions			
Present Trade Name of Establishment (DBA) N/A	Present State License No. N/A	Present Class of License N/A	Present Expiration Date N/A
Section A Nonrefundable Application Fees		Section B Fermented Malt Beverage License Fees	
<input type="checkbox"/> Application Fee for New License \$1,100.00 <input checked="" type="checkbox"/> Application Fee for New License - w/Concurrent Review \$1,200.00 <input type="checkbox"/> Application Fee for Transfer \$1,100.00	<input type="checkbox"/> Retail Fermented Malt Beverage On-Premises (City) \$96.25 <input type="checkbox"/> Retail Fermented Malt Beverage On-Premises (County) \$117.50 <input checked="" type="checkbox"/> Retail Fermented Malt Beverage and Wine (City) \$96.25 <input type="checkbox"/> Retail Fermented Malt Beverage and Wine (County) \$117.50 <input type="checkbox"/> Retail Fermented Malt Beverage On/Off-Premises (City) \$96.25 <input type="checkbox"/> Retail Fermented Malt Beverage On/Off-Premises (County) \$117.50 <input checked="" type="checkbox"/> Master File Location Fee \$25.00 x <u> 1 </u> Total _____ <input type="checkbox"/> Master File Background \$250.00 x _____ Total _____		
Questions? Visit SBG.Colorado.gov/Liquor for more information Do Not Write In This Space - For Department Of Revenue Use Only			
Liability Information			
License Account Number	Liability Date:	License Issued Through: (Expiration Date)	Total \$

Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. **All** documents must be properly signed and correspond with the name of the applicant exactly. **All** documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

Questions? Visit: SBG.Colorado.gov/Liquor for more information.

Items Submitted, Please Check all Appropriate Boxes Completed or Documents Submitted	
I.	Applicant Information <input checked="" type="checkbox"/> A. Applicant/Licensee identified <input checked="" type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input checked="" type="checkbox"/> C. License type or other transaction identified <input checked="" type="checkbox"/> D. Submit originals to local authority <input type="checkbox"/> E. Additional information required by the local licensing authority
II.	Diagram of the Premises <input checked="" type="checkbox"/> A. No larger than 8 1/2" X 11" <input checked="" type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show control (fences, walls, etc.) <input checked="" type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input checked="" type="checkbox"/> D. Bold/Outlined licensed premises
III.	Proof of Property Possession (One Year Needed) <input checked="" type="checkbox"/> A. Deed in name of the applicant ONLY (or) (matching question #2) date stamped/filed with County Clerk <input checked="" type="checkbox"/> B. Lease in the name of the applicant ONLY (matching question #2) <input type="checkbox"/> C. Lease Assignment in the name of the applicant (ONLY) with proper consent from the Landlord and acceptance by the applicant <input type="checkbox"/> D. Other agreement if not deed or lease
IV.	Background Information (DR 8404-I) and Financial Documents <input type="checkbox"/> A. Individual History Record(s) (Form DR 8404-I) Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members) <input checked="" type="checkbox"/> B. Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved state vendor. Master File applicants submit results to the State. Do not complete fingerprint cards prior to submitting your application. The Vendors are as follows: IdentoGO – https://uenroll.identogo.com/ Phone: (844) 539-5539 (toll-free) Colorado Fingerprinting – http://www.coloradofingerprinting.com Appointment Scheduling Website: http://www.coloradofingerprinting.com/cabs/ Phone: (720) 292-2722 Toll Free: (833) 224-2227 Details about the vendors and fingerprinting in Colorado can be found on CBI's website here: https://cbi.colorado.gov/sections/biometric-identification-and-records-unit/employment-and-background-checks <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and/or authorization to transfer license <input type="checkbox"/> D. List of all notes and loans.
V.	Sole Proprietor/Husband and Wife Partnership (if applicable) <input type="checkbox"/> A. Form DR 4679 <input type="checkbox"/> B. Copy of State Issued Driver's License or Identification Card for each Applicant
VI.	Corporate Applicant Information (If Applicable) <input type="checkbox"/> A. Certificate of Incorporation <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation (out of state applicants only)
VII.	Partnership Applicant Information (If Applicable) <input type="checkbox"/> A. Partnership Agreement (general or limited). <input type="checkbox"/> B. Certificate of Good Standing
VIII.	Limited Liability Company Applicant Information (If Applicable) <input checked="" type="checkbox"/> A. Copy of Articles of Organization <input checked="" type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Copy of Operating Agreement (if applicable) <input checked="" type="checkbox"/> D. Certificate of Authorization if foreign LLC (out of state applicants only)

7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?	Yes	No			
	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):					
(a) been denied an alcohol beverage license?	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
(b) had an alcohol beverage license suspended or revoked?	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
(c) had interest in another entity that had an alcohol beverage license suspended or revoked?	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
If you answered yes to 8a, b or c, explain in detail on a separate sheet					
9. Has the premises to be licensed been denied within the preceding one year? If "yes," explain in detail.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
10. Is the proposed Fermented Malt Beverage and Wine Retailer license within 500 feet of any public or parochial school, the principal campus of any college, university, or seminary? NOTE: The distances are to be computed using the methods outlined under C.R.S. 44-3-313(1)(d)(II). Some limited exceptions apply under C.R.S. 44-3-313.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
11. Is the proposed Fermented Malt Beverage and Wine Retailer license, or On/Off premises license, within 500 feet of a Retail Liquor Store licensed under section 44-3-409 C.R.S.? Distance should be determined using guidelines outlined in 44-3-301(12)(c) C.R.S.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
12. Are you applying for a Fermented Malt Beverage On and Off Premises License? If yes, answer subparts a and b. If No, go to question 13.	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
(a) The FMB On/Off is located in a county with a population of > 35,000.	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
(b) The FMB On/Off is located in an "underserved area" within a county with population of < 35,000 but lies outside of a municipal boundaries or is a city or town with population of > 75,500.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Note - The population is determined from the recently available United States Census Bureau.					
13. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
14. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____					
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:					
Landlord	1010 COSTELLO, LLC	Tenant	Family Dollar Stores of Colorado, LLC		
		Expires	6/30/23		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 13.				<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Attach a diagram or designate the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".					
15. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.					
Last Name	NONE	First Name			
Date of Birth		FEIN or SSN	Interest		
Last Name	NONE	First Name			
Date of Birth		FEIN or SSN	Interest		
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.					
16. Name of Manager(s) for all on premises applicants.					
Last Name	NA	First Name	NA		
		Date of Birth			
17. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				<input type="checkbox"/>	<input checked="" type="checkbox"/>

DR 8403 (02/28/23)

18. Tax Information.	Yes	No
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

19. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the Applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment to be fingerprinted by an approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.

Name	Home Address, City & State	Date of Birth	Position	% Owned
Family Dollar, Inc.	500 Volvo Pkwy, Chesapeake, VA	N/A	Stockholder	100
Peter Barnett	329 Cavalier Dr., Virginia Beach, VA	11/20/62	President	0
Roger Dean	2904 Ryan Ct., Virginia Beach, VA	10/17/71	VP/Treasure	0
Harry Spencer	509 Woodards Ford Rd., Chesapeake, VA	02/10/79	Asst. Sec.	0

** If applicant is owned 100% by a parent company, please list the designated principal officer on above.
 ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)
 ** If total ownership percentage disclosed here does not total 100%, applicant must check this box:
 Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

Oath of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature 	Printed Name and Title Harry Spencer, Assistant Secretary	Date 05/26/2023
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Report and Approval of Local Licensing Authority (City/County)

Date application filed with focal authority <i>May 30, 2023</i>	Date of local authority hearing – for new license applicants <i>more</i> than 30 days from date of application 44-3-311(1) C.R.S. <i>12/1/23</i>
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Each person required to file DR 8404-I has been:

Fingerprinted *N/A Master File At Staff* 12/4/2023

Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license.

(Check One)

Date of Inspection or Anticipated Date *Upon Approval*

Upon approval of state licensing authority

New Fermented Malt Beverage Off Premises licenses, and On/Off Premises licenses, distance requirements of 44-3-301 C.R.S. are satisfied

New Fermented Malt Beverage On/Off premises licenses must meet the qualifications of 44-4-104 C.R.S.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S. and Liquor Rules. **Therefore, this application is approved.**

Local Licensing Authority for		Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
Signature	Printed Name	Title	Date
Signature (attest)	Printed Name	Title	Date

TRANSITIONING 7 BASIC POWER PANELS TO FASHION POWER PANELS

POWER PANEL LIST	
** PP (01)	PARTY - GIFT BAGS
** PP (02)	PARTY - GIFT BAGS
PP (03)	PETS - ACCESSORIES
PP (04)	BELTS & WALLET
PP (06)	LITTLE TREE AIR FRESHENER
PP (07)	BODY SPRAY
PP (08)	TOYS
PP (09)	SPECIALTY BATH
** PP (10)	PUZZLE BOOKS
PP (12)	LIP CARE
PP (13)	WORK GLOVES
PP (14)	SEWING NOTIONS
PP (15)	SHOE CARE
PP (16)	BEAUTY CARE
** PP (17)	INCENSE
PP (18)	PLACEMATS
** PP (19)	REDI SHADE
FPP (1-7)	BATTERIES
PS (1-8)	SEASONAL

E/C PROJECT NOTES:

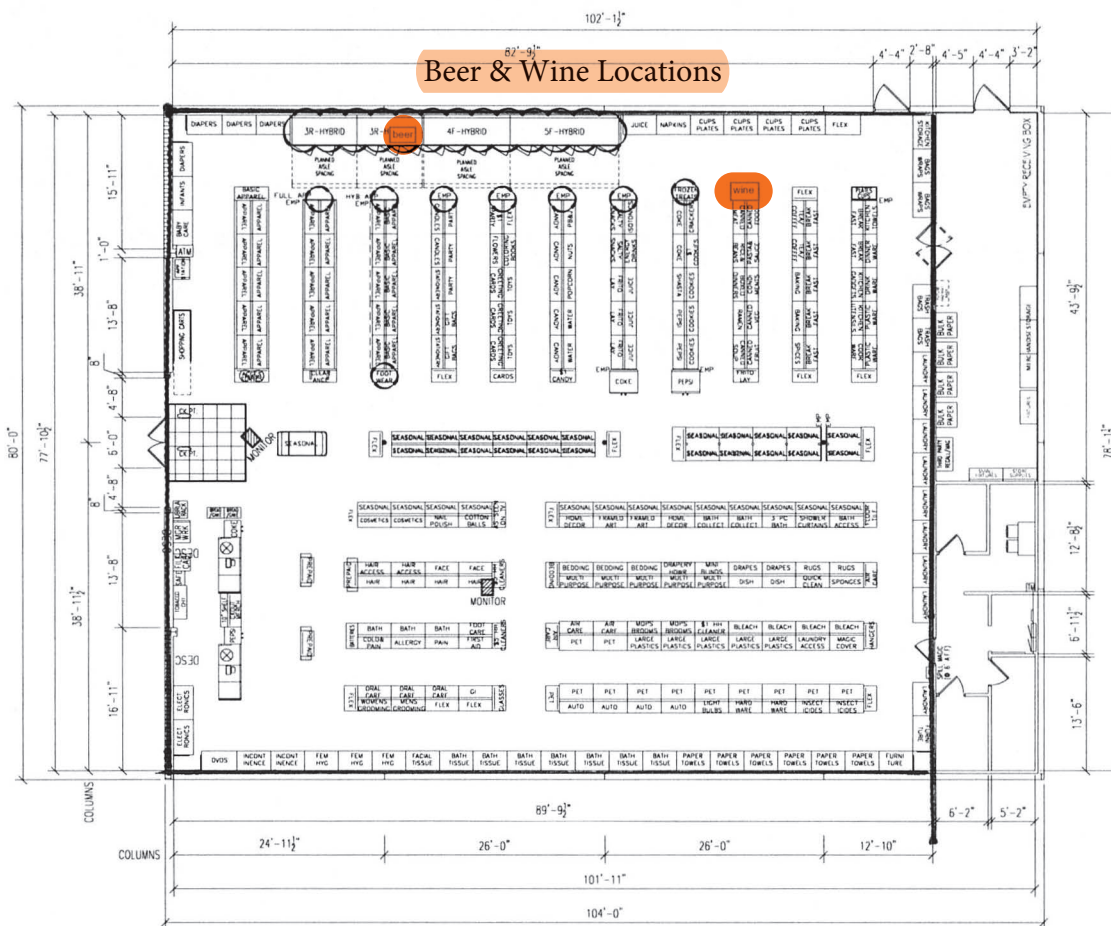
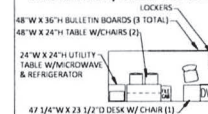
- REPLACED FREEZERS AND COOLERS
- REMOVED (1) 4' EC AND (5) 3' EC'S TO ACCOMMODATE NEW PLANNED AISLE SPACING.
- REPLACED A 3' EC OF FOOTWEAR WITH A 4' REDUCED TO 3' EC OF FOOTWEAR.
- REPLACED A 3' EC OF FLEX WITH A 3' EC OF FROZEN TREATS.
- ELECTRICAL RELOCATED/ADDED
- SEE REVISION CLOUDS ON PLANS.

PM: FLEX APPAREL SECTIONS IN BETWEEN CATEGORIES

NOTE-SELECT STORES WILL RECEIVE PROPANE & EXTERIOR ICE.

COOLERS ARE 4" OFF THE WALL DUE TO ELECTRICAL REQUIREMENTS

BREAK AREA/ MGR OFFICE



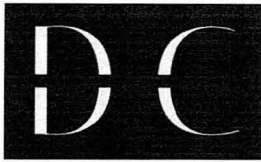
KNEE WALL @ 3'-4" A.F.F.
GLASS TO 7'-4" ABOVE KNEE WALL

STORE NUMBER	PROJECT NUMBER	LOCATION	FORMAT	START DATE	TOTAL INTERIOR SQ FT	SALES SQ FT	USABLE STOCK SQ FT	EXTERIOR SQ FT	AA HAIR CARE	AA	HISPANIC	CEILING HEIGHT	AGS	RISK CLASS	SECTION COUNT	DRAWN BY	PROJECT MANAGER	DATE	FAMILY DOLLAR	MERCHANDISE PLAN	SENIOR PROJECT SUPERVISOR	REVISIONS	
FC PROJ 10395 30395	XXXXXX	FAIRPLAY, CO	- CR4	X/X/2019	7,958	7,062	526	SEE BASE CAD	TBD	VERY LOW	LOW	X'-X"	16	0	XXX XX EC	R.BENTZ	N/A	9/20/2019	600 VOLVO PKWY CHESAPEAKE, VA 23320	CONFIDENTIAL - FAMILY DOLLAR USE ONLY	ANY QUESTIONS CONCERNING FIXTURES AND/OR ADJUSTMENTS PLEASE EMAIL: PMISSUE@FAMILYDOLLAR.COM	SENIOR PROJECT SUPERVISOR	DRAWN BY - DESCRIPTION - DATE

FAMILY DOLLAR
600 VOLVO PKWY | CHESAPEAKE, VA 23320
CONFIDENTIAL - FAMILY DOLLAR USE ONLY
PLEASE CHECK THE PLANOGRAM KIT FOR ANY FLOW RECEIVED AFTER THE LATEST DATE ON THE LAYOUTS. THIS SHOULD BE APPLIED TO MERCHANDISE PLAN.

MERCHANDISE PLAN
SENIOR PROJECT SUPERVISOR
ANY QUESTIONS CONCERNING FIXTURES AND/OR ADJUSTMENTS PLEASE EMAIL: PMISSUE@FAMILYDOLLAR.COM

REVISIONS
DRAWN BY - DESCRIPTION - DATE



DECISIONS CONSULTING LLC
1100 Circle 75 Parkway SE
Suite 210 Atlanta, GA 30339
Licensing Director: (678) 660-5121
licensing@decisions-consulting.com

October 30, 2023

Town of Fairplay Board of Trustees
Town of Fairplay, CO
901 Main Street
Fairplay, CO 80440

Re: Family Dollar #30395 Application(s) to sell beer and wine for off-premises consumption only ("Application(s)")

Dear Honorable Members of the Town of Fairplay Board of Trustees:

This firm represents Family Dollar Stores, LLC and its subsidiaries including Family Dollar Stores of Colorado, LLC, and we nationally handle licensing matters for all Family Dollar locations and related entities (collectively "Family Dollar").

This letter is being submitted for consideration in support of our pending applications for a license for the retail sale of beer and wine for off-premise consumption only at the Fairplay Store located at 1010 Castello Avenue, Fairplay, CO, 80440. As the license is being considered at the November 6, 2023 Board of Trustee's meeting, this information is being provided in support of Family Dollar's Application.

Family Dollar is a family-oriented store that provides a wide range of food and other retail items to its' customers. Family Dollar locations that sell alcohol do not sell "discounted alcohol" and the beer and wine our customers have the option of purchasing for off-premises consumption is equivalent in price and quality to what one would find at any local grocery store. For additional information, please see the enclosed advertisement which provides you with a sampling of the wide range of products that Family Dollar offers to its' customers. Also, I wanted to provide some additional information relating to how serious Family Dollar takes its obligation to be a responsible seller, complying with all applicable statutes, ordinances, rules, and regulations.

First, in addition to any requirements imposed by the State or Local jurisdiction, Family Dollar has a vigorous internal training and auditing program to ensure strict compliance and zero tolerance for violations. These internal procedures include, but are not limited to, training on the following:

(a) Minimum age requirements and how those requirements apply. This includes the mandatory **use of hand-held scanners to verify birthdates** are within the range required to make the purchase.

Town of Fairplay, CO
October 30, 2023
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(b) How to recognize and differentiate between authentic forms of identification, typically a driver's license, and counterfeit identifications.

(c) How to confirm the person presenting the identification is the person on the identification card.

(d) Sales Associates' rights to refuse to sell any alcoholic beverage to a person who appears to be intoxicated and how to communicate that refusal respectfully.

(e) Understanding the role and personal liability to guarantee compliance with all applicable rules and regulations with emphasis on Family Dollar's zero tolerance policy is strictly enforced.

(f) How to cooperate with Law Enforcement as a partner to ensure compliance with the law.

With specific attention to the City of Fairplay's local alcohol ordinances, Family Dollar will also train all associates on the local rules and regulations pertaining to off-premises selling including, but not limited to, (1) the duty to maintain a copy of the local ordinances on the premises; (2) duty to secure inventory when not legal to sale; (3) the limited hours for legal sales and any no sales days; (4) duty to maintain the premises and allow zero loitering or drinking in the parking lots, which is absolutely prohibited by Family Dollar, and (5) the duty to confirm proper legal identification and age (as noted above, Family Dollar uses handheld scanners as well). In sum, and as complimentary to other small business in the area, Family Dollar simply wishes to provide a safe, family-oriented option to those families who wish to purchase beer and wine for consumption with their meals at home, just like many other grocery stores.

In addition, Family Dollar uses internal auditing programs and proprietary software to assess abnormal activities which detect, deter, and prohibit any violations of rules and regulations. Further, Family Dollar locations licensed to sell off-premises are all equipped with surveillance cameras that monitor the cash registers, front doors, receiving, and stockroom areas. All licensed stores always include at least one dedicated camera focused on beer and wine locations within the store. Based on these vigorous internal compliance matters and a culture of zero tolerance, Family Dollar is proud to say that from 2019 to 2022, the percentage of licensed locations cited for alcohol sales violations nationally averaged ***less than one and a half percent (1.5%) per year*** of all licensed locations. During that period, the highest percentage of cited licensed locations as less than two and a half percent (2.5%).

In conclusion, Family Dollar greatly appreciates the opportunity to conduct business in the State of Colorado and, specifically, in the Town of Fairplay. Family

Town of Fairplay, CO
October 30, 2023
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Dollar respectfully requests that you approve the resolution to allow beer and wine sales for off-premises consumption only at the Fairplay Store.

Please do not hesitate to email me tjackson@decisions-consulting.com or give me a call at if you have any questions or want to discuss further.

Sincerely,

Decisions Consulting, LLC

/s/ Tommy Jackson

Tommy Jackson, Consultant
tjackson@decisions-consulting.com

Enclosure (as stated)

cc: Ms. Janell Sciacca, Town Administrator/Clerk (jsciacca@fairplayco.us)



November 17,2023

RESULTS OF THE LIQUOR LICENSE SURVEY REGARDING: **Family Dollar Store #30395**
 1010 Castello Avenue
 Fairplay, CO 80440

Applicant: Family Dollar Stores of Colorado, LLC
 Purpose: Application for a NEW Retail Fermented Malt Beverage and Wine Off-Premises License

ISSUE: A petition was circulated to determine if the needs of the neighborhood and desires of the inhabitants were or were not being presently met by existing similar alcoholic beverage outlets. Those in favor of Family Dollar Store #30395 being granted a NEW Retail Fermented Malt Beverage and Wine Off-Premises License indicated by checking the "Favor – YES" column of the signature sheet and those opposed checked the "Oppose - NO" column. The results were as follows:

The results were as follows:

IN FAVOR OF LICENSE "YES"		OPPOSED TO LICENSE "NO"		<u>TOTAL SIGNATURES</u>
71%	40	29%	16	56

Percentages in this report have been rounded to the nearest whole number.

SURVEY STATISTICS

	FAVOR "YES"		OPPOSE "NO"		TOTAL
Business Survey Results	84%	16	16%	3	19
Residential Survey Results	65%	24	35%	13	37

	BUSINESS	RESIDENTIAL	TOTAL
No Response	10	72	82
Declined to Participate	4	3	7
Not Qualified to Sign	5	2	7
Disqualified	0	5	5
"No" Signatures	3	13	16
"Yes" Signatures	16	24	40
TOTAL CONTACTS & ATTEMPTS	38	119	157

Family Dollar Store #30395

SURVEY STATISTICS

- >Number of Businesses and Residents Contacted: 157 Attempts – 82 No Response = 75
- >Business Survey Participation Rate: 19 Signatures/ 23 Qualified Contacts = 83%
- >Residential Survey Participation Rate: 37 Signatures/ 45 Qualified Contacts = 82%
- >Percentage of Residents Home During Survey: 47 Contacts/ 119 Attempts = 39%

REASONS FOR DECLINING TO PARTICIPATE		REASONS FOR OPPOSITION SIGNATURES	
Too Busy	4	No Reason	14
Do Not Sign Any Petitions / Surveys	2	Enough/Too Many	1
Not Interested	1	COMPETITION	1
Total	7	Total	16
NOT QUALIFIED TO SIGN			
Owner / Manager Unavailable	4		
Under 21	2		
No English Spoken or Read	1		
Total	7		

Reasons for opposition in **BOLD** may be considered as invalid or irrelevant to the needs and desires issue of this survey. If irrelevant or invalid reasons are discounted from the final tally, the results would be:

FAVOR "YES"	OPPOSE "NO"	TOTAL
73%	40	27% 15
		55

PETITION METHODOLOGY

- Survey Dates and Times:

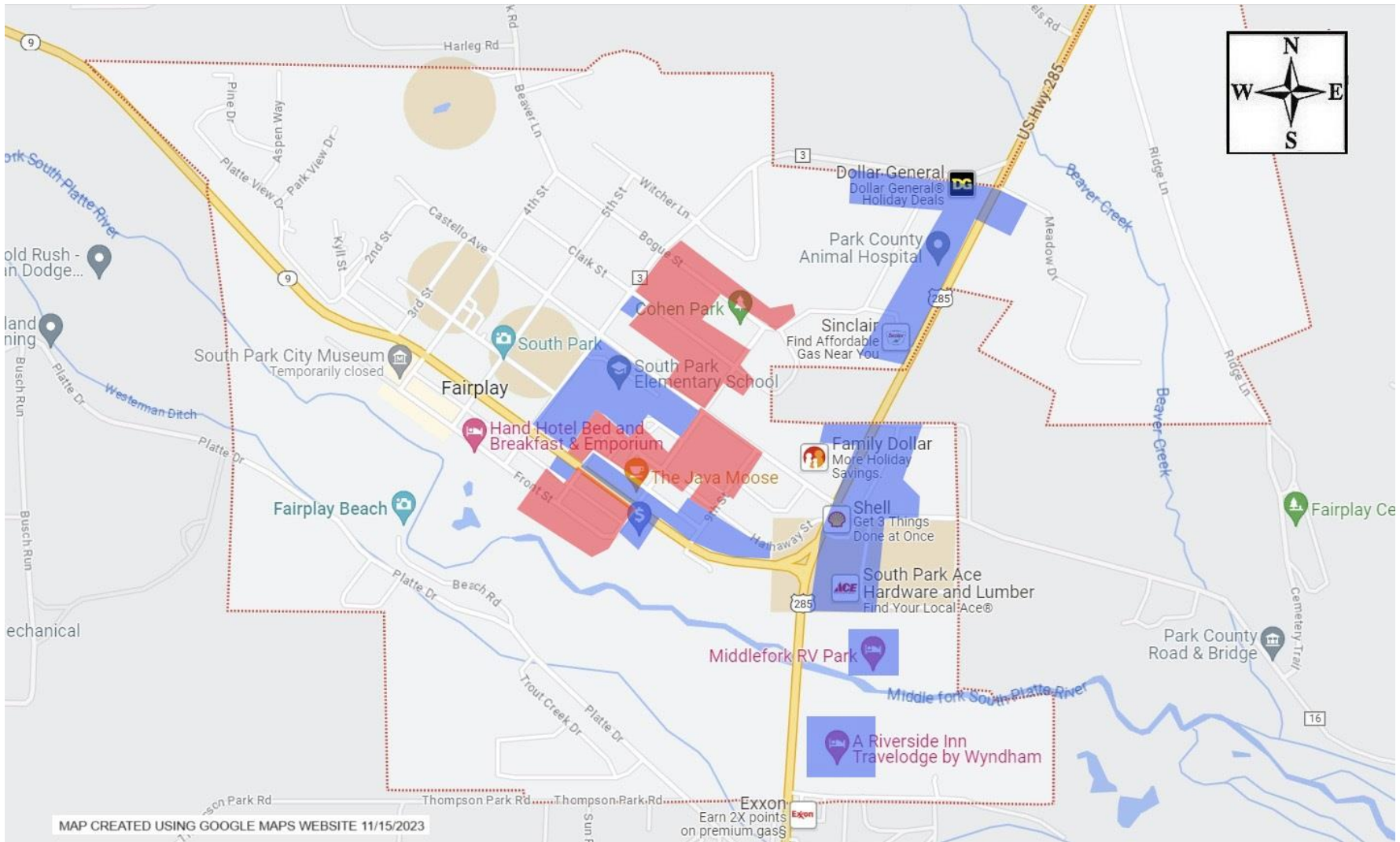
Business/Residential:	Thursday	November 16, 2023	9:00 am – 3:00 pm
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- Survey Areas: All contacts and attempts were within the defined survey boundary area. Circulators started in areas closest to the proposed licensed site and obtained samples throughout the boundary area. Please see the attached map.
- Circulators of the Survey: There was one circulator in this survey and one driver. Prior to the start of the survey, the circulator was briefed on the type of liquor license application, the areas to be surveyed and reminded to be completely unbiased in their approach to residents and businesspeople. The circulator had with them a face sheet with the applicant business name, location and hearing information, instructions, and the petition/survey issue along with signature sheets and a map of the proposed location. The circulator used tally sheets to record all contacts, attempts and reasons for opposition signatures and refusals. After the survey, the circulator signed notarized affidavits of circulation. All packets were filed with the Fairplay’s Town Clerks office.

Report prepared and respectfully submitted by,



Eva L. Garretson
Liquor Licensing Professionals, LLC



Family Dollar #30395 
 1010 Castello Avenue
 Fairplay, CO 80440

**APPLICATION FOR A FERMENTED
 MALT BEVERAGE AND WINE
 OFF-PREMISES LICENSE**

LiquorPros 
 LiquorPros@msn.com
 719.390.8844
 www.LiquorPros.com

SURVEY RESULTS:

 BUSINESS
 AREAS
 COVERED
 IN SURVEY

 RESIDENTIAL
 AREAS
 COVERED
 IN SURVEY

**SURVEY DATES:
 NOVEMBER 16, 2023**

	LICENSEE NAME	DOING BUSINESS AS	license_no	LICENSE TYPE	EXPIRES	STREET ADDRESS	CITY	STATE	ZIP
1	ASIAN FUSION OF FAIRPLAY INC	ASIAN FUSION	03-10877	Hotel & Restaurant (city)	11/28/2024	22186 HIGHWAY 285	Fairplay	CO	80440
2	CASA SANCHEZ 4 LLC	CASA SANCHEZ 4	03-16432	Hotel & Restaurant (city)	03/07/2024	706 MAIN STREET	Fairplay	CO	80440
3	CONTINENTAL DIVIDE WINERY LLC	CONTINENTAL DIVIDE WINERY	03-06730	Limited Winery	09/01/2024	331 US HIGHWAY 285 UNIT D	Fairplay	CO	80440
4	MCFARLAND OIL, LLC	D&S C STORE	04-00875	Fermented Malt Beverage and Wine (city)	11/04/2024	640 HIGHWAY 285 UNIT D & E	Fairplay	CO	80440
5	UPTAIL ENTERPRISES INC	EVEN IN THE END	03-14401	Retail Liquor Store (city)	03/31/2024	889 STEINFELT PKWY	Fairplay	CO	80440
6	720 BREWING LLC	HIGHSIDE BREWING	03-17996	Manufacturer (brewery)	10/17/2024	501 HIGHWAY 285	Fairplay	CO	80440
7	MCCALL ENTERPRISES	MCCALL'S	42-03453-0000	Tavern (city)	05/15/2024	511 FRONT ST	Fairplay	CO	80440
8	TAKA SUSHI INC	MILLONZI'S DELI & RESTAURANT	35-09062-0000	Hotel & Restaurant (city)	06/22/2024	501 FRONT STREET	Fairplay	CO	80440
9	SOUTH PARK PUB AND GRILL LLC	PLATTE RIVER SALOON	03-07735	Hotel & Restaurant (city)	04/24/2024	517 & 523 FRONT STREET	Fairplay	CO	80440
10	FAIRPLAY MARKETS LLC	PRATHERS MARKET	15-40302-0000	Fermented Malt Beverage and Wine (city)	12/27/2023	301 US HWY 285	Fairplay	CO	80440
11	ROCKY MOUNTAIN CIGAR COMPANY LLC	ROCKY MOUNTAIN CIGAR COMPANY	03-14387	Tavern (city)	04/01/2024	640 HIGHWAY 285 UNIT C	Fairplay	CO	80440
12	ALLIANCE FOOD SERVICE LLC	SALADO	03-10301	Hotel & Restaurant (city)	10/09/2024	456 FRONT STREET	Fairplay	CO	80440
13	COMPAS LLC	SALON MEXICO	03-17013	Hotel & Restaurant (city)	09/29/2024	500 MAIN STREET	Fairplay	CO	80440
14	SNITCHING LADY DISTILLERY LLC	SNITCHING LADY DISTILLERY LLC	03-09061	Manufacturer (distillery & rectifier)	02/20/2024	500 FRONT STREET	Fairplay	CO	80440
15	SOUTH PARK BREWING LLC	SOUTH PARK BREWING	03-16284	Brew Pub (city)	04/26/2024	297 1/2 US HIGHWAY 285 UNIT A	Fairplay	CO	80440
16	SOUTH PARK CIGARS LLC	SOUTH PARK CIGARS LLC	03-15004	Tavern (city)	10/11/2023	519 MAIN STREET	Fairplay	CO	80440
17	AMER LEGION POST	SOUTH PARK POST NO172	05-03125-0000	Tavern (city)	02/12/2024	601- 603 CLARK ST	Fairplay	CO	80440
18	WHITE BUFFALO ART COMPANY LLC	WHITE BUFFALO ART COMPANY LLC	03-17304	Retail Establishment Permit	08/10/2024	501 2A US HIGHWAY 285	Fairplay	CO	80440
19	WILD MOUNTAIN CELLARS LLC	WILD MOUNTAIN CELLARS	03-12049	Limited Winery	07/17/2024	331 HIGHWAY 285 UNIT D	Fairplay	CO	80440

License Surrendered to State Per Owner

Currently For Sale - Not Eligible For Cigar Bar

LEGISLATIVE HEARINGS (Policy issues such as ordinances changing the Code, Budget Hearings, etc)

1. Introduce the topic and announce that the Public Hearing is open at __ (time).
2. Ask for Staff presentation.
3. Ask for public comment in favor of and in opposition.
4. Close the hearing and ask for Board deliberation.

OR

5. Ask for Board discussion so Trustees can ask questions of Staff and suggest any changes.
6. If there are significant changes you may ask/allow for further public comment.
7. Following deliberation, ask for a motion to continue, approve or deny.



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Jennie Danner, Treasurer

RE: Public Hearing for 2023 Amended Budget and 2024 Proposed Budget

DATE: 12/4/2023

This is the final public hearing on the 2023 amended and 2024 proposed budgets which are attached. The hearing will need to be reopened and public comment requested/accepted.

If you have any questions as you look through the included budgets, feel free to contact me before the meeting.

GENERAL FUND BUDGET					
Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
GENERAL FUND - REVENUE	BEGINNING FUND BALANCE	\$ 2,056,902	\$ 2,927,241	\$ 3,101,294	\$ 3,790,633
	TAXES				
10-40-05	AD VALOREM TAX (Current Taxes)	234,253	236,805	236,805	235,000
10-40-10	SPEC. OWNERSHIP TAX (SO Taxes)	28,860	25,000	27,000	27,000
10-40-30	INTEREST ON PROPERTY TAX (Interest)	737	500	726	600
10-40-40	DELINQUENT TAXES	300	-	-	-
10-40-55	50% SHAREBACK OF R&B LEVY	8,125	8,000	8,500	9,000
10-40-60	MOTOR VEHICLE REGISTRATION (Dis Lic Fees)	4,199	4,000	3,883	4,000
10-40-70	SALES TAX	1,566,501	1,569,457	1,602,136	1,500,000
10-40-75	SALES TAX - STREETS	522,167	523,152	534,046	500,000
10-40-80	HIGHWAY USER'S TAX	37,564	36,468	37,000	37,500
10-40-85	SEVERANCE TAX	11,678	500	13,919	500
10-40-86	MINERAL LEASE REVENUE	581	500	1,201	500
10-40-90	CIGARETTE TAX	3,434	2,000	4,500	2,500
10-40-96	LODGING TAX	52,596	60,000	50,000	60,000
	TOTAL	\$ 2,470,995	\$ 2,466,382	\$ 2,519,716	\$ 2,376,600
	LICENSES				
10-41-10	LIQUOR LICENSES	5,783	5,000	4,200	4,000
10-41-30	DOG LICENSES	98	100	130	200
10-41-32	LIVESTOCK PERMIT	75	75	25	50
10-41-34	COMMERCIAL FLY FISHING PERMIT	450	450	900	750
10-41-39	PLAN REVIEW FEE			10,500	10,500
10-41-40	*BUILDING PERMITS	14,567	10,000	30,000	30,000
10-41-41	* SURCHARGE: STREETS 5%	968	796	1,500	1,500
10-41-42	* SURCHARGE: PARKS & REC 5%	968	796	1,500	1,500
10-41-45	EZ BUILDINGS PERMITS	-	-	450	500
10-41-50	FRANCHISE TAX (Xcel 3% Fee) (CNG 5%)	74,719	65,000	75,000	70,000
10-41-60	GOLD PANNING PERMITS/DONATIONS	8,350	8,000	7,000	6,000
10-41-70	BUSINESS LICENSES	7,100	3,000	6,250	6,000
10-41-74	SHORT TERM RENTAL PERMIT	4,500	6,000	4,500	6,000
10-41-80	SIGN PERMITS	762	300	-	-
*10-41-90	* EXCAVATION PERMITS	539	600	-	-
*10-41-92	* MECHANICAL PERMIT/ELECTRICAL	983	100	-	-
*10-41-94	* STREET CUT	500	1,000	-	-
*10-41-96	* FENCE PERMIT	290	320	-	-
10-41-97	SPECIAL EVENTS PERMIT	1,780	1,300	1,500	1,500
*10-41-98	* RESIDE/REROOF PERMIT	3,900	3,000	-	-
	TOTAL	\$ 126,330	\$ 105,837	\$ 143,455	\$ 138,500
	FEES				
10-42-75	PLANNING & DEVELOPMENT FEES	2,575	3,000	2,010	3,000
10-42-80	PLASTIC BAG FEES		-	4,500	6,000
10-42-90	COPIES & FAXES	231	200	55	75
	TOTAL	\$ 2,806	\$ 3,200	\$ 6,565	\$ 9,075
	TRANSPORTATION				
10-43-05	RIDERSHIP REVENUE	-	-	-	-
10-43-10	GRANT REVENUE				100,120
10-43-90	MISCELLANEOUS REVENUE	-	-	-	-
	TOTAL	\$ -	\$ -	\$ -	\$ 100,120

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
	LAW ENFORCEMENT				
10-45-05	TRAFFIC FINES	7,630	12,000	7,225	9,000
10-45-10	SURCHARGE: POLICE TRAINING (\$15.00)	1,432	1,500	1,425	1,500
10-45-15	COURT COSTS \$31.00	310	310	434	400
10-45-20	DEFAULT/OJW FEES \$30.00	-	-	-	-
10-45-30	OTHER FINES	100	500	260	400
10-45-80	VIN INSPECTIONS	3,619	3,000	2,180	-
10-45-90	MISCELLANEOUS	11,267	1,000	3,888	1,000
10-45-95	GRANTS	30,960	-	-	-
	TOTAL	\$ 55,318	\$ 18,310	\$ 15,412	\$ 12,300
	INTEREST				
10-46-05	INTEREST ON COLOTRUST	37,599	60,000	158,000	140,000
10-46-30	INTEREST ON CHECKING	381	400	342	350
	TOTAL	\$ 37,980	\$ 60,400	\$ 158,342	\$ 140,350
	EVENTS				
10-47-39	4TH OF JULY	5,697	8,000	7,006	7,000
10-47-50	TGIFAIRPLAY CONCERTS	16,636	25,000	14,696	15,000
10-47-52	REAL COLORADO CHRISTMAS	-	500	-	500
10-47-56	BURRO DAYS	55,601	60,000	72,913	70,000
10-47-59	RETAIL SALES	2,284	10,000	1,116	2,000
10-47-65	MARDI GRAS	6,200	300	10,360	15,000
10-47-90	MISCELLANEOUS REVENUE-EVENTS	-	2,500	700	-
	TOTAL	\$ 86,418	\$ 106,300	\$ 106,791	\$ 109,500
	MISCELLANEOUS				
10-47-00	MISCELLANEOUS INCOME	15,109	10,000	53,000	10,000
10-47-10	CEMETERY	408	300	300	300
10-47-38	TOWN CLEAN UP DONATIONS	135	-	600	500
10-47-49	STREET LIGHTS	10,930	10,800	10,800	10,800
10-47-62	501 MAIN - RENT & UTILITY	1,513	1,500	1,500	1,500
10-47-75	COMMERCIAL FISHING FEES	7,321	6,000	8,228	6,000
10-47-81	GRANT - COHEN PARK PLAYGROUND	92,739	-	-	-
10-47-82	CAMPING PERMITS/FACILITY USE	500	600	740	700
10-47-83	GRANT - FEDERAL		197,812	-	-
10-47-86	GRANT - 501 MAIN STREET		-	-	-
10-47-88	GRANT - RIVER PARK		750,000	-	750,000
10-47-91	TOWN HALL RENT REVENUE	12,397	12,397	12,397	12,397
	TOTAL	\$ 141,052	\$ 989,409	\$ 87,565	\$ 792,197
	TOTAL GENERAL FUND REVENUE	\$ 2,920,898	\$ 3,749,838	\$ 3,037,846	\$ 3,678,642
	TOTAL AVAILABLE RESOURCES	\$ 4,977,800	\$ 6,677,079	\$ 6,139,140	\$ 7,469,275

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
GENERAL FUND - EXPENSES					
	ADMINISTRATION				
10-50-02	401A EMPLOYER MATCH	3,798	7,138	7,499	9,858
10-50-05	SALARIES	127,777	237,915	249,978	328,600
10-50-10	EMPLOYEE HEALTH & WELLNESS	-	7,000	3,500	7,000
10-50-11	SS/MEDICARE EXPENSE	10,103	18,338	19,267	25,468
10-50-12	UNEMPLOYMENT EXPENSE	260	479	504	666
10-50-13	EMPLOYEE HEALTH INSURANCE	33,760	50,084	39,665	57,804
10-50-14	WORKER'S COMPENSATION	667	592	468	789
10-50-15	EDUCATION	1,654	4,000	5,000	10,000
10-50-16	ADMIN VEHICLE	5,885	6,000	6,000	6,000
10-50-23	TOWN HALL EXPENSE - UTILITIES	7,252	7,000	8,000	8,000
10-50-25	TOWN HALL EXPENSE - REPAIR & MAINT	4,817	25,000	55,000	25,000
10-50-27	TOWN HALL EXPENSE - SUPPLIES	895	1,000	1,400	1,000
10-50-30	OFFICE SUPPLIES	2,901	4,000	4,300	4,000
10-50-32	EQUIPMENT RENTAL	4,635	7,100	7,100	7,100
10-50-35	POSTAGE EXPENSE	1,141	750	500	500
10-50-40	BANK/CREDIT CARD FEES	4,081	4,000	5,462	5,500
10-50-50	ELECTION EXPENSE	-	3,000	-	3,000
10-50-55	BOARD OF TRUSTEE SALARY	1,470	1,800	1,875	4,320
10-50-57	TOWN ATTORNEY LEGAL SERVICES	16,155	30,000	25,000	30,000
10-50-58	BUILDING OFFICIAL CONTRACT	11,564	20,000	31,000	26,000
10-50-60	COMPUTER/SOFTWARE/SUPPORT	52,108	40,000	40,000	40,000
10-50-65	TELEPHONE/INTERNET	11,265	11,000	12,000	12,000
10-50-70	MISCELLANEOUS EXPENSE	6,016	6,000	16,000	20,000
10-50-75	CODIFICATION	2,051	3,000	1,864	20,000
10-50-76	ESTIP AGREEMENT	15,915	40,000	20,000	20,000
10-50-80	VEHICLE RENTAL PAYMENT TO ISF	-	5,000	-	-
	TOTAL	\$ 326,168	\$ 540,196	\$ 561,381	\$ 672,605
GENERAL FUND - EXPENSES					
	COMMUNITY DEVELOPMENT				
10-51-05	PROFESSIONAL FEES	17,692	40,000	20,000	80,000
10-51-07	PROFESSIONAL FEES-BILL BACKS	-	-	-	-
10-51-10	EDUCATION/BENEVOLENCE(Board Members)	6,095	7,500	10,500	15,000
10-51-20	VISITOR CENTER	4,952	4,000	4,000	5,000
10-51-30	MARKETING	14,696	15,000	15,000	15,000
10-51-34	TOWN BEAUTIFICATION	14,524	12,000	12,000	15,000
10-51-35	TOWN CLEAN UP DAY	7,433	12,000	11,926	15,000
10-51-40	DUES AND MEMBERSHIPS	625	1,000	2,000	5,000
10-51-45	WORKFORCE HOUSING	-	75,000	5,000	100,000
10-51-75	DONATIONS	3500	5,000	5,000	10,000
10-51-76	EMERGENCY SUPPLIES	-	3,000	-	3,000
10-51-80	FAIRPLAY FORWARD PROJECTS	-	10,000	-	10,000
10-51-85	PROPERTY IMPROVEMENT INCENTIVE PLAN	3,287	20,000	3,836	20,000
10-51-86	850 HATHAWAY-BUS BARN	17,958	15,000	9,445	-
10-51-95	501 MAIN STREET	18,777	20,000	45,000	25,000
10-51-96	501 MAIN STREET-REMODEL	516	400,000	125,000	400,000
	TOTAL	\$ 110,055	\$ 639,500	\$ 268,707	\$ 718,000
	COMMUNITY DEVELOPMENT/EVENTS				
10-51-50	TGIFAIRPLAY CONCERTS	15,121	29,500	26,000	25,000
10-51-62	BURRO DAYS	58,322	55,000	58,000	100,000
10-51-66	MARDI GRAS	9,244	10,000	10,455	15,000
10-51-70	MISC EVENTS	2,002	5,500	3,500	5,000
10-51-71	FIREWORKS/4TH OF JULY	17,882	25,000	35,000	35,000
10-51-74	REAL COLORADO CHRISTMAS	2,826	3,400	3,400	3,000
	TOTAL	\$ 105,397	\$ 128,400	\$ 136,355	\$ 183,000

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
	TRANSPORTATION				
10-52-05	SALARIES	-	30,000	-	60,000
10-52-11	SS/MEDICARE EXPENSE	-	2,295	-	5,000
10-52-12	UNEMPLOYMENT EXPENSE	-	60	-	120
10-52-14	WORKER'S COMPENSATION	-	1,000	-	1,000
10-52-15	DRIVER TRAINING/PHYSICALS	-	900	-	2,000
10-52-30	OFFICE SUPPLIES	-	500	-	1,000
10-52-35	INSURANCE	-	1,000	1,010	5,000
10-52-40	OPERATING SUPPLIES	-	500	-	1,000
10-52-45	MISCELLANEOUS	-	1,000	100	2,500
10-52-50	PHONE	-	600	-	1,000
10-52-55	UTILITIES	-	1,200	-	1,500
10-52-60	VEHICLE MAINTENANCE	-	5,000	-	10,000
10-52-70	FUEL	-	6,000	-	10,000
10-52-75	SUMMIT STAGE FUNDING				18,000
	TOTAL	\$ -	\$ 50,055	\$ 1,110	\$ 118,120
	JUDICIAL				
10-53-02	401A EMPLOYER MATCH	136	144	184	156
10-53-05	MUNICIPAL JUDGE SALARY	8,880	9,119	9,477	9,500
10-53-10	COURT CLERK	4,682	4,806	6,132	5,200
10-53-11	SS/MEDICARE EXPENSE	1,018	1,065	1,194	1,125
10-53-12	UNEMPLOYMENT EXPENSE	26	28	31	29
10-53-13	EMPLOYEE HEALTH INSURANCE	1,064	1,097	1,098	1,145
10-53-14	WORKER'S COMPENSATION	37	37	37	37
10-53-20	COURT ATTORNEY	-	500	-	500
10-53-30	EDUCATION	-	500	-	500
10-53-40	OPERATING EXPENSE	205	400	400	250
10-53-50	DUES AND MEMBERSHIPS	-	136	-	50
	TOTAL	\$ 16,049	\$ 17,832	\$ 18,553	\$ 18,492
	POLICE DEPARTMENT				
10-54-01	POLICE SALARIES	261,836	293,961	281,678	622,098
10-54-03	EXTRA DUTY PAY	5,488	-	-	-
10-54-04	PART TIME OFFICERS	13,665	15,000	10,000	15,000
10-54-05	PENSION CONTRIBUTION-FPPA	29,111	37,921	38,588	84,605
10-54-08	POLICE SALARIES-OVERTIME	16,410	-	17,454	-
10-54-10	UNIFORMS AND ACCESSORIES	2,540	5,000	5,000	8,000
10-54-11	SS/MEDICARE EXPENSE	6,057	5,410	6,154	10,168
10-54-12	UNEMPLOYMENT EXPENSE	439	618	618	1,274
10-54-13	EMPLOYEE HEALTH INSURANCE	83,962	118,564	68,984	169,126
10-54-14	WORKER'S COMPENSATION	13,623	11,708	12,132	23,000
10-54-15	FUEL	17,851	15,000	15,000	25,000
10-54-20	VEHICLE MAINTENANCE	10,993	10,000	15,000	15,000
10-54-24	PROFESSIONAL TRAINING EXPENSE	2,047	3,500	1,050	5,000
10-54-26	IN-SERVICE TRAINING EXPENSE	-	1,000	-	500
10-54-28	VEHICLE RENTAL PYMT TO ISF	24,551	37,611	36,544	50,811
10-54-30	RADAR & RADIO MAINTENANCE	394	1,000	1,000	2,500
10-54-32	AMMUNITION	-	500	-	600
10-54-45	OPERATING/OFFICE SUPPLIES	1,657	1,000	2,000	2,000
10-54-50	EQUIPMENT	43,508	10,500	41,665	30,000
10-54-55	TELEPHONE/INTERNET	6,663	7,000	7,000	10,000
10-54-60	MEMBERSHIPS - DUES	250	500	500	600
10-54-65	COMPUTER/SOFTWARE/SUPPORT	14,869	13,000	32,000	55,000
10-54-75	INVESTIGATIVE SERVICES & SUPPLIES	2,190	3,500	2,000	2,500
10-54-78	MISCELLANEOUS			30,000	30,000
10-54-80	OFFICER RECRUITING	325	1,000	15,000	15,000
10-54-87	LIABILITY INSURANCE	10,436	10,329	10,329	15,857
10-54-97	PUBLIC RELATIONS	806	1,000	1,000	5,000
	TOTAL	\$ 569,671	\$ 604,621	\$ 650,697	\$ 1,198,639

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
	PUBLIC WORKS				
10-56-01	SALARIES	161,838	154,762	145,515	195,175
10-56-02	401A EMPLOYER MATCH	4,678	4,643	4,365	5,855
10-56-10	SEASONAL	8,775	15,000	6,990	45,000
10-56-11	SS/MEDICARE EXPENSE	12,829	12,936	11,667	16,078
10-56-12	UNEMPLOYMENT EXPENSE	236	400	305	420
10-56-13	EMPLOYEE HEALTH INSURANCE	27,297	41,644	37,241	64,680
10-56-14	WORKER'S COMPENSATION	5,964	6,820	9,971	6,248
10-56-15	FUEL	6,287	7,000	7,000	7,000
10-56-25	REPAIRS & MAINT - EQUIPMENT	7,794	15,000	15,000	15,000
10-56-30	TOOLS, MAT'L'S, & SUPPLIES	4,788	5,000	5,000	5,000
10-56-35	EDUCATION - TRAINING	150	2,000	600	2,000
10-56-40	ELECTRIC STREET LIGHTS	12,148	12,000	13,000	13,000
10-56-45	TELEPHONE/INTERNET	3,001	2,300	8,000	8,000
10-56-50	MAINTENANCE BUILDING - UTILITY	11,054	9,000	11,000	11,000
10-56-55	MAPPING	5,778	40,000	40,000	10,000
10-56-60	VEHICLE/EQUIP RENTAL PYMT TO ISF	49,941	64,826	62,693	62,885
10-56-70	STREETS - REPAIRS & MAINT	212,219	275,000	250,000	300,000
	UNIFORMS AND SAFETY EQUIPMENT	-	-	-	2,000
10-56-82	TOWN SHOP/OFFICE BUILDING REPAIRS	2,536	10,000	2,000	2,000
10-56-90	EQUIPMENT	41,813	115,000	-	50,000
	TOTAL	\$ 579,125	\$ 793,330	\$ 630,347	\$ 821,342
	PARKS & RECREATION				
10-58-30	TOOLS, MATERIALS, & SUPPLIES	2,444	6,000	2,000	7,500
10-58-41	PARKS UTILITIES	470	430	500	500
10-58-42	VAULT RESTROOMS MAINTENANCE	7,539	7,000	7,000	7,000
10-58-50	CEMETERY EXPENSE	980	5,000	12,000	1,000
10-58-83	COHEN PARK	129,182	135,000	11,000	40,000
	BURRO PARK	-	-	9,000	10,000
10-58-86	FAIRPLAY RIVERPARK	-	1,000,000	-	1,000,000
	TOTAL	\$ 140,615	\$ 1,153,430	\$ 41,500	\$ 1,066,000
	NON/DEPARTMENTAL EXPENSES				
10-61-15	LIABILITY INSURANCE	16,952	20,378	22,120	22,096
10-61-17	AUDIT FEES	4,500	4,638	4,638	4,775
10-61-23	TREASURER'S FEES - MILL LEVY	4,667	6,000	6,000	6,000
10-61-25	PUBLISHING EXPENSE	1,668	2,000	1,200	1,800
10-61-30	DUES & MEMBERSHIPS	1,642	5,900	5,900	6,000
10-61-50	CAPITAL IMPROVEMENT	-	-	-	-
10-61-60	ABATEMENT	-	2,000	-	2,000
	TOTAL	\$ 29,429	\$ 40,916	\$ 39,858	\$ 42,671
	TOTAL GENERAL FUND EXPENDITURES	\$ 1,876,508	\$ 3,968,281	\$ 2,348,507	\$ 4,838,870
	TOTAL GENERAL FUND REVENUES	\$ 2,920,898	\$ 3,749,838	\$ 3,037,846	\$ 3,678,642
	TOTAL GENERAL FUND EXPENDITURES	\$ 1,876,508	\$ 3,968,281	\$ 2,348,507	\$ 4,838,870
	REVENUES OVER EXPENDITURES	\$ 1,044,390	\$ (218,443)	\$ 689,339	\$ (1,160,228)
	DIFFERENCE PLUS BEG. FUND BALANCE	\$ 3,101,292	\$ 2,708,798	\$ 3,790,633	\$ 2,630,405
	REDUCTION OF BEG FUND BALANCE TO BALANCE THE BUDGET				
	ENDING FUND BALANCE	\$ 3,101,292	\$ 2,708,798	\$ 3,790,633	\$ 2,630,405
	TABOR RESTRICTED FUNDS	\$ 87,627	\$ 112,495	\$ 91,135	\$ 110,359

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
CTF - REVENUE					
	BEGINNING FUND BALANCE	\$ 33,933	\$ 37,453	\$ 37,613	\$ 27,193
	INTERGOVERNMENTAL REVENUE				
20-44-10	COLORADO LOTTERY FUNDS	4,649	4,500	4,500	4,500
	TOTAL	\$ 4,649	\$ 4,500	\$ 4,500	\$ 4,500
	INTEREST				
20-46-50	INTEREST INCOME SAVINGS	31	20	80	50
	TOTAL	31	20	80	50
	TOTAL CTF REVENUE	\$ 4,680	\$ 4,520	\$ 4,580	\$ 4,550
	TOTAL AVAILABLE RESOURCES	\$ 38,613	\$ 41,973	\$ 42,193	\$ 23,443
CTF - EXPENSES					
	OPERATIONS				
20-73-03	BASEBALL FIELD IMPROVEMENTS	-	-	-	-
20-73-10	COHEN PARK - IMPROVEMENTS	1,000	-	-	-
20-73-75	BURRO PARK - IMPROVEMENTS	-	10,000	15,000	-
	TOTAL	\$ 1,000	\$ 10,000	\$ 15,000	\$ -
	CAPITAL OUTLAY	-	-	-	-
	TOTAL CTF EXPENDITURES	\$ 1,000	\$ 10,000	\$ 15,000	\$ -
	TOTAL REVENUE	\$ 4,680	\$ 4,520	\$ 4,580	\$ 4,550
	TOTAL CTF EXPENDITURES	\$ 1,000	\$ 10,000	\$ 15,000	\$ -
	REVENUE OVER EXPENDITURES	\$ 3,680	\$ (5,480)	\$ (10,420)	\$ 4,550
	DIFFERENCE PLUS BEG. FUND BAL.	\$ 37,613	\$ 31,973	\$ 27,193	\$ 31,743
	REDUCTION OF BEG FUND BALANCE TO BALANCE THE BUDGET				
	CTF ENDING FUND BALANCE	\$ 37,613	\$ 31,973	\$ 27,193	\$ 31,743
INTERNAL SVC FUND					
	BEGINNING FUND BALANCE	\$ 437,818	\$ 275,317	\$ 535,530	\$ 591,194
	REVENUE				
32-47-20	DEPT. RENTAL PAYMENT	97,712	103,676	123,524	136,145
32-47-30	SALE OF VEHICLE/EQUIPMENT-PD	-	-	-	6,000
	TOTAL REVENUE	\$ 97,712	\$ 103,676	\$ 123,524	\$ 142,145
	EXPENDITURES				
32-58-10	POLICE VEHICLES	-	-	17,981	225,000
32-58-20	PUBLIC WORKS EQUIPMENT	-	56,000	49,949	-
32-58-30	PUBLIC WORKS VEHICLES	-	-	-	-
32-58-40	ADMINISTRATION VEHICLE	-	25,000	-	-
	TOTAL	\$ -	\$ 81,000	\$ 67,930	\$ 225,000
	TOTAL RENTAL REVENUE	\$ 97,712	\$ 103,676	\$ 123,524	\$ 142,145
	TOTAL EXPENDITURES	\$ -	\$ 81,000	\$ 67,930	\$ 225,000
	REVENUES OVER EXPENDITURES	\$ 97,712	\$ 22,676	\$ 55,594	\$ (82,855)
	DIFFERENCE PLUS BEG. FUND BALANCE	\$ 535,530	\$ 297,993	\$ 591,124	\$ 508,339
	REDUCTION OF BEG FUND BALANCE TO BALANCE THE BUDGET				
	ENDING FUND BALANCE	\$ 535,530	\$ 297,993	\$ 591,124	\$ 508,339

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
	UTILITY FUND BUDGET				
	<u>WATER REVENUE</u>				
51-42-05	POTABLE WATER	379,875	400,000	390,000	400,000
51-42-20	LIEN REVENUE	3,761	5,000	3,082	4,000
51-42-30	LIEN INTEREST - REVENUE	-	-	-	-
51-42-32	WATER FACILITY MAINTENANCE FEE	487	487	487	487
51-42-34	WATER METERS, PRV, PARTS	1,854	1,000	\$ -	1,000
51-42-36	PENALTY NON-COMPLIANCE	240	480	440	440
51-42-40	PLANT INVESTMENT FEES	120,000	13,500	-	133,000
51-42-60	OTHER WATER REVENUE	-	570,000	125,000	445,000
	TOTAL	\$ 506,216	\$ 990,467	\$ 519,009	\$ 983,927
	<u>WATER - MISCELLANEOUS REVENUE</u>				
51-44-10	FEMA PROJECT		-	162,010	-
	TOTAL	\$ -	\$ -	\$ 162,010	\$ -
	TOTAL WATER REVENUE	\$ 506,216	\$ 990,467	\$ 681,019	\$ 983,927
	<u>WASTEWATER REVENUE</u>				
51-46-05	USER FEES	669,690	675,360	680,325	692,402
51-46-20	LIEN REVENUE	4,361	-	3,308	-
51-46-30	LIEN REVENUE - INTEREST	59	-	32	100
51-46-40	PLANT INVESTMENT FEES	225,498	16,702	8,351	116,914
51-46-60	OTHER WASTEWATER REVENUE		100	-	100
	TOTAL WASTEWATER REVENUE	\$ 899,607	\$ 692,162	\$ 692,016	\$ 809,516
	<u>INTEREST</u>				
51-48-10	INTEREST ON INVESTMENTS	22,607	20,000	83,820	50,000
51-48-30	LATE FEES	6,409	8,000	6,500	8,000
	TOTAL INTEREST	\$ 29,016	\$ 28,000	\$ 90,320	\$ 58,000
	TOTAL UTILITY FUND REVENUE	\$ 1,434,840	\$ 1,710,629	\$ 1,463,355	\$ 1,851,443

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
UTILITY FUND EXPENDITURES					
EMPLOYEE EXPENSES					
51-70-01	SALARIES	204,089	151,957	158,717	132,525
51-70-02	401A EMPLOYER MATCH	6,030	4,559	4,762	3,976
51-70-10	EMPLOYEE HEALTH & WELLNESS	-	3,000	3,000	3,000
51-70-11	SS/MEDICARE EXPENSE	15,640	11,717	12,206	10,358
51-70-12	UNEMPLOYMENT EXPENSE	366	306	316	271
51-70-13	EMPLOYEE HEALTH INSURANCE	43,518	44,575	30,721	32,385
51-70-14	WORKER'S COMPENSATION	3,001	3,184	3,700	2,148
51-70-15	BOARD OF TRUSTEE SALARIES	710	1,200	840	2,880
	TOTAL	\$ 273,353	\$ 220,498	\$ 214,261	\$ 187,543
GENERAL OPERATIONS EXPENSE					
51-72-02	BANK/CREDIT CARD FEES	4,560	5,000	4,500	5,000
51-72-06	COMPUTER/SOFTWARE/SUPPORT-OFFICE	14,316	18,000	15,000	20,000
51-72-10	MISCELLANEOUS	277	1,400	1,000	1,400
51-72-14	OFFICE SUPPLIES	1,571	2,500	1,500	2,500
51-72-18	POSTAGE EXPENSE	4,412	4,000	3,500	4,000
51-72-22	PUBLISHING EXPENSE	543	600	-	200
51-72-26	TELEPHONE/INTERNET EXPENSE	2,765	4,000	4,000	4,000
51-72-30	TOWN HALL RENTAL PAYMENT	12,397	12,397	12,397	12,397
51-72-34	UTILITIES-OFFICE	2,907	2,500	2,500	2,500
51-72-38	VEHICLE/EQUIP RENTAL PYMT TO ISF	23,220	23,220	23,220	22,449
51-72-42	VEHICLE MAINTENANCE/REPAIR	1,758	2,500	2,500	2,500
51-72-44	FUEL	6,287	9,000	9,000	9,000
	UNIFORMS/SAFETY EQUIPMENT	-	-	-	1,000
51-72-60	REPAIRS AND MAINT - OFFICE BUILDING	3,263	3,000	3,000	3,000
	TOTAL	\$ 78,275	\$ 88,117	\$ 82,117	\$ 89,946
CONTRACTUAL FEES					
51-73-20	AUDITOR FEES	4,500	4,638	4,638	4,775
51-73-40	INSURANCE - PROPERTY/LIABILITY	16,107	17,934	14,714	14,731
51-73-50	PROFESSIONAL FEES	26,010	-	28,900	-
51-73-60	LEGAL FEES	-	5,000	6,000	5,000
51-73-70	TREASURERS FEES	814	1,000	1,000	1,000
	TOTAL	\$ 47,431	\$ 28,572	\$ 55,252	\$ 25,506
WATER - PLANT & EQUIPMENT					
CAPITAL EXPENDITURES					
51-74-15	COMPUTER EXPENSE-WATER SYSTEM	2,386	14,000	14,000	5,000
51-74-17	CONTRACT - PLANT OPERATOR	54,000	54,000	54,000	54,000
51-74-20	DITCH MAINTENANCE	-	500	-	500
51-74-25	EDUCATION	751	2,000	4,000	5,000
t	INFILTRATION GALLERY PROJECT	-	570,000	125,000	445,000
51-74-32	ENGINEERING FEES	907	5,000	38,000	15,000
51-74-40	HASP MEMBERSHIP DUES	1,610	1,610	1,610	2,500
51-74-45	LEAKS AND REPAIRS	100,820	30,000	35,000	150,000
51-74-50	MISCELLANEOUS	24	1,000	3,000	1,000
51-74-55	PERMITS/DUES/LOCATES	1,425	1,500	1,600	1,500
51-74-60	PUMPHOUSE EXPENSE	1,281	-	-	-
51-74-65	REPAIRS & MAINTENANCE- EQUIPMENT	3,434	5,000	14,000	10,000
51-74-70	UTILITIES	2,996	3,000	3,200	3,000
51-74-75	TESTING AND SUPPLIES	10,864	5,000	3,000	5,000
51-74-80	TOOLS & SUPPLIES	1,934	2,000	4,000	8,000
51-74-85	WATER METERS	9,588	10,000	15,000	10,000
51-74-90	WATER TANKS	408	10,000	176	10,000
51-74-95	WATER TREATMENT PLANT	26,078	50,000	20,000	25,000
	TOTAL	\$ 218,506	\$ 764,610	\$ 335,586	\$ 750,500

Account #	Account Description	2022 Audited Final	2023 Budgeted	2023 Amended	2024 Budgeted
	WASTEWATER - PLANT & EQUIPMENT				
51-76-10	CAPITAL EXPENDITURES	-	20,000	21,405	100,000
51-76-20	COLLECTION SYSTEM MAINTENANCE	9,335	10,000	11,223	12,000
51-76-25	COMPUTER EXPENSE-WASTEWATER SYSTEM	2,591	7,000	-	8,000
51-76-27	CONTRACT - PLANT OPERATOR	60,000	60,000	60,000	60,000
51-76-30	EDUCATION	323	2,000	500	5,000
51-76-35	ENGINEERING FEES	-	5,000	-	5,000
51-76-36	LIFT STATION	2,000	5,000	5,000	5,000
51-76-45	MISCELLANENOUS	3,060	3,000	-	-
51-76-50	PERMITS/DUES/LOCATES	3,223	4,300	4,300	4,300
51-76-55	REPAIRS AND MAINTENANCE - EQUIPMENT	10,113	10,000	45,000	40,000
51-76-60	SLUDGE DISPOSAL	100,000	100,000	90,495	125,000
51-76-65	TESTING SUPPLIES AND CHEMICALS	6,744	8,000	8,000	8,000
51-76-70	TOOLS AND SUPPLIES	644	2,000	2,000	2,000
51-76-75	TRASH	828	1,500	1,500	1,500
51-76-80	UTILITIES-PLANT	70,747	67,000	67,000	75,000
	TOTAL	\$ 269,609	\$ 304,800	\$ 316,423	\$ 450,800
	DEBT SERVICE				
51-80-02	LOAN PRINCIPAL-SANITATION PLANT	-	231,000	231,000	238,400
51-80-04	LOAN INTEREST-SANITATION PLANT	93,270	86,616	86,616	79,154
51-80-06	LOAN PRINCIPAL-WATER PLANT	-	-	420	5,238
51-80-08	LOAN INTEREST-WATER PLANT	-	-	342	4,054
	TOTAL	\$ 93,270	\$ 317,616	\$ 317,616	\$ 317,554
	TOTAL UTILITY FUND EXPENDITURES	\$ 980,444	\$ 1,724,213	\$ 1,321,254	\$ 1,821,849
	TOTAL UTILITY FUND REVENUES	\$ 1,434,840	\$ 1,710,629	\$ 1,463,355	\$ 1,851,443
	TOTAL UTILITY FUND EXPENDITURES	\$ 980,444	\$ 1,724,213	\$ 1,321,254	\$ 1,821,849
	REVENUES OVER EXPENDITURES	\$ 454,395	\$ (13,584)	\$ 142,101	\$ 29,594
	ESTIMATED UTILITY FUND CASH BALANCE	\$ 1,730,155	\$ 1,426,041	\$ 1,581,726	\$ 1,268,468
	RESTRICTED FUNDS	\$ 290,530	\$ 333,190	\$ 342,852	\$ 342,852
	AVAILABLE FUNDS	\$ 1,439,625	\$ 1,092,851	\$ 1,238,874	\$ 925,616
	TABOR RESTRICTED FUNDS		51,319	43,901	55,543



Town of Fairplay



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POLICE DEPARTMENT

To: Janell Sciacca, Town Administrator
From: Jeff Worley, Chief of Police
Date: November 30, 2023
Re: Intergovernmental Agreement (IGA) with Park County for LE Coverage in the Town of Fairplay

Since the end of August 2023, Park County Sheriff's Office (PCSO) has been providing law enforcement coverage for the Town of Fairplay. As the Fairplay Police Department (FPD) is in the midst of its rebuilding efforts, PCSO will continue to do so likely into March 2024.

As part of the decision for PCSO to assist FPD in this manner, an Intergovernmental Agreement (IGA) was developed and then put into place at the end of summer 2023, initially in the form of a verbal agreement between Town leaders and the County until a written agreement could be drafted and approved. After some language changes desired by the Town were discussed and then agreed upon by both the Town of Fairplay and Park County, a written form of the IGA is now being proposed. The primary changes made to the IGA are: renaming the point of contact for Fairplay from the Mayor to the Police Chief; determining that phone calls made by a PCSO Deputy alone or the lack of a of other "substantive responses" (which was defined) on the part of a deputy do not constitute a monetary charge to the Town; identifying details that should be included on the monthly invoice from Park County (such as the CAD or case number related to the incident being charged); requiring the Police Chief's approval for purchase of equipment; and adding the Police Chief as a signatory on the agreement. Nothing more substantial was changed in or added to the document.

Sheriff Tom McGraw states that he will present the IGA to the BOCC for approval and signing once the Town of Fairplay approves and signs the agreement.

Because the agreement has largely been an effective partnership between the Town/PD and PCSO (and because the Sheriff has been more than congenial about reducing monthly invoices in the instances of disputed charges), I urge the Board of Trustees to approve the amended Intergovernmental Agreement as presented.

Respectfully,

Jeff Worley
Chief of Police

TOWN OF FAIRPLAY, COLORADO

**RESOLUTION NO. 34
(Series of 2023)**

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING AND INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT WITH THE PARK COUNTY BOARD OF COMMISSIONERS AND PARK COUNTY SHERIFF'S OFFICE.

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") and through its police powers, possesses the authority to regulate the police and the enforcement of laws of the municipality; and

WHEREAS, pursuant to C.R.S. § 31-15-402, the Town, by and through its Board of Trustees ("Board"), possesses the authority and has general powers in relation to the finances of the Town; and

WHEREAS, the in August 2023 the Board of Trustees determined it to be in the best interests of the Town of Fairplay, Colorado, and the the public health, safety and welfare, to contract with the Park County Sheriff's Office for law enforcement services during reorganization and rebuilding efforts of the Town's Police Department.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, THAT:

Section 1. The Board of Trustees of the Town of Fairplay, Colorado, hereby approves the Intergovernmental Agreement between the Town of Fairplay, Colorado, and The County of Park, Colorado, attached hereto as "Exhibit A" and authorizes the Mayor to execute same on behalf of the Town.

Section 2. This resolution shall become effective upon adoption.

RESOLVED, APPROVED, and ADOPTED this 4th day of December, 2023.

TOWN OF FAIRPLAY, COLORADO

ATTEST:

Frank Just, Mayor

Janell Sciacca, Town Clerk

INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT BETWEEN
THE TOWN OF FAIRPLAY, PARK COUNTY BOARD OF COUNTY COMMISSIONERS
AND THE PARK COUNTY SHERIFF'S OFFICE

This Intergovernmental Agreement is entered into between the Town of Fairplay, Colorado, ("Town"), the Board of County Commissioners for Park County ("BOCC"), and the Park County Sheriff's Office, ("Sheriff" or "Sheriff's Office"). The BOCC and the Sheriff shall be collectively referred to as the "County".

WHEREAS, the Town currently has a limited police force and has determined that it is in the best interests of the Town and its inhabitants to contract with the Sheriff to provide certain limited emergency law enforcement services within the boundaries of the Town under the terms of this Agreement; and

WHEREAS, the Sheriff has determined that his Office has the resources to provide certain limited emergency law enforcement services to the Town in exchange for the compensation to be provided by the Town under this Agreement and upon the further terms and conditions contained in this Agreement; and

WHEREAS, pursuant to C.R.S. Section 29-1-203, the Town and the BOCC are authorized to cooperate with one another to provide any function, service or facility lawfully authorized to the Town and the BOCC; and

WHEREAS, pursuant to C.R.S. Section 30-11-410 Town of Fairplay Board of Trustees and the BOCC and the Sheriff are authorized to contract for the purpose of providing law enforcement by the Sheriff within the boundaries of the Town; and

NOW, THEREFORE, in consideration of their mutual rights and obligations as set forth below, the Town, The BOCC, and the Sheriff agree as follows:

1. Services to Be Provided by Sheriff: The Sheriff agrees to provide the following equipment and services to the Town:
 - a. The Sheriff's Office will unilaterally respond to emergency situations within the corporate boundaries of the Town. For purposes of this Agreement, "emergency situations" shall be limited only to situations in which the Sheriff's Office, in the exercise of its discretion and based on the information provided to the Sheriff's Office, determines that there exists a real and immediate threat to human life or limb or a real and immediate risk of substantial and significant damage or destruction to real or personal property.
 - b. The Sheriff's Office will respond to non-emergency situations when there are no Town police officers on duty and the situation requires that a report be made. The Sheriff's Office will make every effort to relay to the reporting person that they can wait until the next day to have a Town police officer take the report. *Self-initiated contacts within the Town limits not made in connection with a call-for-service is an elective action the part of a Deputy and will not be considered as a charge to the Town.*
 - c. The Sheriff's Office will also provide animal control services upon request by a representative of the Town. If a call is received that requires an emergency response due

to a dangerous dog and no Town representative is available then animal control will act accordingly. The cost of animal control services is the same as a deputy's cost.

- d. The Sheriff will provide equipment, training, uniforms, vehicles, and other supplies associated with the services described in paragraphs 1(a), 1(b) and 1(c) above on the same basis as the Sheriff provides such training and other equipment to responses within the unincorporated areas of Park County, Colorado.
- e. The Sheriff will maintain in the Sheriff's records system, and in accordance with the Sheriff's applicable records retention policies, records relating to criminal complaints, arrests, and other official law enforcement actions taken by the Sheriff under this Agreement. During and after termination of this Agreement, the Town shall have continued access through requests made to the Sheriff for Sheriff's records for all information pertaining to any entry made by the Sheriff on behalf of the Town under this Agreement, which request shall be granted at no charge and for legitimate Town law enforcement purposes.
- f. The Sheriff's Office shall not be obligated to provide but may provide upon verbal or written direction and request of the Chief of Police or designee, regular visitation by law enforcement personnel or vehicular patrols within the Town.
- g. The Sheriff will provide law enforcement investigative services associated with response to and follow-up on emergency situations if needed by the Town.
- h. All Sheriff's personnel, provided under the terms of this Agreement, will wear the uniform of the Park County Sheriff's Office or, for non-uniformed personnel, be dressed in accordance with Park County Sheriff's Office policy.
- i. If requested by the Town's Board of Trustees or the Town's chief administrative officer, the Sheriff or his designee will provide a report to the Town of police activity in the Town at regularly scheduled meetings of the Town's Board of Trustees.
- j. In responding to emergency situations or in responding upon request to non-emergency situations, the Sheriff and his deputies shall not enforce Town ordinances, regulations, and codes of the Town of Fairplay, Colorado, but shall enforce the laws of Park County and State of Colorado which are applicable within the corporate limits of the Town and, when issuing any summons and complaint, shall act in a manner similar to that employed by the Sheriff's Office within the unincorporated areas of Park County.
- k. The Sheriff shall, upon request, make available to the Town a copy of any County policies and procedures. The Parties understand and agree that the County's policies and procedures for law enforcement services shall govern the conduct and activities of personnel of the Sheriff's Office when performing under this Agreement.
- l. All County personnel serving the Town under this Agreement shall remain Sheriff's Office employees. The Sheriff shall continue to be responsible for all wages, withholdings, pension or profit-sharing plans, worker's compensation, unemployment benefits, dental, medical, and life insurance, any and all benefits plans, and all other costs and expenses of such personnel, except as otherwise provided by this Agreement.

- m. The Sheriff's Office shall perform those services described in this Agreement and such additional services described in Addendum B to this Agreement which shall be incorporated by reference provided that such Addendum B is approved at the time of initial approval of this Agreement, or an amended Addendum B is approved in the same manner as the initial approval of this Agreement.
- n. The Sheriff and Park County will house those persons incarcerated by Order of the Fairplay Municipal Court, and, or those arrested by the Town police officers. The Sheriff's Jail shall **not** charge an incarceration daily fee per inmate. However, if the Town inmate causes or has some type of an issue which would require said inmate to be transferred to another jail facility then the Town would be responsible of all costs incurred by the jail, including but not limited to transportation, medical services, repair of any property damage and non-routine cleaning of any property.

2. Payment for Law Enforcement Services:

- a. The Sheriff shall invoice the Town on *a detailed statement that includes date of service and CAD number or case number associated with the service*, and the Town shall promptly pay within thirty (30) days of the date of the invoice, for services under this Agreement based upon the following:
 - (1) One hundred and twenty-five dollars (\$125.00) per deputy-hour for each hour or portion of an hour in which a member of the Sheriff's Office engages in the performance of the duties or obligations
 - (2) One hundred and fifty dollars (\$150.00) per deputy-hour if the response is after hours when a deputy is on call
 - (3) Any **substantive response** will be considered a minimum of one hour (*A "substantive response" means one in which action is taken by a Deputy other than simply starting to drive in the direction of the call OR the Deputy had to drive a substantial distance from his/her patrol area to respond – for example, a Deputy dispatched to a suspicious vehicle in the Town but is called off shortly thereafter to disregard as the vehicle has left would not be considered "substantive."*)

Such rates include costs of personnel, vehicles, gasoline, insurance, salaries and benefits, and other costs customarily incurred by the staffing of the Sheriff's Office in order to provide routine law enforcement services within Park County, Colorado. See Addendum A.

- b. The Town shall pay the actual equipment cost for equipment not otherwise available to the Sheriff's Office which is deemed by the Sheriff as reasonable and necessary to the performance of the duties described in this Agreement; provided, however, that no single piece of equipment shall exceed a cost of \$250.00 without the prior approval of the Chief of Police. It is the intent of this provision that the Sheriff's Office will be reimbursed for

equipment expenses that would not otherwise be incurred by the Sheriff's Office but for the performance of the Sheriff's Office under this Agreement.

- c. If this Agreement is terminated for any cause during its term, the Town shall be responsible only for the costs incurred through the date of termination.

3. Other Conditions Governing Sheriff's Provision of Law Enforcement Services: The Parties agree that the following provisions shall apply to the Sheriff's provision of law enforcement services to the Town under this Agreement:

- a. **Complaints.** Any complaints of violation of law or policy by Sheriff's deputies performing duties under this Agreement will be made by the Town or other complaining person in writing, directed to the Sheriff, and in compliance with any Sheriff's policy and procedure for internal affairs investigations. The Sheriff will inform the Town in writing when any such complaint is received, including the name of the deputy or person complained against and the nature of the complaint. The Sheriff also will notify the Town of the final disposition of any such complaint after the Sheriff's internal investigation has been completed. Complaints from members of the public regarding the substance of policies related to the services provided under this Agreement will be forwarded in writing by the receiving Party to the Party whose policy is in question.
- b. **Independent Contractor.** The Parties recognize and agree that the Sheriff is an independent contractor for all purposes, both legal and practical, in performing services under this Agreement, and that the Sheriff and its agents and employees are not agents or employees of the Town for any purpose. As an independent contractor, The Sheriff shall be responsible for employing and directing such personnel and agents as it requires to perform the services described in this Agreement, shall exercise complete authority over its personnel and agents, and shall be fully responsible for their actions. All other persons who are employed by or acting as agents of the Town shall be considered to be employees or agents of the Town and not of the Sheriff's Office.
- c. **Mutual Indemnification.** Each Party assumes responsibility for its agents' and its employees' actions and omissions under this Agreement, and further, each party agrees to hold harmless the other for such actions of its agents and employees. By agreeing to this provision, neither the Sheriff nor the Town waives or intends to waive, as to any person not a party to the Agreement, the limitations on liability which the Sheriff and the Town and their officials and employees are entitled under the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., as amended. For purposes of this Paragraph 3(c), the relationships between the Parties and described in Paragraph 3(b), above, shall apply. Also, for purposes of this Paragraph 3(c), the Town shall consider Park County, which is the governmental entity financially responsible for the Sheriff's Office, to be the same Party as the Sheriff.
- d. **No Beneficiaries.** The enforcement of the terms and conditions of this contract and all rights of action relating to such enforcement, shall be strictly reserved to the County and the Town, and nothing contained in this contract shall give or allow any claim or right of action whatsoever by any other or third person. It is the express intent of the parties

to this contract that any person receiving services or benefits under this contract shall be deemed an incidental beneficiary only.

- e. Waiver of Claim for Failure to Respond. Neither Party shall sue or bring any action as a breach of this Agreement for, and the Parties agree not to seek legal or equitable relief against each other, or any of their elected or appointed officials, employees or agents, on account of any alleged failure of either Party to adequately exercise discretion in determining law enforcement response and priorities under this Agreement. This paragraph shall not preclude the Parties from pursuing any other remedies which may be available to them in the event of any other breach or alleged breach of this Agreement.
 - f. Insurance. The Parties further agree, again without waiving any governmental immunity protections to which they and their officials or employees are entitled under C.R.S. Section 24-10-101, et seq., as amended, to obtain adequate insurance to cover the liability and other risks to which they may be exposed as a result of the services to be provided pursuant to this Agreement, if either of them does not already have such insurance, and to maintain such insurance throughout the term of this Agreement.
4. Effective Date; Term of Agreement; Events of Termination: This Agreement is effective as of the date of which it is signed by all of the representatives of the Parties as provided in the signature portion of this Agreement below. This Agreement shall remain in effect until the earlier of the following events: (1) this Agreement is expressly superseded by a new written agreement which is mutually acceptable to and signed by both Parties; or (2) a party exercises its rights to unilaterally terminate the Agreement or fails to appropriate funds for the performance of this Agreement in any fiscal year as provided in paragraph 5. It shall be noted that the Sheriff and the Town of Fairplay entered into a verbal agreement, on August 18, 2023, that made it effective immediately to provide the Town with law enforcement. The Town was made aware that the hourly cost was not known at the time of the verbal agreement and that a formal IGA was forthcoming. The Parties by this Agreement ratify such prior agreement.
 5. Unilateral Termination / Non-appropriation: Any party may unilaterally terminate this Agreement for any reason with not less than fourteen (14) days advance written notice to all other parties, Any notice of unilateral termination shall include a date and time of termination. Notice shall be directed to the attention of the representative or representatives identified in paragraph 6 of this Agreement for the non-terminating parties, and notice shall be considered to have been provided on the date of postmarking, if the notice is placed in the U.S. mail, first class certified mail with return receipt requested, or on the date of delivery, if the notice is hand-delivered. Additionally, as required by Article X, Section 20 of the Colorado Constitution, the obligations of the parties for this contract in any succeeding fiscal year following the year in which this Agreement is executed shall be subject to annual appropriation of funds for the performance of this Agreement. Should sufficient funds for the performance of this Agreement not be appropriated this Agreement shall automatically terminate on the last day of the fiscal year in which such funds were appropriated without further action of the parties.
 6. Notice: For purposes of this Agreement, any notice required shall be considered sufficient if mailed or delivered to the following addresses:

For the Sheriff:
Park County Sheriff
PO Box 604
1180 County Rd 16
Fairplav, CO 80440

For the BOCC:
Park County BOCC
PO Box 1373
856 Castello Avenue
Fairplav, CO 80440

For the Town:
Fairplay Chief of Police
PO Box 267
901 Main Street
Fairplav, CO 80440

7. Amendment: This Agreement may be amended by the Parties at any time during its term, provided that any such amendment is agreed to in writing and signed by the representatives of the Parties.
8. Invalidity Provision: Should any of the provisions of this Agreement be held to be invalid or unenforceable, then the balance of this Agreement shall be held to be in full force and effect as though the invalid portion was no included; provided, however, that should the invalidity or unenforceability go to the essence of the Agreement or be of a substantial nature, then the Party or Parties who would receive the benefit of the provision, were it not invalid or unenforceable, shall have the option to terminate this Agreement.
9. Governing Law: This Agreement shall be governed by, and interpreted in accordance with, the laws of State of the Colorado.

[Signature page follows.]

IN WITNESS WHEREOF, the County and the Sheriff's Office have caused this Agreement to be executed in its name by its duty authorized officer, and the Town has caused this Agreement to be executed in its name by its duly authorized officer, as of the date first above written.

BOARD OF COUNTY COMMISSIONERS,

By: _____

Amy Mitchell, Chairperson

PARK COUNTY SHERIFF'S OFFICE,

By: _____

Tom McGraw, Sheriff

ATTEST:

Milena Kassel, Park County Clerk & Recorder

TOWN OF FAIRPLAY,

By: _____

Frank Just, Mayor

FAIRPLAY POLICE DEPARTMENT,

By:  _____
Jeff Worley, Chief

ATTEST:

Janell Sciacca, Town Administrator/Clerk

ADDENDUM A
 TO INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT BETWEEN THE
 TOWN OF Fairplay, PARK COUNTY BOARD OF COUNTY COMMISSIONERS AND PARK
 COUNTY SHERIFF'S OFFICE

OPERATING COSTS for Straight-time Hours

Straight-time personnel rate \$47.17/hour

- Insurance
- FICA
- Workers' Comp
- Health Insurance
- Retirement
- Unemployment
- Salary
- Office Staff for Billing

Vehicle \$39.30 per hour

- Fuel
- Maintenance
- Insurance
- Vehicle Lease
- National Average Business Standard Mileage Rate .65/hour

Operating Expense \$38.53 per hour

- Office Supplies
- TAC-10 (Records Management System)
- Computers
- Electric
- Evidence Materials
- Cell Phones
- BWC
- Records
- Data Entry

TOTAL FEE WILL BE \$125.00 PER STRAIGHT-TIME HOUR.

OPERATING COSTS for Call-out Hours

Same as above with the exception of the hourly rate that increases to \$72.17/hour per deputy.
 (Call-out hours minimum charge will be for two deputies)

TOTAL FEE WILL BE \$150.00 PER CALL-OUT HOUR per deputy.

ADDENDUM B
TO INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT BETWEEN THE
TOWN OF Fairplay, PARK COUNTY BOARD OF COUNTY COMMISSIONERS AND PARK
COUNTY SHERIFF'S OFFICE

(There are no additional services as the time of initial approval of this Agreement)

ADDENDUM TO INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT
BETWEEN THE
TOWN OF Fairplay, PARK COUNTY BOARD OF COUNTY COMMISSIONERS AND PARK
COUNTY SHERIFF'S OFFICE



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Jennie Danner, Treasurer

RE: Approval of 2023 Amended Budget and Appropriations and 2024 Budget and Appropriations

DATE: 12/4/2023

Attached please find the four (4) resolutions that will need to be acted on to adopt the 2023 Amended Budget and appropriations and the 2024 Town Budget and appropriations. Each resolution will need to be individually approved. A motion will need to be made, seconded and a roll call vote taken on each of resolutions – 35, 36, 37, and 38.

If you have any questions on the resolutions, feel free to contact me before the meeting.

TOWN OF FAIRPLAY, COLORADO
RESOLUTION NO. 35
Series 2023

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING AN AMENDED 2023 BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO.

WHEREAS, the Board of Trustees of the Town of Fairplay has requested the Town Treasurer to prepare and submit an amended 2023 budget to said governing body showing changes from the previously adopted 2023 budget; and,

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed amended budget was delivered to the Board of Trustees of the Town of Fairplay on October 15, 2023, open for inspection by the public at the Fairplay Town Hall located at 901 Main Street Fairplay, Colorado, public hearings were started on November 6, 2023 and continued through December 4, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, C.R.S. § 29 – 1 – 109 provides that following adoption of an annual budget a local government may amend said budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. That Estimated expenditures for each fund are as follows:

General Fund Expenditures	\$2,348,507
Utility Fund Expenditures	\$1,321,254
Conservation Trust Fund Expenditures	\$15,000
Internal Service Fund Fleet Expenditures	<u>\$67,930</u>
Total Expenditures - all funds	\$3,752,691

Section 2. That estimated revenues for each fund are as follows:

<u>General Fund</u>		
Sources other than general property tax	\$2,801,041	
General Property Tax	\$236,805	
Total General Fund Revenue		<u>\$3,037,846</u>
 <u>Utility Fund</u>		
Operating sources	\$1,463,355	
Total Water Fund Revenues		<u>\$1,463,355</u>
 <u>Conservation Trust Fund</u>		
Sources other than general property tax	\$4,580	
Total Conservation Trust Fund Revenues		<u>\$4,580</u>
 <u>Internal Service Fund</u>		
Sources other than general property tax	\$123,524	
Total Internal Service Fund Revenues		<u>\$123,524</u>
Total Operating Revenues Other than Property Tax- All Funds		\$4,392,500
Total General Property Tax Levy - All Funds		\$236,805
Total Uses of Fund Balances - All Funds		\$ 0.00
Total Sources all Funds		\$4,629,305

RESOLVED, APPROVED AND ADOPTED this 4th day of December, A.D., 2023.

Town of Fairplay:

BY: _____
Mayor, Frank Just

ATTEST:

(Seal)

Town Clerk, Janell Sciacca

TOWN OF FAIRPLAY, COLORADO
RESOLUTION NO. 36
Series 2023

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE AMENDED 2023 BUDGET.

WHEREAS, the Board of Trustees of the Town of Fairplay has adopted the 2023 Amended annual budget in accordance with Local Government Budget Law, on December 4, 2023; and,

WHEREAS, C.R.S.§ 29-1-109 provides that, after adoption of the annual budget, local governments may transfer appropriated monies between funds, and authorize the expenditure of unanticipated funds, and revise appropriations by enacting amended or supplemental appropriations resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. That the following sums are hereby appropriated from the revenues, reserves and fund balances of each fund, to each fund, for the purpose stated:

General Fund		
Current Operating Expenses	\$2,348,507	
Total General Fund		\$2,348,507
Utility Enterprise Fund		
Current Operating Expenses	\$1,321,254	
Total Water Enterprise Fund		\$1,321,254
Conservation Trust Fund		
Current Operating Expenses	\$15,000	
Total Conservation Trust Fund		\$15,000
Internal Service Fund		
Current Operating Expenses	\$67,930	
Total Capital Leasing Fund		\$67,930
Total All Funds		
Current Operating Expenses	\$3,569,373	
Total All Funds		<u>\$3,569,373</u>

RESOLVED, APPROVED AND ADOPTED this 4th day of December, A.D., 2023.

Town of Fairplay:

BY: _____
Mayor, Frank Just

ATTEST:

(Seal)

Town Clerk, Janell Sciacca

TOWN OF FAIRPLAY, COLORADO
RESOLUTION NO. 37
Series 2023

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, SUMMARIZING EXPENDITURES AND REVENUES FOR EACH FUND AND ADOPTING A BUDGET FOR THE TOWN OF FAIRPLAY, COLORADO, FOR THE CALENDAR YEAR BEGINNING ON THE FIRST DAY OF JANUARY 2024 AND ENDING ON THE LAST DAY OF DECEMBER 2024

WHEREAS, The Board of Trustees of the Town of Fairplay has requested the Town Treasurer to prepare and submit a proposed budget to said governing body at the proper time; and,

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was delivered to the Board of Trustees of the Town of Fairplay on October 15, 2023, open for inspection by the public at the Fairplay Town Hall located at 901 Main Street Fairplay, Colorado, public hearings were started on November 6, 2023 and continued through December 4, 2023, and interested taxpayers were given the opportunity to file or register any objections to said proposed budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. That estimated expenditures for each fund are as follows:

General Fund Expenditures	\$4,838,870
Utility Fund Operating Expenditures	\$1,821,849
Conservation Trust Fund Expenditures	\$0
Internal Service Fund	\$225,000
Total Expenditures - all funds	<u>\$6,885,719</u>

Section 2. That estimated revenues for each fund are as follows:

<u>General Fund</u>		
Sources other than general property tax	\$3,443,642	
General Property Tax	\$235,000	
Total General Fund Revenue		<u>\$3,678,642</u>
<u>Utility Fund</u>		
Operating Sources	\$1,851,443	
Total Water Fund Revenues		<u>\$1,851,443</u>
<u>Conservation Trust Fund</u>		
Sources other than general property tax	\$4,550	
Total Conservation Trust Fund Revenues		<u>\$4,550</u>
<u>Internal Service Fund</u>		
Lease Revenues	\$142,145	
Total Internal Service Fund Revenues		<u>\$142,145</u>
Total Operating Revenues Other than Property Tax- All Funds		\$5,441,780
Total General Property Tax Levy - All Funds		\$235,000
Total Uses of Fund Balances - All Funds		
Total Sources all Funds		\$5,676,780

Section 3. That the Budget as submitted, amended and hereinabove summarized by fund, hereby is approved and adopted by the Town of Fairplay for the year stated above.

Section 4. That the budget hereby approved and adopted shall be signed by the Mayor and Town Clerk and made a part of the public records of the Town of Fairplay, Colorado.

RESOLVED, APPROVED AND ADOPTED this 4th of December, A.D., 2023.

Town of Fairplay:

ATTEST

Mayor, Frank Just
(SEAL)

Town Clerk, Janell Sciacca

TOWN OF FAIRPLAY, COLORADO
RESOLUTION NO. 38
Series 2023

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES, IN THE AMOUNTS AND FOR THE PURPOSES AS SET FORTH BELOW, FOR THE TOWN OF FAIRPLAY, COLORADO FOR THE 2024 BUDGET YEAR.

WHEREAS, the Board of Trustees of the Town of Fairplay have adopted the annual budget in accordance with the Local Government Budget Law, on December 4, 2023; and,

WHEREAS, the Board of Trustees has made provision therein for revenues, reserves and fund balances in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and,

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues, reserves, and fund balances provided in the budget to and for the purposes described below, so as not to impair the operation of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. That the following sums are hereby appropriated from the revenues, reserves and fund balances of each fund, to each fund, for the purpose stated:

General Fund			
	Current Operating Expenses	\$4,838,870	
	Total General Fund		\$4,838,870
Utility Enterprise Fund			
	Current Operating Expenses	\$1,821,849	
	Total Water Enterprise Fund		\$1,821,849
Conservation Trust Fund			
	Current Operating Expenses	\$0	
	Total Conservation Trust Fund		\$0
Internal Service Fund			
	Current Operating Expenses	\$225,000	
	Total Internal Service Fund		\$225,000
Total - All Funds			

Current Operating Expenses	\$6,885,719	
Total - All Funds		<u>\$6,885,719</u>

RESOLVED, APPROVED AND ADOPTED this 4th day of December, A.D., 2023.

Town of Fairplay:

BY: _____
Mayor, Frank Just

ATTEST:

(Seal)

Town Clerk, Janell Sciacca



MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Jennie Danner, Treasurer

RE: Resolution No. 39 – 2023 Certification of Utility Liens

DATE: 12/4/2023

This resolution authorizes the certification of delinquent utility customers to the Park County Treasurer for inclusion on their property tax assessment. The total amount to be certified at this point is \$3,390.06. A list of delinquent customers is provided in the Board packet, but not the public packet due to the sensitive and confidential nature.

Staff recommends approval of this resolution. This will require a motion, a second, and a voice vote.

TOWN OF FAIRPLAY, COLORADO

RESOLUTION NO. 39
(Series of 2023)

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO CERTIFYING DELINQUENT 2023 UTILITY ACCOUNTS TO THE PARK COUNTY TREASURER.

WHEREAS, C.R.S. 31-20-105 provides that any municipality may cause any or all delinquent charges, assessments, or taxes made or levied to be certified to the treasurer of the county and be collected and paid over by the treasurer of the county in the same manner as taxes; and

WHEREAS, Town of Fairplay Municipal Code Sec. 13-1-240 provides that until paid in full, all fees, charges, rates or tolls for water service shall constitute a first and perpetual lien on and against the lot, land, building and/or property served by the municipal water system, and in the event said fees, charges, rates or tolls are not paid when due, the Town may certify the same to the County Treasurer to be collected and paid over in the same manner as taxes, together with the costs of collection; and

WHEREAS, the attached list is held by the Town Treasurer to be a true and complete list of delinquent Water & Sewer Utility Accounts for properties for the Town of Fairplay as of November 30, 2023;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO:

Section 1. That under and by virtue of the authority granted under the provisions of C.R.S. 31-20-105 and the Fairplay Municipal Code Section 13-1-240, the attached list of delinquent Town of Fairplay Water and Sewer accounts be certified to the Park County Treasurer for collection in the same manner as taxes.

INTRODUCED, READ AND ADOPTED this 4th day of December, 2023.

TOWN OF FAIRPLAY, COLORADO

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk



Town of Fairplay
 400 Front Street • P.O. Box 267
 Fairplay, Colorado 80440
 (719) 836-2622 phone
 (719) 836-3279 fax
 www.fairplayco.us

STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator

RE: New Business Item G – Resolution No. 40, Series of 2023 Fee Schedule

DATE: December 4, 2023

BACKGROUND/ANALYSIS:

Section 4-4-10 of the Fairplay Municipal Code is written as follows:

Sec. 4-4-10. Fees set by resolution; review.

Except as may be otherwise established by individual ordinance, fees, assessments or charges for permits, licenses or services as called for in this Code shall be set from time to time by resolution duly adopted by the Board of Trustees. The Town Clerk shall regularly review all fees, assessments and charges and shall make recommendations on the same to the Board of Trustees as he or she deems necessary and prudent. It is the intent of the Board of Trustees that all municipal fees and charges shall, at a minimum, be reviewed annually in conjunction with the adoption of the Town's annual budget, and that additions, deletions or adjustments in such fees and charges shall be adopted and become effective by resolution at the commencement of each new fiscal year as part of the Town's annual budget process. A failure to conduct an annual review of any fee, assessment or charge shall not in any way affect the continuing validity thereof, and all fees, assessments and charges shall remain in full force until amended by subsequent resolution or ordinance adopted by the Board of Trustees.

The Fee Schedule was updated multiple times in 2023 for various purposes. This year, we are updating it in conjunction with the adoption of the 2024 budget. The recommend increases for 2024 are to the NSF, business license, gold panning, camping, park facility rental and the Certificate of Appropriateness application fees. Chief Worley has also reviewed and updated the fees for the Police Department and we are attaching that document as a separate referenced attachment.

Staff has had discussions and would also like to recommend the Board consider implementing higher water and sewer rates for Short Term Rental units. In analyzing the usage for these properties, against owner-occupied units, it is evident that usage is higher and therefore Staff is recommending

STAFF RECOMMENDATION

Staff recommends the Board approve Resolution No. 40, Series of 2023, as presented by motion, second and a roll call vote to approve the Schedule of Fees for FY2024.

Attachments:

- Resolution No. 40, Series of 2023
- Exhibit A "Schedule of Fees"

TOWN OF FAIRPLAY, COLORADO

**RESOLUTION NO. 40
(Series of 2023)**

**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY,
COLORADO, ADOPTING A SCHEDULE OF FEES FOR FY2024.**

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

WHEREAS, the Board of Trustees (the “Board”) has the authority, pursuant to Chapter 4, Article IV, Sec. 4-4-10 of the Fairplay Municipal Code, to prescribe, revise and collect fees for permits, licenses and services; and

WHEREAS, Town Staff and the Board of Trustees reviewed and discussed the permit, license and service associated fees and felt appropriate adjustments were warranted to several categories; and

WHEREAS, the Board of Trustees reviewed the generally supported the recommended changes as prepared and presented by Staff and finds them to be necessary and prudent for maintaining the Town's financial stability; and

WHEREAS, the Board of Trustees desires to adopt the updated Fee Schedule for the calendar year of 2024;

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD
OF TRUSTEES OF THE TOWN OF FAIRPLAY, COLORADO THAT:**

Section 1. Fees for permits, licenses and services as outlined in attached **Exhibit “A”** are hereby adopted, shall become effective January 1, 2024, and shall replace or supersede all prior Resolutions establishing Town fees.

RESOLVED, APPROVED AND ADOPTED THIS 4th day of December, 2023.

TOWN OF FAIRPLAY, COLORADO

Frank Just, Mayor

ATTEST:

Janell Sciacca, Town Clerk

TOWN OF FAIRPLAY, COLORADO
SCHEDULE OF FEES
Effective January 1, 2024 Per FPMC Sec. 4-4-10
(Resolution No. 40, Series of 2023)

DEPARTMENT / ITEM	AUTHORITY	NOTE(S)		
ADMINISTRATION				
Copies - B&W	8 1/2 x 11 Letter	\$1.00 / page	C.R.S. 24-72-205 <i>Color May Be Slightly Higher Bulk Requests Will Be a Flat Fee</i>	
	8 1/2 x 14 Legal	\$1.50 / page		
	11 x 17 Ledger	\$2.00 / page		
Fax	Send	\$1.00 / page		
	Receive	\$1.00 / page		
Insufficient Funds	NSF Returned Check Fee	\$31.00	Sec. 13-1-210 <i>Current TBK Fee</i>	
Manual / Plan / Code Copies	Based on Plan Type/Size	\$5.00-\$25.00		
Municipal Code	USB Flash Drive	\$15.00	Sec. 1-3-110	
	Hard Copy Book With Tabs	Codifier Rate		
Notary Service	Depends on Service Type	\$0.00 - \$5.00	<i>No Closing Documents</i>	
Recording Costs	As Applicable and Based on County Fees			
Town Hall Mtg Room Rental*	1/2 Day Weekday (Up to 4 Hrs)	\$10.00	<i>Waived for Not For Profit</i>	
	Full Day Weekday (Over 4 Hrs)	\$20.00		
	Weekend	\$30.00	<i>1 Hr. Min Charge When Applicable</i>	
	Event Cleaning Deposit	\$100.00/hr		
Special Meetings	Fees for Accommodating Time Constraints	Staff & Attorney Costs	Sec. 2-2-70(c) <i>Reasonable Costs for Time</i>	
TOWN CLERK				
Animal	Dog License (Annual)	Unaltered	\$10.00	Sec. 7-6-160(d) <i>Please see Code for Restrictions</i>
		Neutered / Altered	\$5.00	
		Replacement /Duplicate License	\$1.00	
	Livestock Permit	Fowl or Rabbit	\$5.00/each	Sec. 7-7-40 <i>Please see Code for Restrictions</i>
		Annual Maximum Per Property	\$25.00	
		Horse, Cow, Sheep, Goat, Llama (25lbs+)	\$25.00	Sec. 7-7-50 <i>Please see Code for Restrictions</i>

Business Licenses	Initial Application	\$100.00	Sec. 6-1-40 (a)	
	Annual Renewal	\$100.00		
	Late Renewal Charge After January 31	\$50.00	Sec. 6-1-40 (b)	<i>Mandatory per code (Shall pay)</i>
	Massage Parlor License - New	\$350.00	Sec. 6-1-110(a)	
	Massage Parlor License - Annual Renewal	\$150.00		
	Sexually Oriented Business License	\$350.00 + \$75.00 Mngr Reg	Sec. 16-27-190	<i>Annual Fee</i>
	Special Event Business License	\$10.00	Sec. 6-1-100	
	Peddler/Solicitor/Transient	\$50.00/year \$20.00/5 Consecutive Days	Sec. 6-1-120(c)	
Short-Term Rental License	Lodging Tax Per Night Per Occupied Room	\$2.00	Sec. 6-3-30	<i>Voter Approved April 1, 2008</i>
	New License Application Fee	\$300.00	Sec. 6-5-20 (a)	
	Annual Renewal Application Fee	\$300.00	Sec. 6-5-20 (a)	
	Penalty for Operating Without a License	\$150.00 or Denial of License*	Sec. 6-5-20 (a)	<i>*Trustee Hearing Applicable</i>
Fireworks Permit	Public Display Application Fee	\$100.00	Sec. 10-9-30(a)	
Liquor Licenses*	Application Related Fees			
	New Retail	\$1,000.00	Sec. 6-2-40	<i>*See CDOR Liquor Enforcement Fee Schedule DR8500</i>
	Annual Renewal	\$100.00		
	Late Renewal	\$500.00		
	Ownership Transfer	\$750.00		
	Change of Location	\$750.00		
	Corporate/LLC Change	\$100.00/Member		
	Manager Registration	\$30.00		<i>As applicable by license type</i>
	Special Event	\$100.00	Sec. 6-2-110(f)	<i>Per application/event</i>
	Tastings Permit	\$25.00	Sec. 6-2-90(c)	
	Temporary Permit	\$25.00	Sec. 6-2-60	
	Annual License Fee			
	Beer & Wine	\$48.75		<i>*See CDOR Liquor Enforcement Fee Schedule DR8500</i>
	Brew Pub	\$75.00		
	Club	\$41.25		
Distillery Pub	\$75.00			
Fermented Malt Beverage & Wine	\$3.75			
Hotel & Restaurant	\$75.00			
Retail Liquor Store	\$22.50			
Tavern	\$75.00			
Vinter's License	\$75.00			
Noise Permit	Application Fee	\$25.00	Sec. 10-10-70(a)	

Records Requests (Non Police)

Research & Retrieval Fee	\$33.58/hour	C.R.S. 24-72-205(6)(b)	<i>1st Hour is Free</i>
Copies	<i>See Administration</i>		<i>Bulk Rate for Large Requests</i>
Audio	\$15.00		
Video	\$25.00		
Electronic Transmittal	No Fee		

COURT

Court Fees	Court Costs	\$31.00	Sec. 2-4-110
	Default Judgement Fee	\$30.00	C.R.S. 13-63-101
	Failure to Appear Fee	\$30.00	
	Training & Equipment Surcharge	\$15.00	Sec. 2-4-90
	Transcript - CD Only	\$15.00	
	Warrant Fee	\$50.00	
	Witness Fees	Same as District Court	Sec. 6-3-140
	Copies	<i>See Administration</i>	

CEMETERY

Burial Fees	Casket Opening / Closing / Disinterment	\$300.00	<i>Additional fees may apply if contractor must be hired for frozen ground or other extenuating circumstances. See Cemetery Agreement for all Rules/Regulations.</i>
	Cremains Opening / Closing / Disinterment	\$150.00	
	Weekend/Holiday Service Charge	\$225.00	
	Monument Deposit (Refundable)	\$300.00/each	

PARKS / RECREATION / EVENTS

Permits & Licenses	Commercial Fishing Permit	\$150.00 + 5% of Gross Revenue	Sec. 6-4-20	<i>Proof of insurance required</i>
	Gold Panning Permit	\$20.00/daily \$50.00/weekly \$125.00/annually	Sec. 11-3-20 to 60	<i>Use of hand tools only & gravity flow sluice. Electrical or hand-pump sluice devices prohibited. Limit of 1 Gal Mtls.</i>
	Violation Penalty	\$100.00 + Restitution		
	Street Closure / Parade Permit	\$10.00/half day	Sec. 16-1-100(a)	
	Fairplay Reservoir / Beach Camping Permit	\$20.00/day (4 Day Limit)	Sec. 11-4-60	<i>See Beach & Reservoir Regulations</i>
	Special Event Permit	Event Organizer Fee	Sec. 16-1-100(a)	<i>For Vendor Without Bus License</i>
Park Pavilion Rental Fees	Cohen Park W/ Electricity	\$20.00 4 Hrs/\$50.00 Full Day	Sec. 11-5-20	<i>Deposit May be Required Based on size of group</i>
	Beach W/Out Electricity	\$20.00 4 Hrs/\$50.00 Full Day		
	Cemetery W/Out Electricity	\$10.00 4 Hrs/\$20.00 Full Day		
	Event Cleaning Deposit	\$100.00/hr		

Buildings Permits, Fees & Taxes

The determination of value or valuation for purposes of determining and assessing the applicable building permit fee shall be made by the building official. The value of a project will be based on the stated value on the building permit application or by applying the most recent valuation table located on ICC's website. If an applicant's stated cost is greater than the estimates used in this table, the higher amount will be used to calculate the permit fee. The valuation shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment and including profit and labor.

The fee(s) for each building permit shall be as follows:

Building Permit

Sec. 16-2-40

A. Permit Application Fee Determined by Building Permit Fee
Schedule for valuation listed below for each type of work.

Initial Plan Review Fee 65% of total permit fees
Plan Review Fee: When a plan or other data is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review of structures requiring a review shall be 65% of the building permit fee as set forth above.

B. Building Permit Fee Schedule - Table 1a

<u>TOTAL VALUATION</u>	<u>RATE</u>
1.) \$0 to \$2,000	\$85.40
2.) \$2,001 to \$25,000	\$85.40 for the first \$2,000, plus \$15.77 for each additional \$1,000, or fraction thereof, up to and
3.) \$25,001 to \$50,000	\$448.11 for the first \$25,000 plus \$11.49 for each additional \$1,000, or fraction thereof, to and including \$50,000.
4.) \$50,001 to \$100,000	\$735.36 for the first \$50,000 plus \$7.88 for each additional \$1,000, or fraction thereof, to and
5.) \$100,001 to \$500,000	\$1,129.36 for the first \$100,000 plus \$6.30 for each additional \$1,000, or fraction thereof, to and including \$500,000.
6.) \$500,001 to \$1,000,000	\$3,649.36 for the first \$500,000 plus \$5.35 for each additional \$1000, or fraction thereof, to and including \$1,000,000.
7.) \$1,000,001 and up	\$6,324.36 for the first \$1,000,000 plus \$4.11 for each additional \$1,000, or fraction thereof.

C. Specialized Permit Fee Schedule and Other Fees

<u>TYPE</u>	<u>RATE</u>
1.) Permit fee if work commenced before required permit issuance.	Double Applicable Fee
2.) Uncovered Raised Deck	\$200.00
3.) Non-structural re-roof	\$200.00
4.) Demolition	\$165.00

Easy Permits

5.) Fence	\$75.00
6.) Residential Mechanical	\$75.00
7.) Siding Replacement	\$75.00
8.) Small Sign (No foundation)	\$75.00
9.) Residential AC/Evaporative Cooler	\$75.00
10.) Residential Water Heater Replacement*	\$75.00
<i>Replacement is similar unit type and same fuel source</i>	
11.) Residential Window Replacement (2 or more)	\$75.00
12.) Residential Window Replacement (single)	\$25.00
13.) Repair or replace Existing Gas or Water Line for Single Family Dwelling	\$65.00
14.) Building Permits for which no fee is specifically indicated	\$60.00 per inspection

INSPECTIONS

15.) Inspections outside of normal inspection days and hours. (Note: Fees to be charged directly to applicant. 2 hours minimum.)	\$120.00
16.) Re-inspection Fees (Work not ready for inspection or called for when corrections weren't made.)	\$80.00
17.) Inspections and/or Code Enforcement / investigation for which no fee is specified.	\$120.00 hourly
18.) Additional Plan Review required by changes, additions, or revisions to the approved plans.	\$100.00 hourly
19.) Stock/Same as Plan Review - No Change. Plan Review Fee	\$140.00
20.) Stock/Same as Plan Review - Minor Change. Plan Review Fee	\$280.00

<u>PERMIT</u>	<u>RATE</u>
1.) Pre-Move Inspections within 30 miles of Town	\$220.00
2.) Pre-Move Inspections over 30 miles from Town	Based on travel costs.
3.) Block & Tie	\$480.00
4.) Temporary/Accessory	\$100.00
5.) Permanent Foundation	Fee will be calculated on valuation of foundation, any finishes other than the premanufactured structure, and any accessory structures such as decks, garages, etc. PLUS \$480.00.

E. Electrical Permit Fees

Residential: This includes single-family dwellings, site-built and modular/factory-built homes, duplexes, condominiums, and townhouses. New, remodel, and addition.

<u>TYPE</u>	<u>RATE</u>
1.) Equal to or less than 1,000 square feet.	\$129.95
2.) Over 1,000 square feet and not more than 1,500 square feet.	\$195.50
3.) Over 1,500 square feet and not more than 2,000 square feet.	\$262.20
4.) Greater than 2,001 square feet (\$262.20 + \$11.50 each additional 100 square foot.)	\$262.20 + \$11.50 each additional 100 square feet
5.) Residential Solar Device	\$500.00

Commercial: This includes some residential installations that are not based on square footage (not living area, i.e. garage, shop, SFD, etc.) Fees in this section are calculated from the total cost to customer, (contract price) including electrical material, items, and labor — whether provided by the contractor or property owner.

<u>TYPE</u>	<u>RATE</u>
1.) Equal to or less than \$2,000	\$129.95
2.) Greater than \$2,001. (Always round up to the next \$1,000).	\$129.95 + \$11.50 per \$1,000 of job valuation
3.) Mobile/Modular/Manufactured Home Set (Per Unit)	\$129.95
4.) Temporary Heat Release	\$129.95
5.) Spas/Hot Tubs	Based on table 1a + elec. fee
6.) Commercial Solar Device	\$1,000.00

Fees and Bonds

Condominiumization Inspection Fee		Sec. 16-23-40(B)
Performance / Security	Unpaved \$1,000.00 / + \$5.00/s.f. resurfacing area	<i>Refundable After 1 Year Upon Approval by Town Engineer</i>
	Paved \$2,000.00 / +20.00/s.f. paving area	

Surcharge

Applicable to All Building Permits	10%	5% Parks / 5% Streets <i>May be higher based on project</i>
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Land Use	Annexation	\$2,500.00	Sec. 16-2-40	<i>Higher fees may apply for large acreages</i>	
	Disconnect/Deannexation	\$2,500.00			
	Rezoning	Residential	\$500.00		
		Commercial	\$1,000.00		
		PUD	\$2,000.00		
Special Use Permit	\$500.00	Sec. 16-6-30(A)			
Variance	\$500.00				
Subdivision Fees*	Major - Residential	\$500.00 + \$25.00/lot	Sec. 16-13-20(A)	<i>\$5,000 Deposit Required</i>	
	Major - Non-residential	\$750.00 + \$25.00/lot	Sec. 16-14-10(B)	<i>\$5,000 Deposit Required</i>	
	Preliminary Plan / Plat				
	Final Plan / Plat				
	Minor - Residential	\$300.00 + \$25.00/lot	Sec. 16-13-20(A)	<i>\$5,000 Deposit Required</i>	
Minor - Non-residential	\$500.00 + \$25.00/lot	Sec. 16-15-20(B)	<i>\$5,000 Deposit Required</i>		
Subdivision Exemption	Lot Line Adjustment	\$500.00+costs			
	Lot Line Elimination	\$500.00+costs			
PUD	PUD Concept Plan	\$500.00 + \$25/lot		<i>\$1,000 Deposit Required</i>	
	PUD Preliminary Plan	\$1,000.00 + \$25/lot		<i>\$5,000 Deposit Required</i>	
	PUD Final Plan	\$500.00 + \$25/lot		<i>\$5,000 Deposit Required</i>	
Professional Fees/Costs*	Deposit	Based on Application Type	Sec. 16-2-40(A)	<i>Required to cover reasonable costs of review by outside contractors</i>	
	Planning Fees	Per PSA Approved by Board			
	Engineering	Per PSA Approved by Board			
	Other	Per PSA Approved by Board			
Other	Appeal (Administrative or BOA)	\$300.00	Sec. 16-23-20; Sec. 16-22-100		
	Certificate of Appropriateness	\$10.00	Sec. 16-8-100		
	Encroachment License	\$150.00			
	Land Dedication Fee	Land or Cash	Sec. 16-18-20		
	Parks/Open Space Fee - SFR	\$500.00/per unit	Sec. 16-18-20		
	Parks/Open Space Fee - MF	\$350.00/per unit	Sec. 16-18-20		
	Parking Plan	\$50.00			
	Public Facilities Fees - Nonresidential	8% of Market Land Value	Sec. 16-18-20(B)		
	Public Notice & Hearing Related Fees	Actual Costs	Sec. 16-2-40(D)		
	Subdivision/Development Improvement Agmt	\$100.00			

Fees & Charges SEE ATTACHED SCHEDULE OF FEES

PUBLIC WORKS

Permits Street Access / Cut / Excavation Permit \$550.00 Sec. 11-1-20/40 *Performance Bond/Security Reqd*

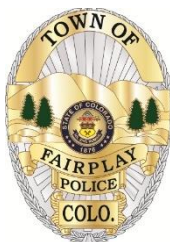
WATER

Bulk Water	In Town Resident	\$5.70/1,000 gallons	Sec. 2-7-40	
	Out of Town Resident	\$11.40/1,000 gallons		
Plant Investment Fee	3/4" Tap / 1.0 SFE	\$9,400.00	Sec. 13-1-60	<i>Resolution No. 2023-5</i>
	1" Tap / 1.8 SFE	\$16,920.00		
	1 1/2" Tap / 4.0 SFE	\$37,600.00		
	2" Tap / 7.0 SFE	\$65,800.00		
	3" Tap / 16.0 SFE	\$150,400.00		
	4" Tap / 28.0 SFE	\$263,200.00		
	Outside User Fees	Double		
	Fire Protection Only Tap	25% of PIF + Tapping Charges,	Sec. 13-1-80	
Water Service / Usage Fees	3/4" Tap / 1.0 SFE	\$34.00 + \$5.70 / 1,000 Gal	Sec. 13-1-60 / 260	
	1" Tap / 1.8 SFE	\$61.20 + \$5.70 / 1,000 Gal	Sec. 13-1-10	
	1 1/2" Tap / 4.0 SFE	\$136.00 + \$5.70 / 1,000 Gal		
	2" Tap / 7.0 SFE	\$238.00 + \$5.70 / 1,000 Gal		
	3" Tap / 16.0 SFE	\$544.00 + \$5.70 / 1,000 Gal		
	4" Tap / 28.0 SFE	\$952.00 + \$5.70 / 1,000 Gal		
	Outside / Non-Resident User Fees	Double	Sec. 13-1-270((f))	
Other Fees	Accessory Dwelling Unit (.5 sfe / 400-850 sf)	\$2,280.00 - \$4,845.00	Sec. 16-7-10 (l)	<i>Water Service Expansion/Connection Fee Shut Off May Occur After 3 Months</i>
	Access to Meter Fee	3 Times Regular Base Fee	Sec. 13-1-290	
	After Hours/Weekend/Holiday Mnt/Repair Fees	3 Times Regular Base Fee	Sec. 13-1-280	
	Backflow Testing - Town Service	\$75.00		
	Backflow Testing Past Due Fee (31-60 Days)	\$150.00	Sec. 13-2-20(e)	
	Backflow Testing Past Due Fee(61+ Days)	\$500.00		
	Delinquent Account Fee	\$5.00/month + 1% Interest on Balance		
	Failure to Pay/Code Violation	\$150.00	Sec. 13-1-210	
	Lien Charge	\$100.00 + Recording/Other Fees	Sec. 13-1-240(a)	
	Unauthorized Water Turn On	\$150.00		
	Discontinuance of Service	\$100.00	Sec. 13-1-130	<i>Basic Monthly Use Fee Still Applies</i>
	Water Account Lease Holder Fee	\$156.00	Sec. 13-1-230	
	Water Shut Off / Turn On	\$25.00 / ea	Sec. 16-1-210	
	Water Shut Off / Turn On - After Hours	\$50.00 / ea		
	Water Supply Protection District Permit	Testing, Engineering, Inspection	Sec. 13-3-70(a)	
	Waste of Water Penalty	\$150.00	Sec. 13-1-160	
Unauthorized Furnishing of Water Violation	\$150.00 + Penalty	Sec. 13-1-170	<i>Penalty is double water use fee</i>	

WASTEWATER**70**

System Investment Fee (SIF)	1 - EQR (Equivalent Residential Unit)	\$8,351.00	Sec. 2-7-40
	1 - EQR (Outside User)	Double	
Wastewater Service Fee	1 - EQR User Fee	\$60.00	
	1 - EQR (Outside User)	Double	
Other Fees	ADU Sewer Service/Expansion Fee (.5 sfe / 400-850 s	\$2,088.00 - \$4,437.00	Sec. 16-7-10 (I)
	Delinquent Account Fee	\$5.00/month + 1% Interest on Balance	
	Disconnect / Reconnect Fee	\$1,000.00 / ea	
	Failure to Install Grease Trap/Interceptor	Per Section 1.9(K) of Rules	
	Failure to Maintain Grease Trap/Interceptor	50% of monthly use fee	
	Improper Discharge of Sewage	\$500.00 or Actual Cost of Damages	
	Inclusion Application	\$200.00 + Attorney Fees	
	Lien Charge	\$100.00 + Recording/Other Fees	
	Line Extension Inspection Fee	\$3.00/l.f. of Sewer Main	
	Line Extension Plan Review Fee	Costs of Engineering Review	
	Post Construction Bond	\$500.00	
Reinspection Fee	\$75.00		

2024 FEE SCHEDULE ATTACHMENT



Fairplay Police Department

Updated Fee Schedule – January 2024

SERVICES

- **VIN Inspection (non-certified)** **\$20.00**
- **Fingerprints** **\$25.00**
- **Civil Stand-By** No charge first 20 minutes
thereafter **\$35/hour**

- **Public and Criminal Justice Records**

The following fees will be charged for providing materials pursuant to the Public Records Law, C.R.S §24-72-201, Children's Code Records and Information Act, C.R.S §19-1-302, and Criminal Justice Records Law, C.R.S §24-72-301 CRS, as amended.

Note: Research, Review, Production, and/or Redaction Fees. FPD shall charge \$30.00 an hour for staff time associated with locating and producing records and may charge an hourly rate greater than \$30.00 an hour when specialized document production or specialized skills are required to locate, compile, review, and/or redaction of agency criminal justice records. See § 24-72-205(6)(a), C.R.S.

Printed Materials

Initial Criminal Justice Record to include up to 10 pages	\$ 5.00
Each one-sided photocopied page	\$ 0.25
Any other materials (e.g., paper folders, dividers)	Actual cost
Postage (if records must be sent by mail)	\$ 5.00

All review, production, and/or redaction time is additional.

Agency Records Check

FPD Records Check	\$ 7.50
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Audio, Video, and Photographic Multimedia

Other media (e.g., CD-ROM, DVD, USB flash drive – <u>per disk or flash drive</u>)	\$ 5.00
In-Car or Body-Worn Camera Footage (<u>per disk or flash drive</u>)	\$ 5.00
Postage (if records must be sent by mail)	\$ 5.00

All review, production, and/or redaction time is additional.

MONTHLY REPORT

TO: Mayor and Board of Trustees
 FROM: Janell Sciacca, Town Administrator / Clerk
 RE: Monthly Report
 DATE: November, 2023 Monthly Report



PROJECTS

1. RIVER PARK PHASE 2
 - Met with CDOT Project Local Agency Coordinator on November 14 to review RFP and process for bidding out project. All funding for this project is shifting to 2024 and the RFP will be posted in December with awarding after 1st of year and construction spring/summer.
2. INFILTRATION GALLERY / WELL #4
 - Contract was awarded to Velocity Constructors and Project Engineer Ken Hardesty is working with contractor to approve invoices for bonds, components and parts for year end. Mobilization will occur either late this year or early next year, but no construction will take place in 2023.
3. 501 MAIN
 - Staff is meeting with JOC Construction and RTA Architects on December 7 to review finalize the current Phase plans for the Visitor Center & Chamber space. Following final coordination with the Town and obtaining a building permit, JOC will mobilize in mid-December to begin demo and 100% construction documents would be submitted to the Town.

ACTIVITIES

- Staff has been very busy working on the 2023 Amended Budget and 2024 Proposed Budget.
- Staff is still working with Employers Council of Colorado on finalizing a Pay Schedule and is hopeful to have a presentation ready for the Board on January 8, 2024.
- We are closing out the 501 Main vehicle repair claim and will be returning funds to CIRSA.
- Deron Dirksen is continuing to research impact fees and will provide a proposal to the Town for the related study to be done in early 2024.
- The Whispering Aspen Case No. 22CW3216 is on-going at this time. The applicant is to respond to opposer comments by December 18, 2023; Additional comments from opposers are due January 26, 2024; and the next Status Conference is on February 1, 2024, at 8:30 am.
- Brett Parsons of ColoTrust has been scheduled to present to the Board on Monday, January 22.
- Staff will be utilizing Plante Moran in 2024 to provide On-Call financial oversight and support. This is built into the budget.
- Staff will be switching payroll processing to ADP beginning in January. This will allow employees to report and manage their time electronically and will reduce the processing time for Jennie.
- The Town hired former Officer Tom Flannery as its Grant Manager in November and Tom is already off and running getting ready to go after funding in early 2024.
- Staff continues to make progress on meter repairs and replacements which is helping to further reconcile the water loss and bring additional revenues in.

- The Mayor, Chief of Police and I attended the Homes for Our Troops event at the Legion on November 4. As the Mayor previously reported, it was a very humbling and emotional event, and we are blessed to have these heroes living in our midst.
- Ken Hardesty, Bill Hahn, Donovan and I all met with Colorado Springs Utilities representatives on November 9 regarding their plans for their proposed Continental Hoosier System (CHS) Project to enlarge Montgomery Reservoir. This is a long-range plan and they are in initial stages.
- The Town will be cutting ties with Park County for Broadband. We have approved an agreement with Highline for a direct connection. The switchover will occur prior to year's end.
- The Town will be switching over all of its cellular phone, body cam and main numbers to AT&T FirstNet. Service in this area is much better as they have multiple towers, and all employees will be issued a Town phone that will have priority and preemption service. The \$50 stipend will terminate effective January 1 and the Town will see a cost savings and improved service and communication.
- The Park County Intergovernmental meeting in November was cancelled and is to be rescheduled in late January, 2024. The Park County School District will still host.
- Staff met with Chamber representatives to begin discussions for them managing and holding the liquor permits for multiple Town events next year. Staff will continue to support the Chamber as necessary to ensure success of each event until they are able to hire a full time Director when they move into their new office at 501 Main.

DEVELOPMENT / LAND USE / BUILDING

- ★ Staff held its Development Review Meetings on Thursday, November 2. There have been no new large scale projects submitted and Staff will return focusing on needed improvements to the UDC, Annexation Plan and Comprehensive Plan.
- ★ Staff continues to work with Habitat to update the Improvements Agreement and obtain a new security since the original letter of credit expired.
- ★ Staff continues to work on Code Enforcement matters and is appreciative of the Police Department's assistance. While they are still rebuilding, they have been able to address and resolved several issues.

WINTER HAS OFFICIAL ARRIVED!!





MEMORANDUM

TO: Town of Fairplay Board of Trustees

FROM: Donovan Graham, Director of Public Works

RE: Staff Report

DATE: December 4, 2023

I am still researching the wastewater plant self-dewatering system, there are several options available, I am seeking the best option that works with our system the best.

The Christmas decorations have been set up throughout the town.

The final Hathaway water main replacement build specs should be sent to me this week. Deron from SGM met with Marty, Keith and myself, we came up with a build plan that should make water service interruption as minimal as possible.

The new sign posts just arrived, public works will be working in the installation of the no U-turn on front street this week.

If there are any questions, please feel free to ask.



Town of Fairplay

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POLICE DEPARTMENT

To: Janell Sciacca, Town Administrator
From: Jeff Worley, Chief of Police
Date: December 4, 2023
Re: Fairplay Police Department Reorganization Update

The following are the most significant current undertakings in the reorganization building of the FPD:

- As FPD has determined that issuing a duty weapon to its officers is the best course of action, we have found a firearms dealer through whom we will be able to provide a quality sidearm to our officers – the dealer will charge approximately \$340 per pistol. The closest competitors are retailing comparable sidearms at \$499.
- Pueblo County Sheriff's Office has been contacted as we learned that they have fleet vehicles available and may be willing to donate three upfitted patrol Tahoes to Fairplay. This will be a great temporary relief to our fleet issues, as America's vehicle manufacturers are having great delays in fulfilling LE orders across the country. We hope to hear from PCSO sometime this week.
- In addition to our policy update project, we have begun authoring a standard operating procedure manual of the top 30-some most common/critical LE activities as an instructional device for our new officers and their training officers.
- Concerning our new hires, our backgrounds are well underway. These necessary checks should be completed in the next two to three weeks, confirming that our staffing complement is indeed filled. Our newest PD member (whose background is complete) will be coming on board December 11.
- A field training manual is being completed. This manual is a very necessary guide for trainers to guide their officer trainees through a paradigm of an ever-increasing level of complex or difficult tasks. The manual will be completed prior to mid-January, in time for our first group of three new police officers.
- More to come...