AGENDA for a Regular Meeting
of the Board of Trustees of the Town of Fairplay, Colorado
Monday, February 5, 2024, at 6:00 p.m.
Fairplay Town Hall Meeting Room, 901 Main Street, Fairplay Colorado
(Click the Meeting ID: 248 957 461 826 to join by TEAMS / Passcode 7vpB87)

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE
II. ROLL CALL
III. APPROVAL OF AGENDA
IV. 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 MINUTES OF** November 20, 2023 Regular Meeting
- **B. APPROVAL OF MINUTES OF** December 4, 2023 Regular Meeting.
- **C. APPROVAL OF EXPENDITURES** – Approval of paid bills for all Town Funds from January 19, 2024 to February 2, 2024 in the amount of **$136,142.87**.

V. CITIZEN COMMENTS (*This item allows for the public to sign up to address the Board on matters that are not on the agenda – Sign-up can be done prior to, or at the start of a meeting, on the required form.)*

VI. PUBLIC COMMENT PERIOD – Acceptance of Town of Fairplay residents' comments on the Park County Conditional Use Permit Application 24CAP-01 for the Ellie Belle Asphalt and Concrete Plant.
The Board will accept input from residents on an application for an Asphalt & Concrete Plant proposed outside the west border of the Town on Platte Drive. ***Speaker comments will be limited to 3 minutes each.***

VII. PROCLAMATIONS, PRESENTATIONS AND UPDATES
- **A.** Update from Rob Ringle of SGM regarding Town of Fairplay Water Model project.

VIII. PUBLIC HEARINGS
- **A. FIRST READING -** Should the Board of Trustees Approve the Adoption of Ordinance No. 2, Series of 2024, entitled, "**AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING CHAPTER 18 BUILDING REGULATIONS TO INCREASE THE DESIGN SNOW LOADS FOR STRUCTURES**."? *The Board will consider adoption of an ordinance to increase snow loads for new structures in the Town of Fairplay.*

IX. NEW BUSINESS
- **A. FIRST READING** - Should the Board of Trustees Approve the Adoption of Resolution No. 10, Series of 2024, entitled, "**A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HARDESTY ENGINEERING AND MAPPING, LLC FOR ON-CALL WATER RESOURCE AND WASTEWATER ENGINEERING AND PLANNING.**"? *The Board will consider approval of an agreement for on-call services for water and sewer engineering and planning services.*

X. BOARD OF TRUSTEES AND STAFF REPORTS
XI. ADJOURNMENT
XII. EXECUTIVE SESSION - Pursuant to C.R.S. Section 24-6-402(4)(e) For the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators and to discuss a purchase, acquisition, lease, transfer, or sale of real, personal, or other real property interest under C.R.S. 24-6-402(4)(a) and the following additional details are provided for identification purposes: potential real property acquisition and negotiating parameters surrounding same.

Upcoming Meetings/Important Dates

Board of Trustees Regular Meeting	Monday, February 5, 2024
Fairplay Mountain Mardi Gras Celebration	Saturday, February 10, 2024
Valentine's Day	Wednesday, February 14, 2024
Board of Trustees Regular Meeting (CANCELED – Presidents' Day)	*Monday, February 19, 2024*
Board of Trustees Regular Meeting	Monday, March 4, 2024
Board of Trustees Regular Meeting	Monday, March 18, 2024

This agenda may be amended. Posted at Fairplay Town Hall, Fairplay Public Library, Fairplay Post Office, and on The Town of Fairplay Website (www.fairplayco.us) on Friday, February 2, 2024.

MEMORANDUM

TO: Mayor and Board of Trustees

FROM: Jennie Danner, Treasurer

RE: Paid Bills

DATE: February 1st, 2024

Attached is the list of the invoices paid between January 19th, 2024 and February 2nd, 2024. Total Expenditures: $136,142.87. Upon motion to approve the consent agenda, the expenditures will be approved. Please note $82,261.45 was paid to Velocity Constructors Inc. for Infiltration Gallery Pay App 2.

Recent activities: annual budget filing to DOLA, reconciled 2023 payroll, completed quarterly taxes and W-2s, attended "governmental accounting series session 1", enrolling new employees, preparing for workers comp audit and year-end audit.

Report Criteria:
Detail report type printed

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
01/30/2024	19940	Caselle, Inc	Software Support	1	01/01/2024	729.00	517206
01/30/2024	19940		Software Support	2	01/01/2024	729.00	105060
Total 334:						1,458.00	
01/30/2024	19945	Hand Hotel	band lodging	1	01/30/2024	136.10	105166
01/30/2024	19945		band lodging	1	01/25/2024	136.10	105166
Total 1084:						272.20	
01/30/2024	19959	USDA Forest Service	Water Trans Pipeline	1	01/30/2024	175.18	517455
Total 2182:						175.18	
01/30/2024	19961	Verizon Wireless	cell Phone-PD	1	01/30/2024	314.63	105455
01/30/2024	19961		VOIP lines	2	01/30/2024	117.45	105065
01/30/2024	19961		cell Phone-Transportation	3	01/30/2024	17.30	105250
Total 2212:						449.38	
01/30/2024	19962	Xcel Energy	fairplay st lights	1	01/02/2024	946.64	105640
01/30/2024	19962		501 main	1	01/23/2024	669.25	105195
Total 2296:						1,615.89	
01/30/2024	19963	Family Support Registry	15890460	1	01/30/2024	254.30	102265
01/30/2024	19963		14882492	1	01/30/2024	252.00	102265
Total 2456:						506.30	
01/30/2024	19939	CARD SERVICES	postage burro days info	1	01/30/2024	8.25	105162
01/30/2024	19939		Office Supplies	2	01/30/2024	134.23	105027
01/30/2024	19939		Office Supplies	3	01/30/2024	156.98	105030
01/30/2024	19939		postage	4	01/30/2024	46.15	105035
01/30/2024	19939		inmotion hosting	5	01/30/2024	19.99	105060
01/30/2024	19939		consultant lunch	6	01/30/2024	55.63	105070
01/30/2024	19939		employee appreciation	7	01/30/2024	1,803.39	105110
01/30/2024	19939		holiday party supplies	8	01/30/2024	445.71	105010
01/30/2024	19939		christmas lights	9	01/30/2024	245.19	105134
01/30/2024	19939		christmas event advertising	10	01/30/2024	43.95	105174
01/30/2024	19939		pd badges	11	01/30/2024	646.00	105410
01/30/2024	19939		pd vehicle vaccum	12	01/30/2024	2.00	105420
01/30/2024	19939		pd office supplies	13	01/30/2024	159.84	105445
01/30/2024	19939		pd toner and supplies	14	01/30/2024	654.02	105445
01/30/2024	19939		equipment	15	01/30/2024	157.30	105450
01/30/2024	19939		indeed posting	16	01/30/2024	81.00	105480
01/30/2024	19939		F250 maintenance	17	01/30/2024	85.09	105625
01/30/2024	19939		phone covers and protector	18	01/30/2024	320.51	105645
01/30/2024	19939		co rural water assoc registr	19	01/30/2024	915.00	517425
Total 2503:						5,980.23	
01/30/2024	19941	CenturyLink	acct 719-836-4609 502B	1	01/19/2024	37.37	105065
01/30/2024	19941		acct 719-836-4609 502B	2	01/19/2024	37.38	517470

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Total 2614:						74.75	
01/30/2024	19938	Black Cat Pumping, LLC	pumphouse maintenance	1	01/23/2024	3,500.00	517620
Total 2687:						3,500.00	
01/30/2024	19936	ASCAP	license fee	1	01/30/2024	250.00	105150
01/30/2024	19936		license fee	2	01/30/2024	250.00	105162
Total 2735:						500.00	
01/30/2024	19954	Mobile Record Shredders	town hall shredding	1	01/19/2024	13.20	105030
Total 2793:						13.20	
01/30/2024	19943	Colorado Analytical Lab	water testing	1	11/17/2023	235.00	517475
Total 2864:						235.00	
01/30/2024	19958	Tolin Mechanical	biannual mechanical servic	1	01/14/2024	390.50	517645
01/30/2024	19958		biannual mechanical servic	2	01/14/2024	390.50	105682
Total 2867:						781.00	
01/30/2024	19948	In Compliance Products, In	labor poster	1	01/09/2024	25.00	105070
01/30/2024	19948		labor poster	1	01/09/2024	25.00	517214
Total 2872:						50.00	
01/30/2024	19946	Hazel Miller Entertainment	concert mardi gras	1	01/30/2024	3,500.00	105166
Total 2951:						3,500.00	
01/30/2024	19952	Kaupas Water Labs, Inc.	chlorine for water treatment	1	01/23/2024	1,300.00	517475
Total 2999:						1,300.00	
01/30/2024	19944	Employers Council	compensation plan service	1	01/09/2024	5,850.00	105070
Total 3083:						5,850.00	
01/30/2024	19957	SGM	gis on call work jan	1	01/13/2024	728.25	105655
01/30/2024	19957		engineer services habitat	1	01/23/2024	846.81	105105
01/30/2024	19957		general eng services	1	01/23/2024	90.00	105105
01/30/2024	19957		Stone Creek eng services	1	01/23/2024	90.00	105107
01/30/2024	19957		CDOT housing eng service	1	01/23/2024	45.00	105105
01/30/2024	19957		water system model	1	01/23/2024	5,580.00	517432
01/30/2024	19957		deaver exemption plat	1	01/29/2024	1,302.00	105107
01/30/2024	19957		hathaway wtr line engineeri	1	01/26/2024	8,871.00	517350
Total 3272:						17,553.06	
01/31/2024	19966	Grover, Barbara	ADP reimbursement social	1	01/31/2024	208.70	105411
Total 3273:						208.70	

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
01/30/2024	19937	Bannister, Chris	safety wear reimbursement	1	01/30/2024	217.29	105680
Total 3464:						217.29	
01/30/2024	19951	Julie Szymanski	refund of burro day booth 2	1	01/30/2024	360.00	104756
Total 3525:						360.00	
01/30/2024	19956	Phoenix Technology Group	pw IT	1	01/30/2024	460.57	105645
01/30/2024	19956		pd IT	2	01/30/2024	921.13	105465
01/30/2024	19956		utilities IT	3	01/30/2024	460.56	517206
01/30/2024	19956		admin IT	4	01/30/2024	921.13	105060
Total 3580:						2,763.39	
01/30/2024	19942	Charles Abbott Associates,	december building services	1	12/31/2023	52.50	105058
Total 3655:						52.50	
01/30/2024	19953	Konica Minolta Premier Fin	copier	1	01/15/2024	101.13	105130
01/30/2024	19953		copier	2	01/15/2024	101.14	105166
Total 3700:						202.27	
01/30/2024	19960	Velocity Constructors Inc.	Infiltration Gallery Pay App	1	01/30/2024	82,261.45	514260
Total 3788:						82,261.45	
01/30/2024	19950	Iron Mountain	records storage fee	1	01/30/2024	189.00	105070
Total 3789:						189.00	
01/30/2024	19947	HopeWest	memorial donation James	1	01/30/2024	100.00	105110
Total 3792:						100.00	
01/30/2024	19955	National Forest Foundation	kite lake improvements	1	01/26/2024	5,000.00	105110
Total 3793:						5,000.00	
01/30/2024	19949	Internatl Institute of Munici	annual membership fee Er	1	01/10/2024	335.00	106130
Total 3794:						335.00	
01/31/2024	19968	Martinez, Ronald	reimbursement ADP social	1	01/31/2024	190.77	105411
Total 3795:						190.77	
01/31/2024	19967	Knellinger, Brian	ADP reimbursement social	1	01/31/2024	209.85	105411
Total 3796:						209.85	
01/31/2024	19969	Worley, Jeffrey	ADP reimbursement social	1	01/31/2024	238.46	105411
Total 3797:						238.46	

Check Issue Date	Check Number	Name	Description	Seq	Invoice Date	Check Amount	GL Account
Grand Totals:						136,142.87	

Report Criteria:
Detail report type printed

Park County Planning Department

P.O. Box 1598
Fairplay, Colorado 80440

Phone: (719) 836-4293 • *Fax*: 719-836-4268 • *E-mail address*: nvaughan@parkco.us

Referral Response

Comment Deadline Date: February 13th, 2023 **Submitted Date:** November 15th, 2023

Case #: 24CAP-01 Case Name: South Park Aggregates Temporary Use Permit

Request: The applicant is requesting a temporary use permit to allow for asphalt and concrete production from the aggregate materials produced by the existing mine through the use of production plants.
Legal Description: Metes and Bounds property in the South ½ of T09, R77, S29 and North ½ of S32 in Fairplay.

Date of Planning Commission Hearing: Wednesday, February 14th, 2023

Date of BOCC Hearing: To be determined.

_____ We have reviewed this referral and find that it **does** comply with our specific organization's concerns.

_____ We have reviewed this referral and find that it **does not** comply with our specific organization's concerns for the following reasons:

_____

_____

_____ We have reviewed this referral and find no conflicts with our interests.

_____ A formal recommendation is under consideration and will be submitted to you prior to _____.

_____ Please refer to the enclosed letter.

_____ We offer the following comments regarding this referral:

_____

_____

Signed: _____ Date:_____

Title: _____

PARK COUNTY APPLICATION FOR TEMPORARY USE PERMIT
NON-REFUNDABLE APPLICATION FEE: $1700 FOR APPLICATIONS REQUIRING PUBLIC HEARINGS, $550 FOR ADMINISTRATIVE APPLICATIONS

All applicants must attend a pre-application conference with the Park County Planning Department Staff. The Planning Director shall decide with an administrative decision if the application requires Administrative or Quasi-Judicial review and request an appropriate number of copies of the complete application for processing.

If you have questions regarding this form please contact the Planning Department by phone at (719) 836-4254, or e-mail pcpd@parkco.us, fax (719) 836-4351, or write to us at P.O. Box 1598 Fairplay, CO 80440.

A. APPLICANT AND OWNERSHIP INFORMATION

Applicant's Name: Scott Downen

Mailing Address: PO Box 1660

City: Frisco State: CO Zip: 80443

Telephone

(work) 970 904 6101 (home)_____ (fax)_____

Owner's Name: Scott Downen, South Park Aggregates, LLC

Mailing Address: PO Box 1660 Frisco, CO 80443

Telephone No.: 970 904-6101

B. PROPERTY INFORMATION

Complete Legal Description of Property Proposed for the Temporary Use Permit (attach additional page, if necessary):
See attached.

Street Address of Property: 2001 PLATTE DR FAIRPLAY, CO 80440

Property's Total Acreage: 45.04

Current Zone District of Property: Mining

For County Use Only
Planning Department Confirmation of Current Zone District:

District:_____

_____
Print Full Name

Requirements for a Temporary Use Permit
Article V, Division 6, Section 5-601

For County Use Only: Initial Receipt of the Required Information	
(1.)	NRV
(2.)	NRV
(3.)	NRV
(4.)	NRV
(5.)	NRV
(6.)	NRV
(6a.)	NRV
(6b.)	NRV
(6c.)	NRV
(7.)	NRV
(7a.)	NRV
(7b.)	NRV
(7c.)	NRV

C. APPLICATION REQUIREMENTS

1. Application Fee. An application fee in the amount of $1700 (quasi-judicial applications) or $550 (administrative applications) must be paid at the time of submission of the application. Make the check or money order payable to: Park County Planning Department. The fee pays for the typical cost to the County to process the application. Any additional costs that may occur are the applicant's responsibility.

2. Tax receipt-showing payment of current taxes. This can be obtained at the Park County Treasurer's office.

3. Evidence of Ownership and Encumbrances as defined by Article IV of the Land Use Regulations.

4. A legal description of the property proposed for the Temporary Use prepared by a licensed Colorado land surveyor.

5. A list of names and mailing addresses of all owners of adjacent property to the property subject to the Temporary Use, this information is at Park County Assessor's Office.

6. A Current Conditions map of the property proposed to be subject of the Temporary Use including the following information;
   a. Points of access to the property, internal roads and trails including widths, and approximate grades. The Current Conditions Map must illustrate how access is obtained from the property subject to Temporary Use to the nearest County road or highway;
   b. Natural features of the property subject to Temporary Use including, wetlands, riparian areas, water bodies (e.g., lakes, ponds, streams, whether continuous or seasonal), and slopes greater than thirty percent (30%);
   c. Structures on the property subject to the Temporary Use Permit.

7. Proposed Plan for the Temporary Use Plan describing in text, mapped, and/or graphic form the following information as relevant to the proposed Temporary Use:
   a. Area, extent, and physical layout of all proposed Temporary Use(s);
   b. Traffic management plan including areas of ingress, egress, emergency vehicle access, pedestrian walkways, parking areas, and the manner proposed to manage and control the flow of vehicular and pedestrian traffic;
   c. All physical improvements proposed to be constructed;

For County Use Only: Initial Receipt of the Required Information
(7d.) —
(7e.) —
(7f.) —
(8.) —
(9.) NRV

d. Emergency services plan which includes descriptions of the emergency (law enforcement, emergency medical, and other needed services) names, addresses, and telephone numbers of all service providers, copies of contracts for all services, description of the general qualifications of service personnel, and proposed location and layout of service areas dedicated to emergency services;
e. Public service areas, including information booth(s),public restroom facilities (including number, type, and locations);
f. Accommodations proposed for the needs of handicapped persons.

8. A Site Evaluation letter from Park County Environmental Health Department.

9. The property must be clearly identified with the address and posted according to the Park County address requirements (attached).

Note: Refer to Park County Land Use Regulations Article V, Division 6.

D. APPLICANT AND LANDOWNER SIGNATURES:

The undersigned applicant and landowner hereby verify and affirm that the information contained in this application is complete and accurate. The undersigned applicant and landowner understands and acknowledges that the submission of inaccurate and incorrect information may result in the denial or rejection of the application and/or result in the invalidation of any approvals issued by Park County, Colorado.

Applicant: Signed: Scott Downen
Print name: Scott Downen
If company, state Title/Position: _____

E. VERIFICATION OF DATE OF DELIVERY OF APPLICATION

This application was submitted to the Park County Planning Department on the following date and time:

October 9th, 2023
Month Day Year

For County Use Only:
Verification of Date of Delivery and County Receipt of Application
Date: 10/9/23
Print Name: Noah Vaughan

Payment of the Applicant Fee was made by:

X	Personal Check # 1294	Amount $ 1,700.00
_____	Cash	Amount $ _____
_____	Other _____	Amount $ _____

APPLICANT MUST ATTEND THE HEARING. IF A REPRESENTATIVE ATTENDS THE HEARING ON BEHALF OF THE APPLICANT, A NOTARIZED LETTER OF CONSENT MUST ACCOMPANY THE APPLICATION.

ALL PLANNING COMMISSION HEARINGS WILL BE SCHEDULED FOR THE SECOND WEDNESDAY OF EVERY MONTH. IF A QUORUM IS NOT AVAILABLE, THE HEARING WILL BE SCHEDULED THE NEXT AVAILABLE DATE.

APPENDIX B

APPLICANT CERTIFICATION REGARDING NOTICE TO MINERAL ESTATE OWNER

I, Scott Downen, submitted an application for land use approval from Park County generally described as:

X Conditional Use Permit

___ Determination of Location and Extent of Public Facilities Use

___ Planned Unit Development with Rezoning

___ Special Use Permit; (Telecommunications, Wetlands)

___ Subdivision; (Major Preliminary Plan, Major Final Plat, Minor, Sketch, Combined)

I understand that state law, found at CRS 24-65.5-101 through 24-65.5-104, imposes specific legal requirements involving my providing written notice to the mineral estate owner of my application.

I HEREBY CERTIFY that I have complied with the notice requirements imposed upon me by CRS 24-65.5-101 through 24-65.5-104.

Signature of Applicant

Scott Downen

Print Name

For County Use Only

Application Name/Case Number:_____

Ellie Belle Mine
Asphalt & Concrete Plant

Park County Conditional Use Permit

September 2023

By:

South Park Aggregates, LLC

Represented by:

Lewicki & Associates

Table of Contents

Temporary Use Permit Items

The following checklist details the Park County ~~Conditional~~ Temporary Use Permit application checklist and the location and or status of these items for the Ellie Belle Mine.

Checklist Item	Location
Application Fee 1	Provided with application submittal.
Tax Receipt 2	Attached to this section.
Warranty Deed 3	Attached to this section.
Legal Description 4	Provided within this application.
Mineral Estate Notice Part of application	Attached to this section.
Adjacent Property Owner List 5	Attached to this section.
Recorded Covenants Copy	N/A
Current Conditions Map 6	Provided within this application.
Site Plan 7 Sub-items d, e, and f. waived	Provided within this application.
Geotechnical Report for Areas within Geologic Hazard Area	Not applicable.
Vicinity Map	Provided within this application.
Property Identification 9	Provided within this application.
Written Proposal of Use	Provided within this application.

Item 8 of temporary use permit, asking Park County Environmental Health Department for a site evaluation letter, was waived.

Park County Treasurer Tax Receipt

Account	Parcel Number	Receipt Date	Receipt Number
R0030214	30214	Jun 12, 2023	2023-06-12-97-156318

SOUTH PARK AGGREGATES LLC
PO BOX 1660
FRISCO, CO 80443-1660

Situs Address
2001 PLATTE DR FAIRPLAY 80440

Payor

Legal Description
T09 R77 S29 SE4 PT OF S2S2 29-9-77; N2NW4NE4 LYING SWLY OF MIDDLE FORK OF SOUTH PLATTE RIVER 32-9-77 BOTH AS DESC 530/128 LESS 18.00 ACRES USED FOR PRODUCING MINE PART OF S2S2SE4SW4 29-9-77 AND PART OFN2NE4NW4 32-9-77 AKA RESERVOIR #2 ON SURVEY DATED 8/17/81 ALL AKA PARCEL A AND PARCEL B ON SURVEY DATED 5/30/02 42459 29840 M1984094

Property Code	Actual	Assessed	Year	Area	Mill Levy
COMMERCIAL VACANT LOTS - 0200	126,312	36,630	2022	0015	63.9983
SINGLE FAMILY LAND - 1112	18,939	1,320	2022	0015	63.9983
SINGLE FAMILY IMP - 1212	180,970	12,580	2022	0015	63.9983
NONPROD PATENTED - NAT RES - 5140	248,453	72,050	2022	0015	63.9983

Payments Received

Creditron	$3,922.46
Check Number 00030025	

Payments Applied

Year	Charges	Billed	Prior Payments	New Payments	Balance
2022	Tax	$7,844.92	$3,922.46	$3,922.46	$0.00
				$3,922.46	$0.00
			Balance Due as of Jun 12, 2023		**$0.00**

Thank you for your payment.

#3 #18a

779263

779263 1 of 2 5/11/2021 8:42 AM R$18.00 D$137.50

Debra A Green
Park County Clerk

STATE DOCUMENTARY FEE
DATE 5/10/2021
$ 137.50

Land Title GUARANTEE COMPANY

State Documentary Fee
Date: May 06, 2021
$137.50

Special Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(b))

Grantor(s), **PLAYFAIR LAND COMPANY, LLC, A LOUISIANA LIMITED LIABILITY COMPANY**, whose street address is **601 BATH STREET, METAIRIE, LA 70001**, City or Town of **METAIRIE**, County of **Jefferson** and State of **Louisiana**, for the consideration of **($1,375,000.00) ***One Million Three Hundred Seventy Five Thousand and 00/100 ***** dollars, in hand paid, hereby sell(s) and convey(s) to **SOUTH PARK AGGREGATES, LLC, A COLORADO LIMITED LIABILITY COMPANY**, whose mailing address is **PO BOX 1660, FRISCO, CO 80443**, City or Town of **FRISCO**, County of **Summit** and State of **Colorado**, the following real property in the County of **Park** and State of Colorado, to wit:

See attached "Exhibit A"

also known by street and number as: **2001 PLATTE DRIVE, FAIRPLAY, CO 80440**

with all its appurtenances and warrant(s) the title to the same against all persons claiming under me(us), subject to Statutory Exceptions.

Signed this 5th day of May 2021.

PLAYFAIR LAND COMPANY, LLC, A LOUISIANA LIMITED LIABILITY COMPANY

By: Jodi Pfister Fitzpatrick Manager
JODI PFISTER FITZPATRICK, MANAGER

State of **Louisiana**)
)ss.
Parish of JEFFERSON)

The foregoing instrument was acknowledged before me on this 5th day of May 2021 by **JODI PFISTER FITZPATRICK AS MANAGER OF PLAYFAIR LAND COMPANY, LLC, A LOUISIANA LIMITED LIABILITY COMPANY**

Witness my hand and official seal

My Commission expires: _____

Raymond P. Augustin Jr.
Notary Public

RAYMOND P. AUGUSTIN, JR.
Notary Public
La Bar No. 2610, Notary Public ID. 17826
State of Louisiana
My Commission Expires At Death

When recorded return to: **SOUTH PARK AGGREGATES, LLC, A COLORADO LIMITED LIABILITY COMPANY**
PO BOX 1660, FRISCO, CO 80443

Acct Number	Owner	Mailing Address	
R0013659	Keith A Bierchler	Po Box 1772	Fairplay, CO 80440
R0044316	Andrew J Dietzler	5989 W Roxbury Pl	Littleton, CO 80128
R0045807	Winding River Ranch Fairplay LLC	1449 Dunsford Way	Broomfield, CO 80020
R0043376	Allen Jack R Rev Trust	Po Box 398	Fairplay, CO 80440
R0015677	Park County	PO Box 1373	Fairplay, CO 80440
R0047637	Park County	PO Box 1373	Fairplay, CO 80440
R0047300	Jrs Mining LLC C/O Todd Peddie Sullivan	850 N Davidson St	Elroy, AZ 85131
R0011655	John R Sullivan	850 N Davidson St	Elroy, AZ 85131
R0014351	Paul E Lemaster	PO Box 96	Alma, CO 80420
R0005634	Keith R Wortman	PO Box 652	Fairplay, CO 80440
R0042979	Lower Sacramento Creek Reservoir Co	2686 S Yukon Ct	Lakewood, CO 80227
R0007953	Stephanie Noel Sullivan	850 N Davidson St	Eloy, AZ 85131

Introduction

The Ellie Belle Mine is a sand, gravel, and gold mine near Fairplay, Colorado that has been operating in more recent history since the 1980's. The site has historically been mined for placer gold since the 1860's. It has undergone a series of operators, but is currently operated by South Park Aggregates, LLC. The acquisition of the Ellie Belle Mine by South Park Aggregates was initialized in 2021, which also marks the transition of placer gold mining to primarily sand and gravel mining. Mining is permitted through a Division of Reclamation, Mining, and Safety (DRMS) Permit, M-1984-094 and as a use by-right within Park County due to zoning. The site is used primarily to mine sand and gravel for use in the local construction market, but may occasionally mine placer gold in the future depending on the gold market.

South Parks Aggregates, LLC is proposing to allow for the use of asphalt and concrete plants to expand the construction products that the mine produces. This will involve the placement of an asphalt plant and concrete plant on the site, which will produce asphalt and concrete from the aggregate materials that are already being mined. Mining of sand and gravel is already permitted as a use by right and through the DRMS. A Conditional Use Permit through Park County is required as their use is not permitted by-right within the mining zoned areas. The applicant is proposing a 20-year conditional use permit.

This expansion in use will have minimal impact as the general qualities of the mine will remain unchanged. Asphalt and concrete production will not change the currently permitted production level. Potential impacts from the addition of these plants include noise, traffic, dust, lighting, and visual impact; all of which are addressed in this permit detailing how to minimize the total impact. This Conditional Use Permit only addresses the proposed use of asphalt and concrete production at the Ellie Belle Mine as all other aspects of mining have been previously permitted.

Asphalt and concrete production at the Ellie Belle mine will be a valuable addition to the Park County region. South Park Aggregates will be able to better support the local construction industry and increase the value of an existing mine that is already mining aggregates. In general, concrete and asphalt can be up to 10-20 times the value of rock per ton, which is a benefit to all parties, particularly Park County through increased sale tax revenue. The basic aspects of the mining operation will have minimal changes, such as disturbance and the identified impacts. Rather, the plants will provide broadened utility out of a long existing and operating mine in the Park County area.

Location

The Ellie Belle Mine, owned and operated by South Park Aggregates, LLC, is located at 2001 Platte Drive in Fairplay of Park County, CO. The mine is approximately 45.04 acres within a 74.5-acre parcel, Parcel No. 30214. The mine is within the South ¼ Section 29, Township 9 South, Range 77 West, of the 6th Principal Meridian, and within the North ¼ of Section 32, Township 9 South, Range 77 West, of the 6th Principal Meridian. The property is zoned as Mining with surrounding zones of primarily mining with some residential areas. Mining is allowed by-right at this site due to the Park County zoning. Figure 1 shows the zoning of the property.

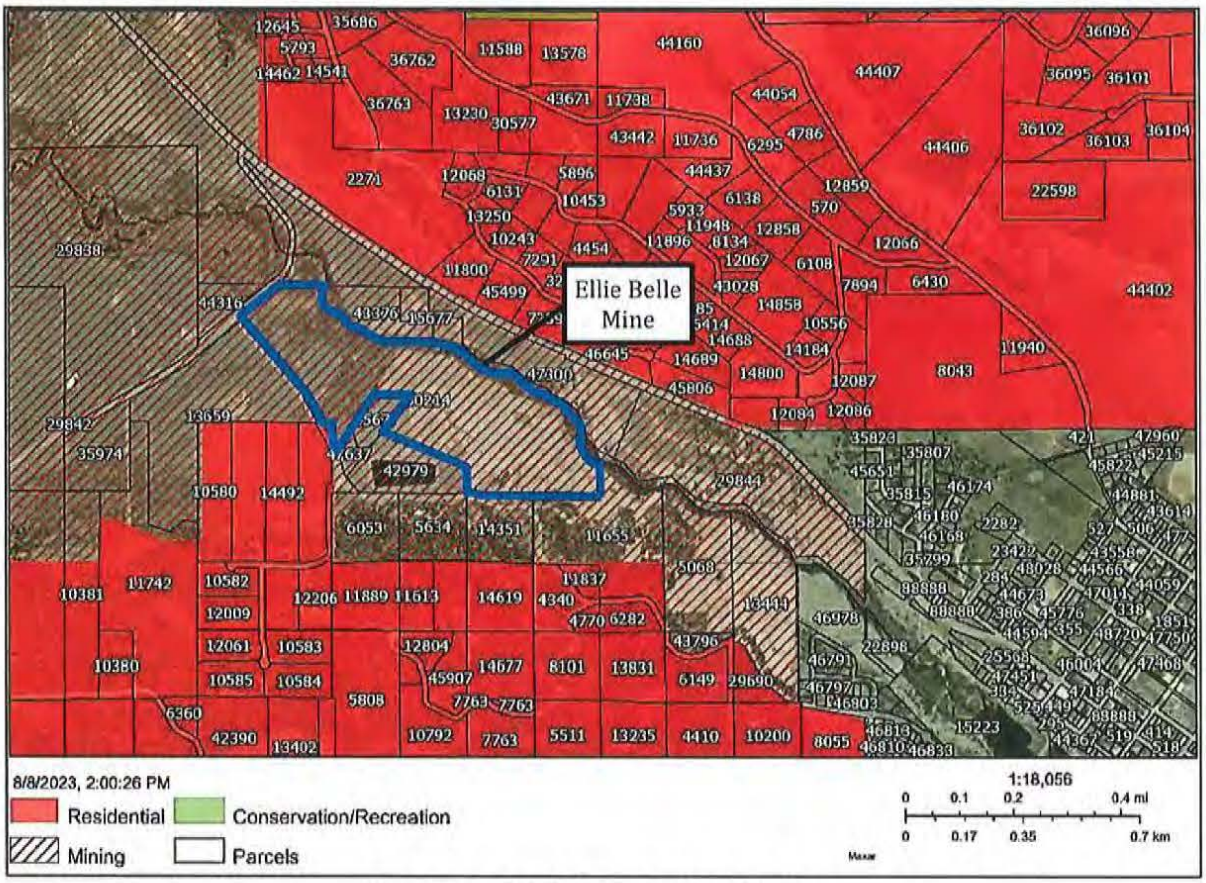


Figure 1 – Park County Zoning Map

1. Vicinity Map

Figure 2 – Ellie Belle Mine Vicinity Map

2. Legal Description

The site is approximately 1.5 miles northwest of downtown Fairplay, Colorado. The legal description is attached to this section.

The total property area is 45.04 acres.

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

Escrow No: 20205273 Date: May 06, 2021

CLOSING INSTRUCTIONS

1. **PARTIES/PROPERTY. PLAYFAIR LAND COMPANY, LLC, A LOUISIANA LIMITED LIABILITY COMPANY**, Seller and **SOUTH PARK AGGREGATES, LLC, A COLORADO LIMITED LIABILITY COMPANY**, Buyer, hereby engage Land Title Guarantee Company, (the "Closing Company"), which agrees to provide closing and settlement services pursuant to the contract, dated **March 24, 2021**, including any counterproposals and amendments (the "Contract"), in connection with the closing of the following described real estate in the county of **Park**, Colorado (the "Property"):

PARCEL A:

A TRACT OF LAND LOCATED IN PARTS OF SECTIONS 29 AND 32, TOWNSHIP 9 SOUTH, RANGE 77 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 32,
THENCE SOUTH 00°05'57" EAST ALONG THE NORTH—SOUTH CENTER
OF SECTION LINE OF SAID SECTION 32 FOR A DISTANCE OF 400.00 FEET,
THENCE NORTH 67°13'09" WEST FOR A DISTANCE OF 890.02 FEET,
THENCE NORTH 39°00'04" EAST FOR A DISTANCE OF 461.76 FEET,
THENCE EAST FOR A DISTANCE OF 520.83 FEET,
THENCE SOUTH 01°37'41" EAST FOR A DISTANCE OF 303.66 FEET
TO THE NORTH QUARTER CORNER OF SAID SECTION 32,
THE POINT OF BEGINNING,

PARCEL B:

A PART OF THE S1/2S1/2 OF SECTION 29 AND OF THE N1/2N1/2 OF SECTION 32,TOWNSHIP 9 SOUTH, RANGE 77 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION 32;
THENCE NORTH 01°37'41" WEST, 303.66 FEET;
THENCE WEST, 900 FEET;
THENCE SOUTH 33°23'18" WEST, 651.4 FEET TO A POINT ON THE
NORTHEASTERLY RIGHT OF WAY LINE OF PLATTE DRIVE;
THENCE NORTH 27°29'52" WEST, ALONG SAID RIGHT OF WAY LINE 100.53
FEET TO A POINT ON THE EAST LINE OF THE NW1/4NW1/4 OF SAID SECTION 32;
THENCE NORTH 0°02'01" EAST, ALONG SAID EAST LINE, 182.72 FEET TO
THE NORTHEAST CORNER OF SAID NW1/4NW1/4;
THENCE NORTH 88°37'28" WEST, ALONG THE NORTH LINE OF SAID NW1/4NW1/4,
96.45 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID
PLATTE DRIVE;
THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY LINE THE FOLLOWING
COURSES AND DISTANCES:
NORTH 27°29'52" WEST, 304.36 FEET;
ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 472.95 FEET AND A
CENTRAL ANGLE OF 12°52'50", AN ARC DISTANCE OF 106.32 FEET; AND
NORTH 40°22'42" WEST, 908.75 FEET TO A POINT ON THE SOUTHEASTERLY
RIGHT OF WAY LINE OF PARK COUNTY ROAD NO. 14;
THENCE NORTH 51°53'47" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY
LINE, 482.93 FEET TO A POINT ON THE NORTH LINE OF THE S1/2SW1/4 OF SAID
SECTION 29;
THENCE SOUTH 88°24'41" EAST, ALONG THE NORTH LINE, TO A POINT ON
THE NORTHEASTERLY BANK OF THE MIDDLE FORK OF THE SOUTH PLATTE RIVER;
THENCE SOUTHEASTERLY, ALONG AND CONFORMING TO SAID RIVER BANK, TO A
POINT ON THE EAST LINE OF THE SE1/4SW1/4 OF SAID SECTION 29;
THENCE SOUTH, ALONG SAID EAST LINE, TO A POINT ON THE SOUTHWESTERLY
BANK OF SAID RIVER;
THENCE SOUTHEASTERLY, ALONG AND CONFORMING TO THE SOUTHWESTERLY BANK
OF SAID RIVER, TO A POINT ON THE EAST LINE OF THE N1/2NW1/4NE1/4 OF SAID
SECTION 32;
THENCE SOUTH 0°01'31" EAST, ALONG SAID EAST LINE, TO THE SOUTHEAST

**CORNER OF SAID N1/2NW1/4NE1/4;
THENCE NORTH 88º46'14" WEST, ALONG THE SOUTH LINE OF SAID N1/2NW1/4NE1/4,
1193.19 FEET, MORE OR LESS TO A POINT ON THE NORTHERLY RIGHT OF WAY
LINE OF PLATTE DRIVE;
THENCE, ALONG SAID RIGHT OF WAY LINE, THE FOLLOWING COURSES AND DISTANCES:
NORTH 66º31'19" WEST, 17.14 FEET; AND
ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 211.12 FEET AND A
CENTRAL ANGEL OF 29º56'13", AN ARC DISTANCE OF 110.31 FEET TO A
POINT ON THE WEST LINE OF SAID N1/2NW1/4NE1/4;
THENCE NORTH 0º05'57" WEST, ALONG SAID WEST LINE; 645.02 FEET TO
THE POINT OF BEGINNING,**

COUNTY OF PARK, STATE OF COLORADO

also known as **2001 PLATTE DRIVE, FAIRPLAY, CO 80440**

2. **INFORMATION / INSTRUCTIONS.** Closing company is authorized to obtain any information necessary for the closing. The Seller and Buyer hereby instruct Closing Company to act as scrivener for each party in the preparation and/or completion of those documents necessary to carry out the terms and conditions of the Contract, including the Deed, (collectively the "Documents"), and to deliver and record, where necessary, the Documents, pursuant to the Contract. The Seller and Buyer agree to hold Closing Company harmless from any liability, damages or expenses arising out of this instruction. The Seller and Buyer represent and acknowledge that a.) Closing Company has recommended that the parties consult with legal counsel regarding the Documents; b.) Closing Company has not advised or instructed the parties regarding the creation, effect or adequacy of the Documents; c.) the Deed shall be completed on a form that is approved by the parties; d.) the parties shall review the Deed and instruct the Closing Company to make all necessary modifications.
3. **CLOSING FEE.** Closing Company will receive a fee not to exceed **$750.00** for providing these closing and settlement services.
4. **GOOD FUNDS.** Closing Company is authorized to receive funds and disburse when all funds received are either: a) available for immediate withdrawal as a matter of right from the financial institution in which the funds have been deposited or b) are available for immediate withdrawal as a consequence of an agreement of a financial institution in which the funds are to be deposited or a financial institution upon which the funds are to be drawn ("Good Funds").
5. **RELEASE/DISBURSEMENT.** Closing Company is not authorized to release any signed documents or things of value prior to receipt and disbursement of Good Funds, except as provided in sections 10 and 11.
6. **DISBURSER.** Closing Company shall disburse all funds, except those funds as may be separately disclosed in writing to Buyer and Seller by Closing Company or Buyer's lender on or before closing. All parties agree that no one other than the disburser can assure that payoff of loans and other disbursements will actually be made.
7. **SELLER'S NET PROCEEDS.** Seller will receive the net proceeds of closing as indicated:

   ☐ **Cashier's Check**, at Seller's expense

   ☒ **Funds Electronically** transferred (wire transfer) to an account specified by Seller, at Seller's expense

   ☐ **Closing Company's** trust account check

8. **FURNISHED INFORMATION AND DOCUMENTS.** Buyer and Seller will furnish any additional information and documents required by Closing Company that will be necessary to complete this transaction.
9. **CLOSING STATEMENT.** Closing Company will prepare and deliver accurate, complete and detailed closing statements to Buyer and Seller at time of closing. The Buyer and Seller acknowledge, by their signature to these Instructions and to the closing statements, that Closing Company may have relied on information provided to it by the Buyer and/or Seller, in order to calculate each party's share of the real estate taxes, utility charges, homeowner's association dues and all other taxes and assessments that may affect the Property, and agree to accept such calculations as final and binding between themselves, and that Closing Company is not responsible for any errors or shortfalls that may be caused by incorrect, inaccurate or incomplete information.
10. **FAILURE OF CLOSING.** If closing or disbursement does not occur on or before Closing Date set forth in the Contract, Closing Company, except as provided herein, is authorized and agrees to return all documents, monies, and things of value to depositing party, upon which Closing Company will be relieved from any further duty, responsibility or inability in connection with these Instructions. In addition, any promissory note, deed of trust or other evidence of indebtedness signed by Buyer shall be voided by Closing Company with the originals returned to Buyer and a copy to Buyer's lender.
11. **EARNEST MONEY DISPUTE.** Except as otherwise provided herein, Closing Company shall release the Earnest Money as directed by written mutual instructions signed by both Buyer and Seller. In the event of any controversy regarding the Earnest Money held by Closing Company (notwithstanding any termination of the Contract), Closing Company shall not be required to take any action. Closing Company, at its option and sole discretion, may (a) await any proceeding, (b) interplead all parties and deposit Earnest Money and other money or things of value into a court of competent jurisdiction and shall recover court costs and reasonable attorney and legal fees, or (c) deliver written notice to Buyer and Seller that unless Closing Company receives a copy of the Summons and Complaint or Claim (between Buyer and Seller), containing the case number of the lawsuit (Lawsuit) within 120 calendar days of Closing Company's written notice is delivered to the parties, Closing Company shall be authorized to return the Earnest Money to

Maps

Maps have been created depicting the existing conditions of the current mining operation, as well as the changes that will occur to the site for the addition of the asphalt and concrete plants. The current mining plan and reclamation plan will not be changed from the addition of the asphalt and concrete production.

1. Current Conditions Map

The current conditions map is attached to this section. It meets the requirements identified in the Park County Conditional Use Permit guidelines including the following information:

- Existing topography at a 5' interval
- Site access identification
- Approximate internal road dimensions
- Natural features of the property and surrounding areas

2. Site Plan

The site plan is attached to this section. It meets the requirements identified in the Park County Conditional Use Permit, including the following information:

- Property lines
- Existing and proposed structures and grading
- Details of approximate concrete and asphalt plant layouts
- Landscaping

Existing and Proposed Land Use

The current land use of the site is aggregate and placer gold mining, as it has been permitted for over 40 years. The site is currently permitted to mine sand, gravel, and gold with a Colorado Division of Reclamation, Mining, and Safety Permit M-1984-094 and as a use by-right as it is zoned within Park County as mining. The intent of this Conditional Use Permit is to allow the additional use of the site for asphalt and concrete production from the aggregate materials that are currently being mined.

The site currently contains approximately 25.6 acres of disturbed area for mining within a 45.04 permit area. The site currently mines for placer gold as well as sand and gravel for the use in construction materials. The currently permitted mining methods include excavation, hydrauliking, and sluicing. Processing consists of crushing, aggregate washing, and screening. There are no known geological hazards or other hazards present on the site that would affect the proposed use. All plant production activities will occur in existing disturbances.

The Ellie Belle Asphalt and Concrete Operations Plan provided in Appendix 1 details how the proposed use will minimize impacts to neighbors and the broader community while supplying valuable construction materials products.

1. Asphalt Plant

South Park Aggregates is proposing to add the land use of asphalt production and presence of an asphalt plant to the Ellie Belle Mine. The asphalt will be produced via a drum mix asphalt plant using the aggregate materials that are already being mined on site. The asphalt plant will be portable and placed in a sunken pit in the southeastern portion of the mining area. More information on this addition to the mining plan is provided in Section 3 below. The addition of an asphalt plant and asphalt production will not change the methods or impact of the current mining plan. All the equipment, personnel, production, disturbance area, and other basic qualities of the mine will remain the same.

A typical layout of the asphalt plant has been included in the Site Plan map. Drum mix asphalt plants usually consist of the following structures with the approximate dimensions listed below:

Asphalt Plant Structure	Approx. Dimension
Feed Bins	8' W x 8' L x 9' H
Lime Silo	14' W x 14' L x 60' H
Drum Mixer	6' W x 33' L x 6' H
Asphalt Storage & Loadout Silos	8' W x 8' x L x 60' H
Baghouse	12' W x 15' L x 25' H

A typical asphalt drum mix plant that is similar to what will be used at the Ellie Belle site is shown in Figure 2 below.

Figure 3 – Asphalt Drum Mix Plant (Typical)[1]

2. Concrete Plant

In addition to the asphalt plant, a concrete plant and concrete production will be added to the land use at the Ellie Belle Mine. Concrete will be produced with a concrete batch plant and the aggregate materials that are already being mined at the site. The concrete batch plant will be portable and located in the sunken pit as described in the following section. Similarly to the asphalt plant, the mining methods and impact will not be majorly affected as the total production from the site will remain the same.

A typical layout of the concrete plant has been included in the Site Plan map. Concrete batch plants usually consist of the following structures with the approximate dimensions listed below.

Concrete Plant Structure	Approx. Dimension
Feed Bins	8' W x 8' L x 9' H
Mixer	10' W x 10' L x 8' H
Concrete Storage & Loadout Silo	9' W x 26' L x 14' H

[1] Gencor (https://www.gencor.com/equipment/drum-mix-plants/)

A typical portable concrete batch plant that is similar to what will be used at the Ellie Belle site is shown in Figure 3 below.

Figure 4 – Concrete Batch Plan (Typical)[2]

3. Plant Concealment Pit & Berms

It is South Park Aggregates goal to limit the impact and change to the Ellie Belle Mine through the addition of concrete and asphalt production. This will primarily be completed by mining out an area of the mine to create a sunken operation area for the asphalt and concrete production as well as the loadout of these products. This concept is shown on the Site Plan Map. The sunken pit will be created through the same permitted excavation methods that are used for mining. Material from this area will either be used as aggregate products to be sold or processed, or to build concealment berms along the northeastern edge of the mine. Existing material stockpiles may also be used in construction of these concealment berms. Materials to be placed in the concealment berms will be at a 2H:1V slope and vegetated to prevent erosion and minimize their visual impact. Additionally, tree and bush saplings will be planted on the berms to further minimize visual impact. The pit topography and the berms will work to keep the majority of the plant below grade.

[2] American Materials LLC (https://www.americanmaterials.com/portable-plants/)

4. Production

The currently permitted maximum production levels will remain the same, with the anticipated production of all products to be 200,000 – 300,000 tons per year total. Production will be broken down by product in the following manner:

Asphalt	20,000 – 40,000 tons per year
Concrete	20,000 – 40,000 tons per year
Other Products (sand, gravel, crushed rock, washed rock, road base, etc)	120,000 – 260,000 tons per year

Given the production estimates above, traffic can be anticipated to be 25-30 trucks per day entering and exiting the mine. Production will likely only occur 200 days out of the year, dependent on weather and demand within the local construction market.

5. Impact Mitigation

In general, impacts associated with the asphalt and concrete plants will be mitigated through the placement of the plants below the natural topography. Potential impacts often associated with concrete and asphalt production include impact to visuals, air quality, water quality, traffic, and noise. South Park Aggregates, LLC will work to reduce the impacts through the methods described below.

Visual Impacts

Visual impacts of the two plants will be mitigated by placement of the portable plants below grade. Through a combination of mining and constructing concealment berms, up to 20 – 50 vertical feet of the plants will be hidden from various angles. This will hide the majority of the plants, except for the taller silos which may partially stick out of the pit. Additional visual screening will be applied by revegetating the berms as rangeland and planting tree and bush saplings, as well as retaining the natural vegetation that surrounds the site.

Visual renders have been produced to approximate the visual impact of the concrete and asphalt plant. Figure 5 below shows the current visual impact that the Ellie Belle Mine has from State Highway 9 facing the creek and plant location, just a bit northeast of the pit. Figure 6 was edited to show the approximate visibility of the asphalt and concrete plants with the proposed configuration. As shown, the additional visual impact is minimal as only xx feet of the xx can be seen above the topography.

Figure 5 – Ellie Belle Current Visual Impact (view from CO-9, north of site)

Figure 6 – Ellie Belle Visual Impact with Plants (Render from CO-9, north of site)

Air Quality

The air quality will be maintained by the operator through fugitive and point source emission monitoring as well as employing preventative measures to control excess dust. Criteria pollutants that have the potential to be produced from mining activities are carbon monoxide, nitrogen oxides, particulate matter (PM), total suspended particles (TSPs), nitrous oxides, sulfur dioxide, and volatile organic compounds (VOCs). These pollutants will be monitored and maintained within the permitted levels of the CDPHE Fugitive Dust Permit at all times. Emissions shall not exceed the permitted emissions levels from the Colorado Department of Public Health and Environment (CDPHE) permits that will be required for both the concrete and asphalt plant. Proper maintenance of the plants and their emission control systems will both act to ensure compliance to the air permits, as well as to minimize odors.

Additional dust prevention to maintain air quality will include spraying of water on aggregate materials and haul roads on an as needed basis, particularly when it is hot, dry, and windy. Paving the site access roads will also help to reduce the total dust generated from mining and transporting products.

Water Quality

The sources of potential pollution to surface water from the asphalt and concrete plants are from sediments or diesel fuel oil. Sediment pollution is already addressed and mitigated through the sites stormwater control methods and Stormwater Management Plan (SWMP). This should be unaffected by the plants as their location within an excavated area will ensure that all water will drain internally to eventually infiltrate or evaporate. No water is being discharged from plant area, or the site in general which greatly reduces the probability of sediment pollution. All surface waters will be maintained in accordance with the project's Storm Water Management Plan (SWMP), a copy of which is provided in Appendix 3. This plan further defines the surface water handling, monitoring, and erosion control methods that were described above. This plan will be employed at the site and periodically updated to reflect changing site conditions.

Fuel/oil pollution prevention for the plants will be added to the site's Spill Prevention, Control, and Countermeasure (SPCC) plan. Mitigation measures include the use of secondary containment for all fuel oils to prevent pollution to surface waters. Proper training on diesel handling and the use of spill kits will also help to prevent pollution from potential spills.

Traffic

No additional traffic impacts will occur from the asphalt and concrete production. The maximum permitted production will remain unchanged with the addition of the plants, being around 200,00 – 300,000 tons per year of all products. The same CDOT access permit will remain in place and the operator will abide by the vehicle trip limitations defined in this permit. All changes to traffic patterns to the new materials will be internal. Traffic anticipated will be 25-30 trucks per day for the limited operating days out of the year. To reduce impacts from the traffic transporting asphalt and concrete, the operator will pave the site access road as well as the portion of Platte Drive from the site access to the northwest where it connects with the county road.

The haul route for mine traffic is shown in Figure 7 below.

Figure 7 – Haul Route

Noise

The Ellie Belle Mine will comply with Park County noise regulations which limits industrial noises to 80 db(A) from 7AM-7PM, and 75 db(A) from 7PM-7AM, measured at 25 feet from the property line. Noises from new plant activities will be measured at 25 feet past the closest property boundary to ensure that these noises do not exceed the noise limitation. It is not anticipated to as physical noise barriers, provided by the topography of the site, are effective in mitigating noise. If noise does exceed the limits, more physical barriers such as hay bales, may be implemented to reach compliance.

Appendix 1 – Asphalt and Concrete Plant Operations Plan

ELLE BELLE MINE

ASPHALT AND CONCRETE PLANT

OPERATIONS PLAN

TO BE IMPLEMENTED UPON LAND USE APPROVAL ONLY

Table of Contents

OPERATION INFORMATION

The Elle Belle Mine will follow this operation plan throughout its remaining mine life. This plan is designed to minimize the impacts of mining and processing of construction materials on the surrounding neighbors, the Fairplay area, and Park County.

1. Definitions

Construction materials: any natural resource used in products used in the construction industry. Including but not limited to: rock, sand, gravel, asphalt, and concrete. Recycled material is included in this definition.

Asphalt plant: Any processing plant and associated equipment used in the production of asphalt for use in construction

Concrete plan: Any processing plant and associated equipment used in the production of concrete for use in construction.

River berm: Earthen berm along the Platte River side of the mine that will remain in place until mining is complete on the remainder of the site.

2. Facility Management

The facility manager listed in this section ("Facility Manager") will maintain up to date contact information with Park County Public Works, the Town of Fairplay, and the Colorado Division of Reclamation, Mining, and Safety.

Implementation of this plan will be the responsibility of the facility manager. Park County representatives may inspect the operations of the Elle Belle Mine with a 48 hour notice. This operations plan is critical to the Park County Use Permit for the land upon which the Elle Belle Mine is located (the "Special Use Permit"). Therefore, said plan runs with the Use Permit and the mine; any operator of the Elle Belle Mine is bound to the terms, controls, and best management practices outlined in this plan.

The Facility Manager, or their designated senior on-site person, is the responsible party to address incidents that may occur at the Elle Belle Mine. The Facility Manager will address the immediate concern, document the incident, and report its details to the Stakeholder Group. Specific categories of incidents are addressed in this operations plan as needed.

3. Reporting

Park County will be provided with an Annual Compliance Report demonstrating conformance with all mitigation and controls outlined in this plan, and required by other permits each year. This report will also contain all information provided to the Colorado Division of Reclamation, Mining, and Safety as part of annual reporting for the previous year.

In the event that any issues or complaints are received by the pit, the Facility Manager will share those issues or complaints with a stakeholder group consisting of Park County and the Town of Fairplay. A summary of complaints or issues with the operation will be included in the Annual Compliance Report.

4. Revisions or Modifications to this Plan

Modifications or revisions of the operations associated with the concrete and asphalt plant described herein may be undertaken by the landowner or operator of the Elle Belle Mine. Such revisions must be submitted to the Park County. The Director of Community Development for Park County will then determine if the proposed revision is minor or major. Minor modifications will be reviewed by Park County staff and approved by the Community Development Director if determined to be allowed within the scope of the approved Use Permit. Major modifications will be reviewed within 90 days of submittal to Park County. Following the 90 day review period, a major modification will be scheduled before the Park County Board of County Commissioners for approval or denial in accordance with the standards for approval of the use permit as set forth in the Park County Land Use Code. Any approved modifications shall serve as an amendment to the Use Permit.

CONCRETE AND ASPHALT PLAN

1. General Concrete and Asphalt Plan

Access to the site will be from access SH-9 via Platte Drive. All traffic will use this interchange to enter of leave the site. No other access will be used.

The Site Plan shows the configuration of operations.

All material handling associated with the asphalt and concrete plants will be conducted with loaders, hoes, dozers, and off-highway haul trucks. Material will be fed to these plants from existing mining operations. All material processed at the Elle Belle Mine will be used to generate construction materials for sale.

The pit may accept concrete and asphalt materials that have been removed from existing sites in order that they can be recycled for use. Fill material may also be accepted into the mine site. Fill material will be spread out on the mined-out pit floor and will be blended into the final landscape. Some material may also be re-sold as construction material. None of this material can be accepted by the Operator unless the deliverer provides a certification that is inert.

5. Equipment

The following equipment is anticipated to be used onsite. Additional related equipment may be brought onsite if needed.

- Front-end loaders
- Bulldozers
- Scrapers
- Haul trucks (off highway)
- Crusher and screener
- Stacking conveyors
- Office trailer
- Truck scale and scale house
- Asphalt plant
- Concrete batch plant
- Wash plant

No permanent structures will be built within the concrete and asphalt area. The control rooms, scale house, truck scales and plants will be portable, although may have a concrete foundation.

Permanent structures may be built on the Ellie Belle Mine site as long as they conform to Park County building regulations, permits and codes.

Maintenance vehicles will visit the site regularly to provide oil, grease, and perform other minor maintenance on vehicles and equipment. Any major repair work required will be performed off site.

6. Stockpiles

Construction materials, topsoil, overburden, and mined material will all be stockpiled onsite. Topsoil that is stockpiled for more than 90 days will be seeded within 14 days of placement. Overburden stockpiles that will be in place for more than 90 days will be seeded within 14 days of placement to prevent erosion. Stockpiles of topsoil or overburden material will be graded to have slopes of 1.5H:1V or less.

Construction material and mined material stockpiles will be maintained at angle of repose. Stockpiles will be used as a visual and noise barrier for processing plants.

7. Mining and Reclamation Phasing

Mining and reclamation at the Elle Belle Mine will occur contemporaneously. Reclamation will be conducted on any area as soon as mining has been completed. Slopes along the Platte River will be vegetated and maintained in that state until all mining is complete behind them to the final grade. At that point this river berm will be removed and final revegetation of the river berm area will be conducted.

8. Operational Time Frames

The Elle Belle Mine concrete and asphalt plant operations will operate from 7 am to 7 pm , Monday through Saturday, throughout the year. Equipment may be started up to one hour before the beginning of operations to warm up.

Night time activity will be restricted to emergency maintenance of the site or equipment. Any lighting needed for this activity will be minimal, and downcast. Security lighting on the office trailer will be flush. Most of the concrete and asphalt production will take place between April and October of each year, as weather limits the construction season in the Colorado high country.

Night time operations may be necessary to supply material to public projects. CDOT often requires night time paving or construction on highways to reduce travel impacts. In the event of such a need, the operator of Elle Belle Mine would submit a request to Park County for approval. Elle Belle would provide the specifics of the public job necessitating night work, including the dates and times of night work required by CDOT. Night time operations supporting public construction work would only commence with project specific approval from Park County.

IMPACT MANAGEMENT PLAN

1. General Impact Mitigation

All impacts generated by the Elle Belle Mine concrete and asphalt operations will be minimized or mitigated as possible by available cost-effective technology and techniques.

2. Noise Control

A variety of best management practices will be employed to mitigate noise impacts. They include:

- Non-beeping back up alarms
- Containing all concrete and asphalt activity behind the berms and stockpiles as much as possible
- Containing all manufacturing of concrete and asphalt products activity behind berms as much as possible
- Concrete and Asphalt activities are limited to 7am to 7 pm Monday-Saturday.
- Haul trucks will not use J-brakes
- No blasting
- Periodic noise measurements to ensure effectiveness of BMPs.

In the event that equipment or activity generates nuisance noise in a manner that was unanticipated, such activity or equipment will be rectified. The Facility Manager can be contacted by anyone in the area or at Park County that detects a nuisance noise.

Contractor equipment will be required to operate under the same constraints as that of the operator.

3. Dust Control

Fugitive dust is regulated by the Colorado Department of Public Health and Environment Air Pollution Control Division. Prior to operations, a fugitive dust permit shall be obtained from CDPHE. This permit will include limits on production, topsoil stripping, haul distances, and other factors that all combine to affect fugitive dust generation. The operation of the concrete and asphalt plant will reduce the risk of dust leaving the site. The following best management practices will be in place for the operation:

- Crushing and screening of material will be wet
- Haul roads, facilities area floor, and the mining area floor will be watered as needed. Additional watering will take place as needed
- Haul roads and facilities area floor will be graveled once they have been constructed
- Product stockpiles will be maintained moist either from processing or from truck watering
- Internal haul routes in place for >90 days will be treated with magnesium chloride
- Non-product stockpiles will be seeded within 14 days
- Product stockpiles will be treated an additional time with water and/or a binding agent such as magnesium chloride at the end of business each Friday
- Product stockpiles will be graded each fall to be flat topped
- Topsoiled reclaimed slopes will be seeded in the fall of each year.

The Facility Manager, and his/her designees will be responsible for maintaining a sense of the conditions on site and their propensity to generate dust. As an example, if equipment traffic is concentrated in a specific area of the active plant operations, the Facility Manager would instruct the water truck to spray this area first and foremost in order to prevent dust generation as much as possible. Similarly, the Facility Manager would be aware that high afternoon temperatures during the summer dry out watered areas of the site faster and increase the likelihood of dust generation at that time of day. Therefore, the Facility Manager would task the water truck to spray active areas of the site additional times in the hot summer afternoon. It is in this flexible manner that the dust coming from the Elle Belle Mine concrete and asphalt plant can and will be minimized.

4. Visual Control

A vegetated river berm will be maintained between the operation and the Platte River until mining is complete behind the river berm. This will reduce the visibility of mining and processing operations. The asphalt and concrete plants will be operated below the grade or Platte Drive to minimize their visibility.

5. Traffic Control

Traffic will travel north and west on Platte Drive to SH-9. No truck traffic will be permitted to travel south on Platte Drive from the entry of the Ellie Belle Mine except if travelling to other permitted mines immediately to the south of Elle Belle.

Additional operational practices to control traffic will include:

- Maintenance of signage and speed limits for truck traffic entering and leaving the site and Platte Drive
- Usage of a one-way traffic routing in the facilities area to minimize customer truck travel distance and time
- Maintenance of a designated parking area away from stockpiles and internal traffic
- Usage of a designated maintenance area for all minor equipment maintenance such as greasing and refueling in the facilities area
- Tracking pads will be used at all entrances to the site to ensure sediment and mud control

6. Stormwater Runoff Control

The entire site will be enclosed by at least a 2-foot tall natural stormwater berm at all times. The site access will have this berm as a hump in the access road. Runoff will be contained onsite to allow sediment settling. Discharge of stormwater will be conducted in compliance with CDPHE water quality rules and discharge permits.

6.1. Maintenance of Stormwater Controls

All stormwater control systems will be inspected monthly by the facility manager or his/her designee. Controls found to be in disrepair of insufficient will be repaired or replaced promptly to ensure effective sediment containment. In the event that control systems cannot be permanently repaired/replaced within 30 days, temporary systems may be put in place until permanent installations can be completed. For example, if weather prevented seeding of an area for stabilization, temporary systems such as sediment control logs would be installed until revegetation had taken place.

7. Water Consumption for the Operation

Water consumption for the Elle Belle Mine will fall into three main categories. Water supply will either be municipal or via a commercial well and water exchange, or using water rights available onsite.

7.1. Control Dust on the Haul Roads and Excavation Areas

Water application for dust control will take place on disturbed areas as needed. Active stockpiles and others may require additional watering to ensure material stays wet. Alternatively, the operator may apply magnesium chloride to disturbed areas instead of watering.

It is also assumed that additional watering will be needed during very dry windy conditions during concrete and asphalt operations. The facility manager will determine when and where this is needed during operations.

7.2. Processing Plant Operations

Water sprays are used in different processing plants to wet material to prevent dust generation.

7.3. Wash Plant Operations

The wash plant will be used to remove fines from the material.

Wash plant water recycling will produce fines in the bottom of the wash ponds adjacent to the plant. These ponds will be inspected regularly for capacity. Fines will need to be removed periodically from the wash ponds. The frequency of this clean out will depend on production rates of construction materials products such as concrete and asphalt. Fines removed from the wash ponds via cleanout will either be sold as a product or mixed in with the backfill in the pits. These fines will never be placed outside of stormwater controls.

8. Lighting Control

No mining operations will take place at night unless authorized by Park County for a specific public job. Emergency site work may take place at night if needed to maintain environmental protection and site stability. All lighting for this activity will be downcast.

RECLAMATION PLAN

1. General Reclamation Plan

Reclamation will be conducted concurrently with mining of material for the concrete and asphalt products. Topsoil will be stripped from areas prior to mining and either directly placed on areas ready for topsoiling, or stockpiled for use in future reclamation. As areas of mining related to the aggregates used in the concrete and asphalt are completed, they will be backfilled and graded to the final topography, then topsoiled and revegetated. The river berm will be maintained until mining is complete behind it.

Revegetation will be conducted each year in the fall. Mined out ground from that mining season will be topsoiled as mining advances, which will leave an area at the end of each season that can be revegetated.

9. Reclamation Phasing

Mining and reclamation at the Elle Belle Mine will occur contemporaneously. The river berm will be maintained with vegetation along the Platte River facing side until mining is complete within the rest of Elle Belle. Then the river berm will be mined out and reclaimed.

10. Post-mine Facilities

All plants are portable, and thus can be moved. The office trailer is also portable. All foundations will be removed. The Elle Belle Mine will be reclaimed according to its approved reclamation permit.

11. Backfill and Grading

Backfilling and grading of mining slopes will take place once mining is complete in an area. Final reclaimed slopes will be no steeper than 3H:1V, and shallower in many areas. Backfilling and grading will be done with material available onsite.

12. Topsoil Replacement Plan

Topsoil will be replaced to in all areas to be reclaimed. Topsoil will be ripped prior to seeding to prevent compaction of the seed bed. Seeding of topsoil will take place promptly after its placement.

PERMIT COMPLIANCE PLAN

The following permits are necessary for the operation of the Elle Belle Mine. Also listed is the contact information for that regulator, and what reporting requirements said permit has.

Permit and Agency	Contact Information	Reporting Requirements
Colorado Division of Reclamation, Mining, and Safety 112(c) Construction Materials Reclamation Permit	1313 Sherman St, Rm 215 Denver, CO 80203 PH: (303) 866-3567	Annual report of mining and reclamation activity conducted onsite in the previous calendar year
Colorado Department of Public Health and Environment Fugitive Dust Permit	4300 Cherry Creek S Dr, Denver, CO 80246 PH: (303) 692-3100	Ongoing reporting of production and maintenance of dust suppression control logs
Park County Use Permit	856 Castello Ave P.O. Box 1598 Fairplay, CO 80440 Phone: 719-836-4292	Copy of annual reclamation report
Mine Safety and Health Administration	District Office P.O. Box 25367, DFC Denver, CO 80225-0367 PH: (303) 231-5465	Maintain accurate records with MSHA

Appendix 2 – Stormwater Management Plan (SWMP)

Elle Belle Mine

Stormwater Management Plan

In Conformance with the Guidelines set by:

Colorado Department of Public Health and Environment

Water Quality Control Division

August 2023

Prepared for:

South Park Aggs

Prepared by:

Lewicki & Associates

Table of Contents

STORMWATER MANAGEMENT PLAN (SWMP)

Facility Name:	Elle Belle Mine
Facility Type:	Construction materials quarry
Date Initial Operations Started:	1984
Facility Mailing Address:	0066 County Rd 1042 P.O. Box 2803 Frisco CO 80443-0000
Facility Location Address:	2001 PLATTE DR FAIRPLAY CO 80440
Stormwater Administrator	Scott Downen Cell: (970) 904-6101

This plan was created using sound engineering practices by Ben Langenfeld of Lewicki and Associates on 8/9/2023. Lewicki and Associates is located at 3375 W Powers Circle, Littleton, CO 80123. Phone: (303) 346-5196.

Permittee Certifying Statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Scott Downen

Company: South Park Aggregates, LLC

Title: Operations Manager

Signature: _____

Date: _____

Introduction

This Stormwater Management Plan is prepared to mitigate potential impacts to Waters of the U.S. (South Platte River) resulting from the operations at the Elle Belle Mine by South Park Aggs in Park County, Colorado. Water quality, drainage, monitoring, and pollution control are addressed in this Plan. Adherence to this plan will allow South Park Aggs to contain potential pollutants on the site and have a plan of action for minimizing the risk of contaminating surface waters.

During mine operations runoff is contained within the site using berms and site grading. All water runoff within the disturbed area will be contained with perimeter berms which route the runoff to sediment ponds. It will be stored in this area to evaporate or infiltrate into the ground. The use of various Best Management Practices (BMPs), such as erosion control and silt fencing, will ensure all water discharged from the site is clean and sediment free. This plan accounts for both stormwater and process water.

1. Key Elements of this Plan

- All disturbed areas will drain into the active mining areas. Water can be stored here where it can evaporate or infiltrate. See the SWMP Map for flow directions from particular portions of the site.
- Process Water (water used for dust suppression) shall be contained within the site perimeter and routed to the sediment ponds identified on the SWMP Map for evaporation.
- ***Stormwater*** from rainfall or snowmelt will inadvertently mix with process water or become process water if it flows across the disturbed area and shall be contained within the site.
- As all water that encounters the disturbance areas at the site will be contained for evaporation or infiltration, no discharge permit is required.
- The only acceptable methods of managing on site stormwater runoff are to contain it for ***Use in Operations***, for ***Infiltration*** into the ground, or for ***Evaporation*** into the air.
- ***Sediment is classified by the State as a potential pollutant*** that can negatively affect the quality of stormwater discharges. Loose sediment from construction activities and trucks, etc. will be contained on site completely and not be allowed to be carried off site by stormwater. Erosion control methods such as silt fences or rock wattles be implemented on the site to control sediment migration during stormwater runoff events.

- The best method of managing site runoff water quality is to ***remove and properly dispose of any site contaminants*** that could be transported by stormwater runoff. All activities that could produce pollutants will be restricted to specific areas or have secondary containment. The designated area for this site is near the asphalt and concrete plants. Drips, leaks, and spills will be cleaned up regularly. More detail on these items is provided later in this Plan.
- All fuel tanks, petroleum product storage and other chemicals will be regulated under the SPCC plan for the site.

Industrial Activity Description

1. General

1.1. Project Name and Location

Elle Belle Mine

2001 Platte Dr

Fairplay, CO 80440

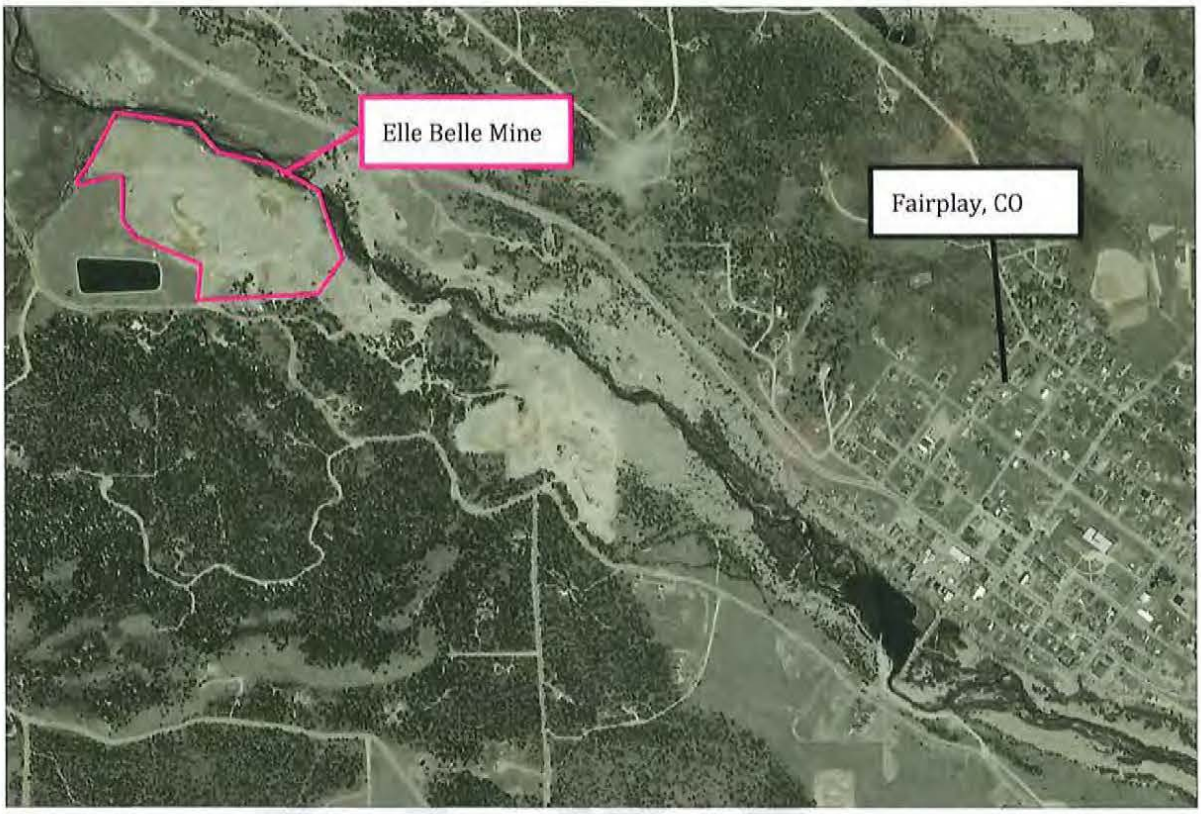
The Elle Belle Mine is a construction materials mine located along Platte Drive approximately 1.5 miles west of Fairplay, CO. It is situated in both Park County at an elevation of about 9,000 feet. The site location in relation to Fairplay is shown on the **General Location Map** provided below.

The Elle Belle Mine property is located across multiple Sections of Township 9 South, Range 73 West of the 6th P.M.

The mine entry location is:

Latitude 39.2296 N
Longitude -106.0197 W

1.2. General Location Map



1.3. Owner Name and Address

The Elle Belle Mine is operated and owned by:

South Park Aggs

Scott Downen

0066 County Rd 1042

P.O. Box 2803

Frisco, CO 80443-0000

(970) 904-6101

1.4. Site Description

The Elle Belle Mine is a construction materials operation located approximately 1.5 miles west of Fairplay, Colorado. The site is situated adjacent to the South Platte River along Platte Drive. To site is bordered to the north by the South Platte River, to the east and west by private proprety, and south by Platte Drive. The Elle Belle Mine is 40.5 acres in total, with most of the site disturbed for mining. The site entrance is on Platte Drive. See the SWMP Map in Appendix D for more detail.

The site is located 100-200 feet from the South Platte River horizontally, but roughly 30 feet above the river in the lowest location. Groundwater levels are more than 50 feet below the surface. Mining has taken place on the site for a number of years, going back to the mid-1980s.

Surface water from stormwater and process water will be contained within the disturbed areas and will be collected with sediment pond(s). In general, all process and stormwater will be contained by the site topography and stormwater berms. The topography of the mining operation leads to sediment ponds being developed as needed and local mining ground being graded to the sediment pond. These runoff management measures and the discharge location are shown on the SWMP map.

Stockpiles may be located throughout the site. All stockpiles will drain within the overall site disturbance, and thus be captured by the same topography and stormwater control measures. The entire site is well outside any floodplains and floodways identified by FEMA due to its elevation above the river.

2. Standard Industrial Classification (SIC) Codes

SIC CODE	INDUSTRY DESCRIPTION
1442	Construction Sand and Gravel
3273	Ready mix concrete
2951	Asphalt paving mixtures

3. Description of Operations

South Park Aggs will conduct construction materials mining and processing operations under a Colorado Division of Mining, Reclamation and Safety (CDRMS) Permit. The CDRMS permit will be released following full site reclamation.

South Park Aggs is permitted for the following uses at the Elle Belle Mine:

- Excavation of material onsite
- Crushing and processing of excavated material
- Concrete production
- Hot mix asphalt production
- Truck loading and truck travel in and out of the site.

Brief descriptions of these operations are provided below:

3.1. Mining

Quaternary gravel is permitted at the site using excavators and haul trucks.

3.2. Processing

Processing will consist of washing and crushing sand and gravel using a portable processing unit.

3.3. Concrete Production

Washed rock from processing will be mixed with concrete cement in batches within a portable plant in the Plant Area of the site. Concrete will then leave the site for use in construction projects using the main site access.

3.4. Asphalt Production

Washed rock from processing will be mixed with hot asphalt mix in batches within a portable plant in the Plant Area of the site. Asphalt will then leave the site for use in construction projects using the main site access.

3.5. Fuel Storage

A portable fuel tank will be set up in the mining area to supply equipment onsite. It will have full secondary containment. All equipment onsite will have onboard diesel tanks in full secondary containment. Full secondary containment has 110% of the volume of the tank that is in it.

3.6. Chemical Storage

The following chemicals will be stored onsite:

- Concrete cement
- Concrete fixer
- Concrete additives
- Asphalt tar (hot mix)

Each of these chemicals will be stored within either a double walled tank or within a tote that is stored within another container. All secondary containment is required to have 110% of the volume of the chemicals stored within.

3.7. Shop activities

There is no shop onsite.

4. Basin Descriptions for Areas of Industrial Activity

4.1. Drainage Basin to Processing Area

The vast majority of the site drains to the Plant Area or to the Sediment Pond. These areas are shown on the SWMP map. Water within these areas will be contained by the mininig topography and stormwater berms, with a 24 inch height minimum for any stormwater control berm. All collected water evaporates or infiltrates. Surface flow directions are shown on the SWMP Map.

4.2. Off-site Sources

There are none for this site.

4.3. On-site Stormwater and Process Water Runoff

The disturbed areas of the site are handled as follows:

- The majority of the disturbed area drains Sediment Pond or the Plant Area. Sediment is allowed to settle out in these areas as stormwater/process water evaporates and infiltrates.

- Stormwater berms of a minimum of 24 inches in height in the processing area contain all site runoff and divert it to the sump area.

Stormwater volume was determined using the calculations below as described in the "Procedures for Determining Peak Flows in Colorado," that includes and supplements Technical Release No. 55 "Urban Hydrology for Small Watersheds."

There is sufficient storage capacity within the disturbance area to contain the entire 100-YR event that drains to the site.

4.4. Stormwater Calculations

All stormwater calculations reflect current operations. They are to be updated as site conditions and operating plans are updated.

Runoff Curve Numbers (CN) for Watershed Area

Description	Hydrologic Soil Group	Area (acres)	CN
Disturbed Ground (Processing Pad and Road)	**Group B/D Soils**	**4.60**	**89**
Undisturbed Ground (Forests and Shrublands)	**Group B Soils**	**41.3**	**70**

An area of 45.9 acres must be contained within the site disturbance to prevent sediment discharge.

Hydrologic Soil Group

Group A Soils:	High infiltration (low runoff). Sand, loamy sand, or sandy loam. Infiltration rate > 0.3 inch/hr when wet.
Group B Soils:	Moderate infiltration (moderate runoff). Silt loam or loam. Infiltration rate 0.15 to 0.3 inch/hr when wet.
Group C Soils:	Low infiltration (moderate to high runoff). Sandy clay loam. Infiltration rate 0.05 to 0.15 inch/hr when wet.
Group D Soils:	Very low infiltration (high runoff). Clay loam, silty clay loam, sandy clay, silty clay, or clay. Infiltration rate 0 to 0.05 inch/hr when wet.

The following areas were calculated using a scaled map image from 2021 in CAD software, which was used in the SWMP Map.

Runoff Curve Number and Runoff – Mine Development, Maximum Disturbance Scenario

1. **Runoff curve number (CN)**

Cover Description	CN	Soil Type	Area
Disturbed ground	89	B/D	38 acres
CN (weighted):	**89**		**38 acres**

2. **Runoff**

Frequency	100 yr 24-hr
Rainfall, P (24-hour)	2.87 in
Runoff Volume	5.3 acre-ft.

The minimum available storage volume within the Plant Area alone is: 5.8 acre-ft.

The available storage was calculated based on a 1-ft storage depth within the Plant Area. The minimum stormwater berm height is 2-ft. The Plant Area is at least 1-ft below all surrounding ground.

Since the required storage volume is less than the available storage volume, there is more than enough storage volume to contain the storm event onsite. There is no threat of discharging the 100-YR event. All runoff water will be contained for evaporation and infilitration.

4.5. Groundwater

Groundwater will not be encountered during this phase of the mining operation.

5. Summary of Existing Discharge Sampling Data

The Elle Belle Mine discharges sporadically during mining as a significant amount of process water does not runoff each day. Most discharges are associated with occasional storm events. Records of sampling are kept on site and are available upon request by an inspector. The sample form is included in Appendix A.

6. Description of Sampling Points

No discharge point is contained with the Elle Belle Mine as there will be no discharge.

Stormwater Management Controls

1. SWMP Administrator

The SWMP Administrator is responsible for daily SWMP administration at the site. This designated person is listed at the beginning of this document along with their contact information.

2. Risk Identification and Assessment

It is anticipated that no stormwater discharges will occur for any stormwater events.

A summary of estimated risks if a discharge were to occur is presented below:

2.1. Potential for Discharge from Basin:

Pollutant	
Oil and Grease	Low
Total Dissolved Solids	Low
Total Suspended Solids	Low
pH (Outside Range 6.5 to 9.0)	Low

2.2. Identification of Potential Pollutant Sources

2.2.1. Disturbed and Stored Soils

Stockpiles are present in the disturbed area. Topsoil stockpiles are seeded to prevent erosion. Product stockpiles are all contained within the stormwater control measures.

2.2.2. Vehicle Tracking of Sediment

As the site has considerable traffic of haul trucks entering and leaving the site on an ongoing basis, these activities have some potential to discharge sediment laden water but the BMP's outlined in this Plan make a sediment laden discharge a remote possibility. The primary BMP's responsible for reduction of this potential is the containment of water within the disturbed areas via perimeter berms and the use of silt fences and rock wattles which filter sediment from being discharged. Truck washing may take place, as needed, in areas contained by these BMPs and vehicle tracking pads will be used at the site access to prevent offsite sediment discharge from vehicles.

2.2.3. Management of Contaminated Soils

The site has no contaminated soils. If a spill occurs, any contaminated soils will be isolated from the area draining to the sediment settling ponds that have no discharge. These materials will be treated or hauled off site in conjunction with the procedures of the SPCC Plan.

2.2.4. Loading and Unloading Operations

All loading and unloading operations will take place in the processing area which is contained by stormwater berms and the sump. The potential for significant pollution from these sources is very low.

2.2.5. Outdoor Storage Activities (Storage of Chemicals)

The following chemicals will be stored onsite:

- Concrete cement
- Concrete fixer
- Concrete additives
- Asphalt tar (hot mix)

Each of these chemicals will be stored within either a double walled tank or within a tote that is stored within another container. All secondary containment is required to have 110% of the volume of the chemicals stored within.

2.2.6. Vehicle and Equipment Maintenance and Fueling

There is no used oil or chemical tanks on-site. Portable equipment will have contained fuel tanks with secondary containment. A portable fuel tank will be stored on site for equipment maintenance and fueling, with secondary containment. Minor maintenance will be performed on the portal equipment on an 'as-needed' basis. Without BMP's there is a significant potential to discharge pollutant laden water but the BMP's outlined in this Plan make pollutant laden discharges a remote possibility from this source. The primary BMP's are a) the secondary containment of the tanks, b) containment of the areas on site where the fueling and maintenance occurs, and c) the inspection/training/maintenance procedures outlined in the SPCC Plan.

2.2.7. Significant Dust or Particle Generating Processes

Mining takes place in a 38-acre active area of the site. Without BMP's there is a significant potential to discharge sediment laden water but the BMP's outlines in this Plan make polluted laden discharges a remote possibility from this source. The primary BMP is as needed water spraying for road dust suppression. Additionally, the use of settling ponds and silt fences ensure that any dust or particles contaminating the runoff water have been adequately filtered before discharging.

2.2.8. Routine Maintenance Activities involving Fertilizers, Pesticides, Detergents, Fuels, Solvents, Oils, etc.

A portable fuel tank will be stored on site for routine fueling of equipment. This will be maintained in accordance with the SPCC plan. No chemicals, fertilizers, etc. will be stored onsite. All portable fuel tanks will be located outside of intended stormwater accumulation areas.

2.2.9. On site Waste Management Practices

All onsite waste will be disposed in facilities operated by the local municipality. All waste storage receptacles will be placed outside of intended stormwater accumulation areas.

2.2.10. Non-Industrial Waste Sources such as Worker Trash and Portable Toilets

Portable toilets are used on site and are regularly serviced by a licensed contractor when workers are present. Worker trash is disposed of in the waste bins that are also taken to the approved landfill by the local waste management company. Without BMP's there is a slight potential to discharge pollutant laden water but the BMP's outlined in this Plan make pollutant laden discharges a remote possibility from this source. The primary BMP's are the factory supplied waste trash bins, and porta potties, with the proper disposal of the trash and the porta potty waste. All portable toilets will be located outside of intended stormwater accumulation areas.

2.2.11. HMA Plants

Portable HMA plants will be operating onsite. All HMA facilities will be contained in the Plant Area, which is internally draining.

2.2.12. Concrete Batch Plant

Portable concrete plants will be operating onsite. All concrete facilities will be contained in the Plant Area, which is internally draining.

2.2.13. Building Roofs

The roof from the office trailer will be the only structure roof on the site. Runoff from this structure will be contained within the stormwater control measures implemented onsite.

2.2.14. Other Areas or Procedures Where Potential Spills Can Occur

Other than the tanks identified in this Plan and the SPCC Plan, there are no other tanks or other sources that could result in a spill other than a rupture of hydraulic lines and diesel tanks associated with the mobile equipment on site. Without BMP's there is a reasonable potential to discharge pollutant laden water but the BMP's outlined in this Plan make polluted laden discharges a remote possibility from this source. The primary BMP's are a) the fact that the quantities on the mobile equipment are small, less than 120 gallons of diesel fuel and 60 gallons

of oil, and b) the SPCC Plan requires spill kits that will be used to mop up any spill with the mobile equipment.

3. Preventative Maintenance

The following are the inspection and maintenance practices that will be implemented to control stormwater runoff quality:

- The SWMP Administrator will be responsible for inspections, maintenance and oversight of any required repair operations. SWMP inspections will occur at least quarterly over the whole site and records of these inspections will be kept on file on site with the SWMP Plan.
- Ground slopes will be minimized to limit erosion and slow down flow during a stormwater event.
- Inspect all tanks for leaks, proper dispensing equipment and adequate secondary containment in conjunction with the SPCC Plan.
- Inspect all Stormwater berms on site for disruption, erosion, or any other fault that requires maintenance.

4. Good Housekeeping

The following good housekeeping practices will be employed at the site:

- Substances stored on site will be stored in a neat, orderly manner in their appropriate containers.
- Open containers of non-hazardous materials shall be covered to prevent mixing with stormwater.
- The Safety Coordinator is responsible for day-to-day site operations and directing spill prevention, cleanup, and reporting. See SWMP SPCC Plan.
- No waste oil will be stored onsite.
- If drip pans are used, they will be cleaned on a regular basis and not allowed to fill with stormwater, and the contents disposed in a landfill approved to handle such waste.
- No hazardous materials will be stored onsite.

5. Stormwater Control Measures

This Stormwater Management Plan was developed to improve the water quality of stormwater runoff. The Stormwater Control Measures (SCMs) are intended to prevent the discharge of sediment laden stormwater from this site.

SCM	Location	Type	Install. Date	Implementation Specifics
Sediment Pond	See SWMP Map	Sediment pond within the mining area	2020	Periodic clean out of accumulated sediment to maintain retention volume; Maintain positive drainage towards sump.
Stormwater Berms	All downhill perimeter areas of the site	Berms/windrows	2020	Maintain height of at least 24 inches. Ensure vegetation on outslopes.

6. Employee Training

South Park Aggs, through the Stormwater Administrator, will train and educate current and new employees on appropriate stormwater management, spill response, good housekeeping and materials storage practices. Best management practice training programs should also be conducted regarding improving the water quality of stormwater runoff.

7. Testing for Non-stormwater Discharges

The only non-stormwater discharges expected at this site are stormwater and process water. Therefore, no testing for illicit connections or other non-stormwater discharges is proposed.

8. Amendments

This SWMP plan must be amended when a new phase is opened or whenever there is a change in facility design, construction, operation, or maintenance that materially affects South Park Aggs potential for discharge of pollutants (sediment, oils, etc.) into or upon waters of the United States. Such amendments must be implemented not later than six months after the change occurs. Any amendments to the SWMP plan will be developed by a Qualified Person.

Final Site Stabilization

As required in the Colorado Division of Reclamation, Mining and Safety permit, the site is to be reclaimed to dry rangeland.

Comprehensive Inspection

The SWMP Administrator will conduct regular inspections of the site for stormwater management controls, spill control, maintenance, and cleanup. Inspections each quarter shall be conducted and the records of such inspections shall be maintained in files at the site together with the SWMP Plan. Inspections shall incorporate a complete review of all BMP's outlined in this plan and will report on any BMP's that are not functioning and/or require maintenance. Any discharges that are out of compliance with the discharge permit shall also be reported with corrective actions outlined.

Record Keeping and Internal Reporting Procedure

Incidents such as spills or other discharges, together with other relevant information describing the quality/quantity of stormwater, will be included in records maintained at the site. Inspection records and maintenance records will be maintained at the site.

At least **four** comprehensive Stormwater Management Plan inspections (spring, summer, fall, and winter) will be conducted each year for annual reporting to CDPHE. These reports shall include the date of the inspection, findings and actions taken, and submitted with the Annual Stormwater Report due **February 15** each year.

Consistency with other Plans

The SPCC Plan will be consistent with the SWMP Plan and will be available on site. A general discharge permit has been obtained from CDPHE. If other permits affecting stormwater are required of the site in the future, the SWMP will be modified to ensure consistency. These plans will also maintain consistency with the County and CDRMS permits.

Allowable Non-stormwater Discharges

There are no allowable discharges at this site. No runoff discharges will take place as all water runoff will be contained within the site for evaporation and infiltration.

Appendix 1 - MSDS for All

Appendix 2 - SWMP Map

LEGEND

BUILDINGS AND RELATED STRUCTURES
- Building
- Fence

LAND SURVEYS
- Public Land Survey System
- Property boundary (Approx. Traced from Assessor Data)

ROADS AND RELATED FEATURES
- Highway
- Light duty road, paved
- Light duty road, gravel

RIVERS, LAKES, SHORELINES, AND CANALS
- Perennial stream/ditch
- Perennial river
- Intermittent stream/ditch
- Perennial lake/pond
- Waterwell — Well Name
- Drainage Basin
- Flood Plain

VEGETATION & SOILS
- Existing Trees
- NWI Wetlands & Riparian Areas

TRANSMISSION LINES AND PIPELINES
- Power transmission line; pole; tower

MINING FEATURES
- DRMS Permit Boundary
- Mining Structures

BASELINE CONTOURS
- Index — Approximate of indefinite
- Intermediate — Approximate of indefinite
- Supplementary

CO-9

MIDDLE FORK SOUTH PLATTE RIVER

MINING AREA

OFFICE, SCALE, AND SCALEHOUSE

PROCESSING AND OPERATING AREA

SITE ACCESS FROM PLATTE DRIVE

10050' 10075' 10100' 10025' 10000'

Current Conditions

Ellie Belle Mine

DRMS Permit Number: M-1984-094 — **South Park Aggregates**

Mine Entry Location:	Latitude: 39.22956	Longitude: 106.02250
State: COLORADO	County: Park	Nearest Town: Fairplay
Section: 32	Township: 9S	Range: 77W PM: 6th
Major Watershed:	Platte River	MSHA ID: ----

Map Scale: 1"= 100'

0 100 200

Map Georeferencing Information:	Datum: NAD83	Projection: CO SOUTH
Survey Source: Drone	Drawn by: SAC	Date: 07/28/23
Imagery Source:----	Checked by: ----	Date: BEL
Survey Date: 07/28/23	Approved by: ----	Date: ----
Imagery Date: ----		

File Name: Ellie Belle Mining Plan 230724

Lewicki & Associates
3375 West Powers Circle Littleton, CO USA 80123 (303)-346-5196 info@lewicki.biz

LEGEND

BUILDINGS AND RELATED STRUCTURES
- Building
- Fence

LAND SURVEYS
- Public Land Survey System
- Property boundary (Approx. Traced from Assessor Data)

ROADS AND RELATED FEATURES
- Highway
- Light duty road, paved
- Light duty road, gravel

RIVERS, LAKES, SHORELINES, AND CANALS
- Perennial stream/ditch
- Perennial river
- Intermittent stream/ditch
- Perennial lake/pond
- Waterwell (Well Name)
- Drainage Basin
- Flood Plain

VEGETATION & SOILS
- Existing Trees
- NWI Wetlands & Riparian Areas

TRANSMISSION LINES AND PIPELINES
- Power transmission line; pole; tower

MINING FEATURES
- DRMS Permit Boundary
- Mining Structures

BASELINE CONTOURS
- Index
- Approximate of indefinite
- Intermediate
- Approximate of indefinite
- Supplementary

POST-MINING CONTOURS
- Index
- Approximate of indefinite
- Intermediate
- Approximate of indefinite
- Dump

CO-9

MIDDLE FORK SOUTH PLATTE RIVER

REVEGETATED AS RANGELAND IN 2017 PLANT BUSH/TREE SAPLINGS

REVEGETATE AS RANGELAND BY 2024 PLANT BUSH/TREE SAPLINGS

EXISTING MINE DISTURBANCE

MINING AREA

DRAINS INTERNALLY TO THE NORTHWEST

HAUL ROUTE FOR ASPHALT & CONCRETE PRODUCTION APPROX. 30' WIDE NO GREATER THAN 10% GRADE

OFFICE, SCALE, AND SCALEHOUSE

CONCRETE BATCH PLANT

PROCESSING AND OPERATING AREA

LOADOUT

ASPHALT PLANT

ASPHALT & CONCRETE PLANT CONCEALMENT BERMS (APPROX.) 2H:1V SLOPES CONSTRUCTED FROM STOCKPILED MATERIAL MAY ALSO BE USED AS FEED PILE FOR PLANTS

TRUCK HAUL ROUTE TO CR-14 THEN CO-9

SITE ACCESS AND PLATTE DRIVE TO CR-14 TO BE PAVED

SITE ACCESS

SUNKEN AREA TO CONCEAL ASPHALT AND CONCRETE PLANTS 1H:1V SLOPES

CONNECTING ROAD TO NEIGHBOR: WILL NOT BE USED FOR ACCESS OR MINE TRAFFIC

Site Plan

Ellie Belle Mine

DRMS Permit Number: M-1994-094 — South Park Aggregates

Mine Entry Location:	Latitude: 39.22956	Longitude: 105.02250
State: COLORADO	County: Park	Nearest Town: Fairplay
Section: 32	Township: 9S	Range: 77W PM: 6th
Major Watershed:	Platte River	MSHA ID: ---

Map Scale: 1"= 100'

0 100 200

Map Georeferencing Information:	Datum: NAD83	Projection: CO SOUTH
Survey Source: Drone	Drawn by: SAC	Date: 07/28/23
Imagery Source:---	Checked by: ---	Date: BEL
Survey Date: 07/28/23	Approved by: ---	Date: ---
Imagery Date: ---		

File Name: Ellie Belle Mining Plan 230724

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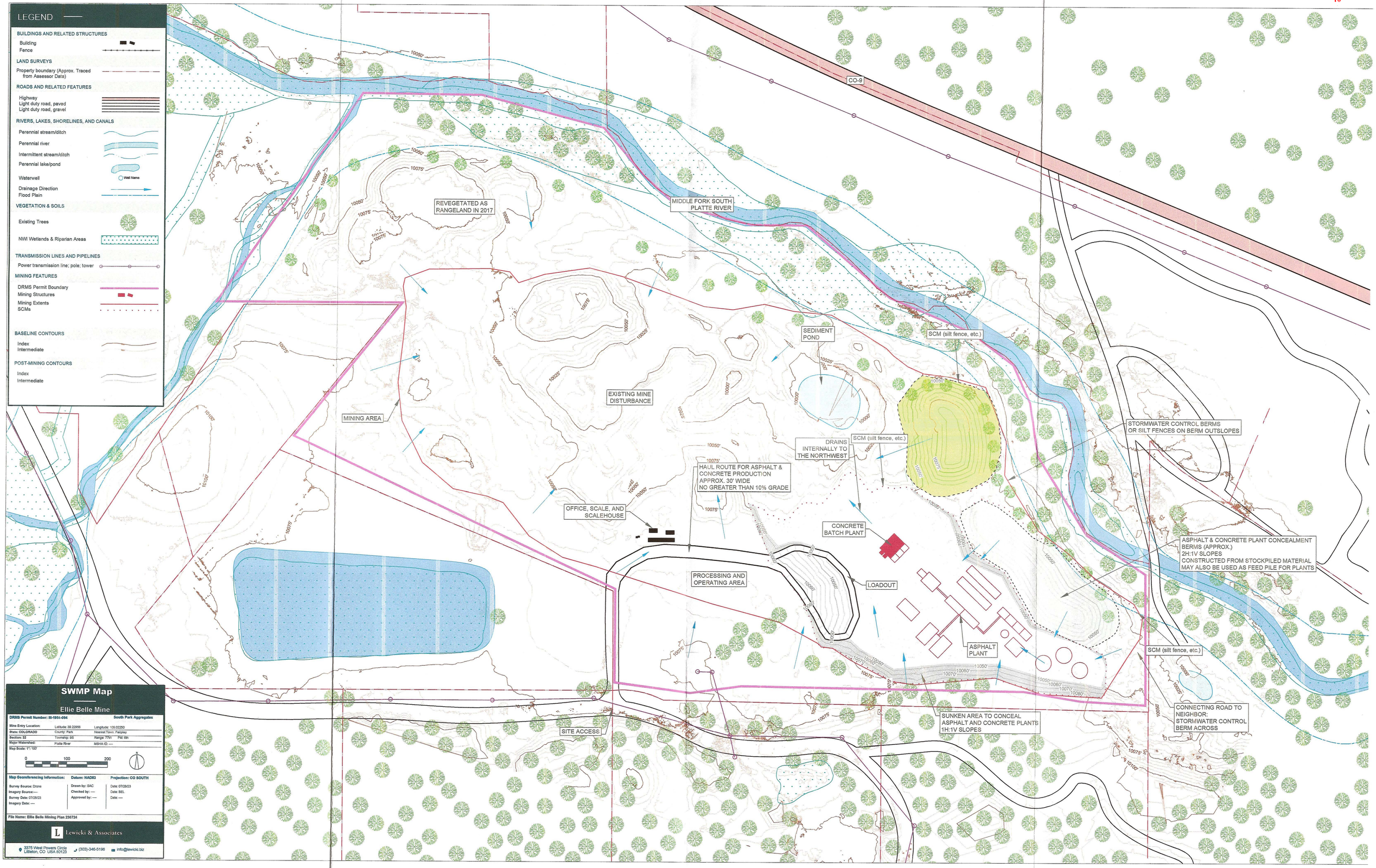
info@lewicki.biz


LEGEND
BUILDINGS AND RELATED STRUCTURES
Building
Fence
LAND SURVEYS
Property boundary (Approx. Traced from Assessor Data)
ROADS AND RELATED FEATURES
Highway
Light duty road, paved
Light duty road, gravel
RIVERS, LAKES, SHORELINES, AND CANALS
Perennial stream/ditch
Perennial river
Intermittent stream/ditch
Perennial lake/pond
Waterwell
Well Name
Drainage Direction
Flood Plain
VEGETATION & SOILS
Existing Trees
NWI Wetlands & Riparian Areas
TRANSMISSION LINES AND PIPELINES
Power transmission line; pole; tower
MINING FEATURES
DRMS Permit Boundary
Mining Structures
Mining Extents
SCMs
BASELINE CONTOURS
Index
Intermediate
POST-MINING CONTOURS
Index
Intermediate
CO-9
REVEGETATED AS RANGELAND IN 2017
MIDDLE FORK SOUTH PLATTE RIVER
SEDIMENT POND
SCM (silt fence, etc.)
EXISTING MINE DISTURBANCE
MINING AREA
STORMWATER CONTROL BERMS OR SILT FENCES ON BERM OUTSLOPES
DRAINS INTERNALLY TO THE NORTHWEST
SCM (silt fence, etc.)
HAUL ROUTE FOR ASPHALT & CONCRETE PRODUCTION APPROX. 30' WIDE NO GREATER THAN 10% GRADE
OFFICE, SCALE, AND SCALEHOUSE
CONCRETE BATCH PLANT
ASPHALT & CONCRETE PLANT CONCEALMENT BERMS (APPROX.) 2H:1V SLOPES CONSTRUCTED FROM STOCKPILED MATERIAL MAY ALSO BE USED AS FEED PILE FOR PLANTS
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LOADOUT
ASPHALT PLANT
SCM (silt fence, etc.)
CONNECTING ROAD TO NEIGHBOR; STORMWATER CONTROL BERM ACROSS
SUNKEN AREA TO CONCEAL ASPHALT AND CONCRETE PLANTS 1H:1V SLOPES
SITE ACCESS
SWMP Map
Ellie Belle Mine
DRMS Permit Number: M-1984-094
South Park Aggregates
Mine Entry Location:
Latitude: 39.22956
Longitude: 106.02250
State: COLORADO
County: Park
Nearest Town: Fairplay
Section: 32
Township: 9S
Range: 77W
PM: 6th
Major Watershed:
Platte River
MSHA ID: ---
Map Scale: 1"= 100'
0
100
200
Map Georeferencing Information:
Datum: NAD83
Projection: CO SOUTH
Survey Source: Drone
Imagery Source:---
Survey Date: 07/28/23
Imagery Date: ---
Drawn by: BAC
Checked by: ---
Approved by: ---
Date: 07/28/23
Date: BEL
Date: ---
File Name: Ellie Belle Mining Plan 230724
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Littleton, CO USA 80123
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DRAFT TECHNICAL MEMORANDUM

TO: Jennie Danner, Treasurer, Town of Fairplay
Janell Sciacca, Town Administrator, Town of Fairplay

FROM: Rob Ringle, PE, SGM

DATE: February 2, 2024

RE: **Town of Fairplay Water Model Development**
SGM Project No. 2018-499.025

This memorandum documents work performed by SGM to create a hydraulic model of the Town of Fairplay's potable water distribution system using GIS-based Innovyze InfoWater software.

Background

The Town of Fairplay (Town) retained SGM to construct a model of the Town's water Distribution system in March of 2023. Scoped services included importing the Town's Geographic Information System (GIS) into InfoWater, allocating demands, and developing basic modeling features (pump curves, tank geometries, etc.). Scoped services also included validating model performance using data obtained from a single day of onsite flow testing. Field testing exercises were completed during October 2023.

This memorandum documents the model development process as well as key operating set points and assumptions. A map of the calibrated model can be found under **Attachment A**.

Model Development Data

Model development utilized relevant GIS data, as developed by SGM for Town use and maintenance, as well pertinent operating and billing data. A list of Town-provided data can be found in **Table 1**.

Table 1 Town Provided Data

Data	Format
Water System Daily Production [Nov. 2021 – Jun. 2023]	Excel
Water Customer Billing Data [Jul. 2021 – Jun. 2023]	Excel
Non-working Meter Report [Aug. 2023]	PDF, Excel
Water System GIS[1] Data	ArcGIS GeoDatabase
Town Digital Elevation Model (DEM)	ArcGIS Raster
Tank Data (Diameter/Operating Levels/Elevations)	Survey/Drawings/Record Documents
Booster Pump Station Data (Pump Model No. etc.)	Survey/Site Visit Notes/Photos/Record Documents
PRV Data (Set-Points and Sizes)	Site Visits/Record Documents
Tank Level Data[2,3]	Email
Record Drawings[4]	Scans/PDFs

1. Includes waterlines, hydrants, valves, pump stations, and tanks.
2. Only qualitative approximation of tank levels for the WTP Tank and Heights Tank were provided by the Town. SCADA records were requested but not received.
3. 15-min flow data from the blockhouse meter was requested but not received.
4. Includes record drawings of various valve vaults, booster pump stations, and waterline improvements.

GIS Preparation

SGM processed and prepared the Town's GIS data for importation into InfoWater software by completing the following tasks:

- Unclassified watermain features were classified as water mains, service lines, or hydrant laterals. Only watermains were imported into the final InfoWater model (service lines and hydrant laterals were excluded).
- Water main linework was prepared for hydraulic modeling (raw water lines were excluded, endpoints were snapped together, redundant pipelines were combined, lines were split at tees and crosses, etc.).
    - Water mains were split at all hydrant lines to facilitate static pressure comparison.
    - Existing water main splits (not located at tees or crosses) in the GIS were maintained if one of the following conditions were met:
        1. The pipe diameter changed.
        2. The pipe material changed.
- Pipe intersection/crossing areas were reviewed for connectivity based on available as-built and reference information. Several missing pipes were identified and digitized.
- Gate valves were not included in the hydraulic model to manage the number of pipes.
- Facility piping, pressure reducing valves (PRVs), tanks, pump stations, and the WTP were digitized into the model.

The final water distribution network as represented in GIS contained 281 pipes.

Elevation Assignment

With the exception of PRVs, booster pump stations, control vaults, and tanks, model nodes were created using automatic functions in InfoWater. Non-facility nodes were placed at all water main endpoints and assigned ground surface elevations using a digital

elevation model (DEM). PRV, booster pump station, control valve, and tank elevations were assigned using survey data collected by SGM during 2023. Survey elevations were collecting on the North American Vertical Datum 1988 (NAVD 88). Collected elevations are summarized under respective **Facility Operations** sub-sections.

Datum Validation

SGM coordinated with Town staff to collect static pressure measurements throughout the Town's distribution system. Static pressures were compared to model predicted pressures and hydraulic grades. Results indicate excellent agreement between observed and modeled hydraulic grades, indicating that all model elements are on the same vertical datum (see **Table 2**). Static pressure measurements are provided as **Attachment A**.

Table 2 Datum Validation

Zone	Error (psi)	Error (%)
Beaver Creek Rd.	1.0	1.2%
Main Pressure Zone (MZ)	1.6	1.5%
Heights Pressure Zone (HZ)	2.6	4.7%
Low-pressure Zone (LZ)	0.5	0.6%

Static pressure measurement error under 5.0% is generally considered acceptable. The project is built on the NAD 1983 (2011) coordinate system in State Plane Colorado Central.

Facility Operations

SGM reviewed facility operations with the Town staff as part of an earlier Water System Evaluation effort in 2019. SGM coordinated by email and reviewed past reports and meeting notes to develop the following operating strategy for the model. This effort did not involve any updates to the condition assessment of the water treatment and supply systems.

Pressure Zones

The Town operates three distinct pressure zones. The main pressure zone (MZ) encompasses the majority of the Town's accounts. This zone is roughly bounded by the Middle Fork of the South Platte River to the south, and Hwy 285 to the east. The Fairplay Heights Zone (HZ) is relatively small and serves residences of Platte View Dr. and adjacent streets; this area is at a higher elevation relative to the MZ. The Low Zone (LZ) is the second largest zone and includes the areas south of the river and east of Hwy. 285.

Storage Tanks

Tank characteristics were obtained from survey data, as-built drawings, and conversations with Town staff. The Town presently operates two potable water storage tanks. All water produced by the Town fills the 0.5 MG finished water tank adjacent to the water treatment plant (WTP Tank). This tank serves both the MZ and LZ. The Town also operates a 0.15 MG tank in Fairplay Heights (Heights Tank) that is filled from the MZ and serves the HZ. Results are summarized in **Table 3**.

Table 3 Modeled Tank Characteristics

Tank	Base Elevation (ft)	Overflow Elevation (ft)	Height (ft)	Diameter (ft)	Volume (gal.)	Operating Level – Typ. (ft)	Effective Stored Vol. (gal.)
WTP Tank	10,187.0	10,204.5	17.5	70	500,000	16.5	471,000
Heights Tank	10,257.4	10,289.4	32	28	150,000	18	84,000

Water Supply and Treatment

Water supply is currently provided by a series of four wells with post-wellhead chlorination. Each respective well is equipped with a flow totalizer. A water treatment plant exists on the site; issues related to the elevation of the infiltration gallery with respect to the rest of the facility limit the filtration capacity. A separate effort is currently underway to improve the ability to treat water from GWUDI sources.

Wells are automatically operated 24 hours a day to maintain the 0.5 MG WTP Tank elevation between approximately 16.5 and 17 ft, achieving a stored volume of 0.471 MG.

Water production was assessed based on records of monthly production respective to each well. Calculated production rates are described in **Table 4**.

Table 4 Calculated Water Production Rates

Demand Scenario	Daily Average Water Production Rate (MGD)	Instantaneous Water Production Rate (MGD)[1]
Average Day Demand (ADD)	0.102	0.102
Max. Month Average Day Demand (MMADD)	0.130	0.130
Fall Average Day Demand (FADD)	0.088	0.088

1. Calculation of instantaneous was not possible due to the fact that the requested SCADA data was not received.

Note that water distribution modeling typically uses a peak daily demand scenario for assessment of distribution system capacity and available fire flow. While additional production data were requested to allow for determination of a peak day demand scenario, these data were not received.

Pressure Reducing Valves

The distribution system includes three individual PRV vaults that all serve to connect the MZ (served by WTP Tank) to the LZ. In addition, there is a control valve within the Fairplay Heights BPS that would allow for download of the water from the HZ to the MZ.

Fairplay Heights control valve

Heights Tank level is controlled by operation of a single pump in the Heights Booster Pump Station (BPS). The BPS also contains a PRV that monitors pressure on the suction side of the BPS, which is dictated by the MZ and WTP Tank elevation. The Heights PRV could be used to download water from the Heights Tank to the MZ if a low-pressure condition occurs in that MZ, such as a fire flow event. Prior site visits showed this valve to be removed from service by closed upstream and downstream gate valves. The valve was maintained as normally closed for the purpose of model development.

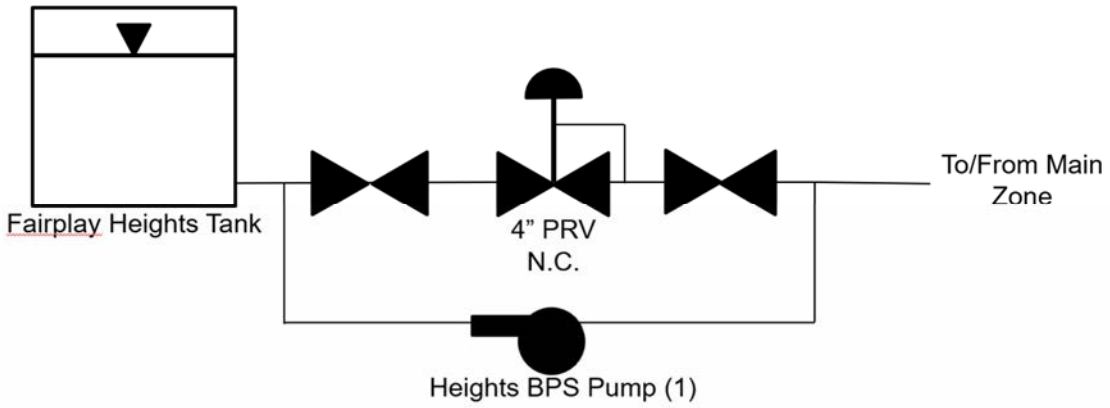

Figure 1 Fairplay Heights PRV Diagram

Pressure Reducing Valve Vaults

The three individual PRV vaults share the same functional configuration, each with a 2" diameter PRV intended to serve typical demands, and a 6" diameter PRV for large demands and fire flows. All three vaults connect the MZ to the single LZ. Each respective PRV is equipped with upstream and downstream valves to facilitate servicing without full isolation of the vault. The configuration is shown in **Figure 2.**

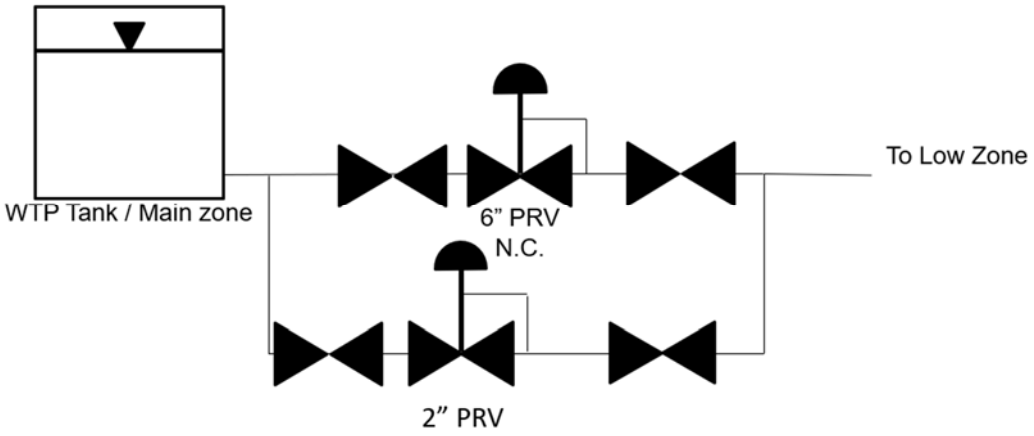

Figure 2 Typical PRV Vault Configuration

Down-stream setpoints, valve sizes, and valve quantities for respective PRV vaults were taken from record drawings, site visits, and conversations with Town staff. PRV elevations were assigned using survey data. Minor loss coefficients were assigned to each PRV using manufacturer cutsheet data for Cla-Val's 100-01 Hytrol Valve. Minor loss coefficients ranged from 5.7 to 6.3. Modeled PRV characteristics are summarized in **Table 5**.

Table 5 Modeled PRV Station Characteristics

PRV Vault	PRV id	Size (in)	Elevation (ft)	Setting[2] (psi)	HGL[1] Setting (ft)	Minor Loss
Heights BPS	BPS_1	4	9,999	*	*	5.7
Front Street PRV[3]	FrontSt_1	6	9,958	60	10,097	6.1
	FrontSt_2	2	9,958	70	10,120	5.9
Dollar General PRV	DG_1	6	9,913	62	10,056	6.1
	DG_2	2	9,913	71	10,077	5.9
Castello PRV	Castello_1	6	9,882	70	10,043	6.1
	Castello_2	2	9,882	65	10,032	6.0

1. HGL = Hydraulic Grade Line
2. Pressure settings were inferred from test results and model calibration. The Heights BPS valve was not tested as it was indicated to be out of service.
3. Testing of the Front Street PRV vault was not possible due to an active pilot system leak. Pressure settings reflected here are as found marked by sharpie on these PRVs.

Booster Pump Stations

The Town operates a single BPS that serves the HZ by pumping from the MZ to the Heights Tank. This pump station is hereafter called the Heights BPS. Town staff provided SGM with BPS control points and record drawings. Pump manufacturer model numbers were identified from site visit photos, which allowed for lookup of pump curve information. Basic manufacturer information for each pump is summarized in **Table 6.**

Table 6 Modeled Heights BPS Manufacturer Data

Pump Station	Pump	Manufacturer/ Model	Diameter (in)	Impeller Diameter (in)	VFD?	Motor Size (HP)	Design Flow (gpm)	Design Head (ft)	Operating Flow – Est. (gpm)	Operating Head – Est. (ft)
Heights BPS	1	Grundfos CR 8-50	2	8	No	5	36	224	64	150

Pump Station Control

The single pump is controlled based on the Heights Tank level. A target level range of 18 – 24 feet is typically used. The pump is operated at constant speed. Town staff did not indicate any difference in operating conditions between seasons.

Table 7 Modeled BPS Operating Set-Points

Booster Pump Station	Tank	Pump	*Summer*		*Fall*	
			On Level (ft)	Off Level (ft)	On Level (ft)	Off Level (ft)
Heights BPS	Heights Tank	Pump No.1	18	24	18	24

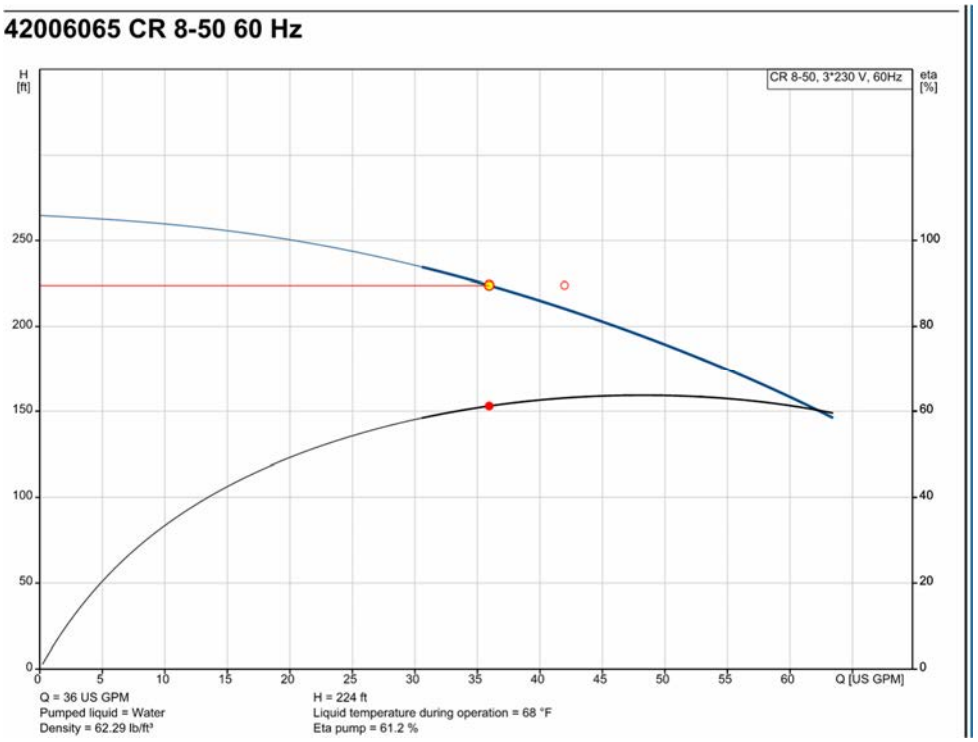

Figure 3 Heights BPS Operating Curve

Normally Closed Distribution Valves

A normally closed valve was modeled in the Heights BPS to represent the unused PRV. No other normally closed distribution valves were identified by Town Staff at the time of writing. Model results should be reviewed by Town staff to confirm the absence of normally closed values, as this can impact system performance and fire flow availability.

Distribution System Demands

System-wide demands were estimated using monthly water production values and monthly billing data. Estimated demands include annual average daily demand (ADD), max. month average day demand (MMADD), and Fall average day demand (FADD). Estimated demands are summarized in **Table** . Historical demand data are plotted in **Figure 4**. Calculation methodology is summarized in the following sub-sections.

Table 8 Demand Summary

Demand	Date or Month	Value (Gal)	Value (gpm)	Demand/ADD
ADD	Nov. 2021 – Oct. 2022	102,280	71	1.00
MMADD	July (2021 – 2022 avg.)	129,763	90	1.27
FADD	November (2020 -2022 avg.)	88,107	61	0.86
MDD	Est. (2.5x MMADD)	387,503	269	3.79

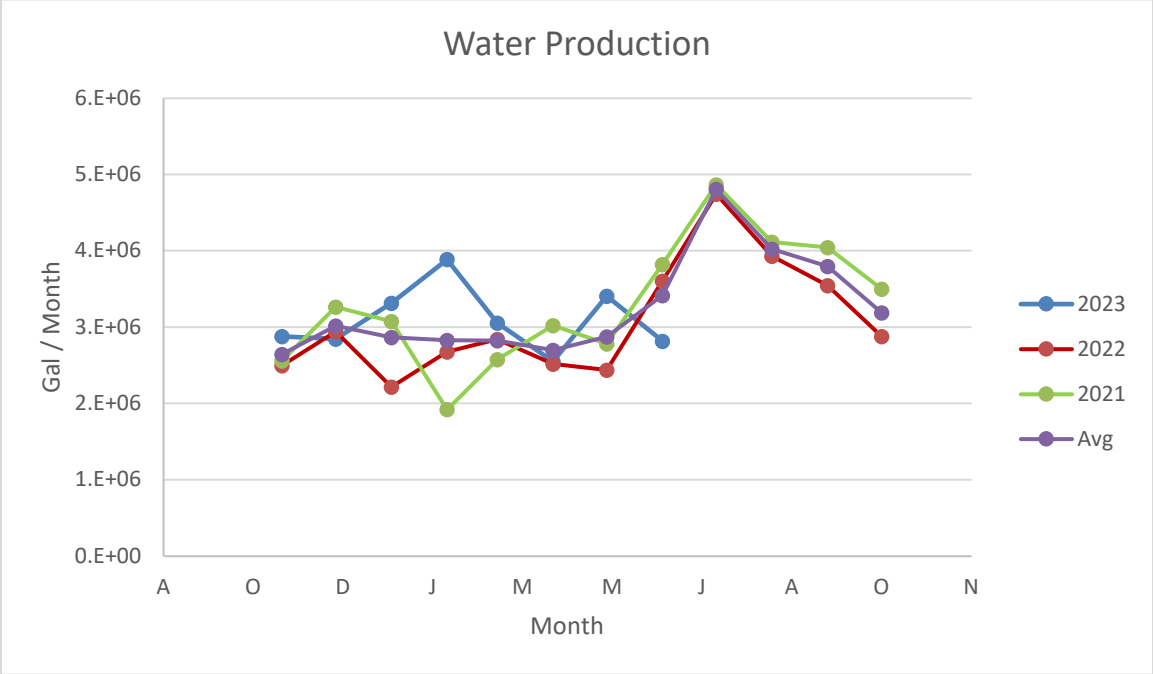

Figure 4 Potable Water Production

Average Day Demand

ADD was calculated for each respective water reporting year by dividing the volume of water produced by the number of days (*n*) (see **Equation 1**).

$$\text{ADD} = \frac{\sum Q}{n} \quad (1)$$

Monthly values were averaged over each year of record, providing an annual ADD. Results of this analysis are summarized in **Table 9**. An ADD of **102,280 GPD**, representing the 2022 reporting year, was implemented in the model as this year appeared to exhibit the most representative water use of the available data set.

Fall Average Day Demand

FADD was estimated as the daily average production for the month with the lowest demand in the fall season. November was selected as a representative fall demand, as this was consistently the month with the lowest demand in the second half of the year. Note that some reporting years showed lower monthly production values in early spring months, but this was observed to be less consistent between reporting years. The average of November demands for the available data set yielded an FADD of **88,107 GPD**.

Maximum Month Average Day Demand

MMADD was calculated as the daily average production of the month with the highest demand. MMADD was evaluated respective to each reporting year. The largest demand consistently occurred in July. The average of July demands for the data set is **155,001 GPD.**

Maximum Day Demand

MDD is important for the purpose of fire flow analysis. Data was requested from the Town to facilitate calculation of an appropriate MDD, but this was never received. A planning value multiplier of 2.5 was applied to the MMADD condition to facilitate this analysis. The calculated MDD for the system is **387,503 GPD.**

Table 9 Average Day Demand by Month

Demand Compared Across Reporting Year(GPD)				
Month	**2021**	**2022**	**2023**	**Assigned Values**
November	85,264	83,130	95,928	
December	105,218	94,809	91,710	
January	99,137	71,443	106,857	
February	68,574	95,625	138,839	
March	83,098	91,554	98,497	
April	100,625	83,950	85,074	
May	89,747	78,603	109,838	
June	127,419	120,105	93,880	
July	156,934	153,068		
August	132,735	126,791		
September	134,816	118,187		
October	112,833	92,833		
ADD	109,818	**102,280**	103,116	***102,280***
FADD	85,264	83,130	95,928	***88,107***
MMADD	156,934	153,068	NA	***155, 001***

Spatial Demand Distribution

Calculated demands were distributed to model nodes using customer billing data from July 2021 to July 2023. Provided billing data contained monthly consumption numbers for each customer. A large discrepancy was observed between produced and billed water. A deviation of roughly 60% was observed, as shown in **Figure 5**. This is commonly referred to as non-revenue water.

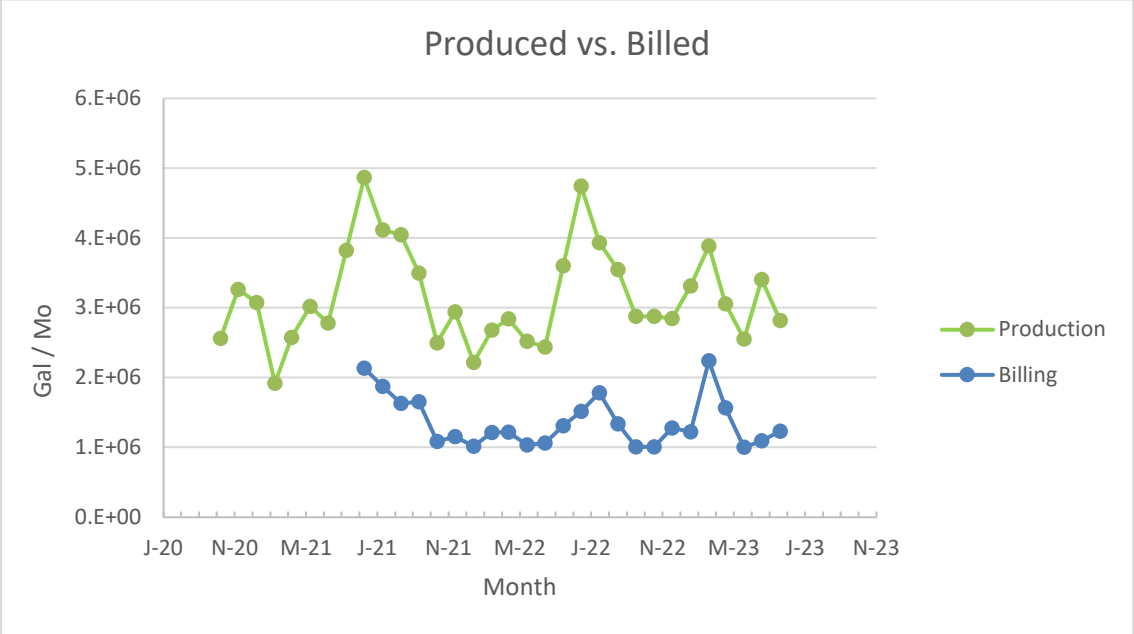

Figure 5 Produced and Billed Water by Month

Received billing data represented a total of 122 accounts. Following discovery of the large percentage of non-revenue water, SGM requested additional information from the Town representing active accounts either without meters or with non-working meters. Additional information was received representing another 103 unique accounts. Occupancy status of these unmetered accounts was determined by review of comments from staff and review of aerial imagery. Of the unmetered accounts, 79 were assumed to be active and 24 were assumed to be inactive. An assumed demand of 375 gal/day (ADD) was assigned for active unmetered accounts, as further described by **Table 10**.

Table 10 Assumption for Unmetered Accounts

Assumptions	
Parameter	
Single Family Equivalent (SFE) / Account	1
Persons per SFE	2.5
Gallons Consumed / Day / Person	150
Gallons / Day / SFE	375
% of Accounts Without Water Meter Data	45.8%
Total % of Demand Assigned by Assumption	**39.5%**

Note that 45.8% of the total accounts did not have meter data, and approximately 39.5% of total system demand was allocated by assumption. The lack of billing data does create the potential for error in the spatial distribution of demand as currently configured in the model. This should be considered in any fine point analysis of model results.

Individual customer demands were normalized to the modeled demands as calculated by water production values. (see **Equation 2**).

$$V_i^* = \frac{V_i}{V_{Total}} \tag{2}$$

Where

V_i^* = Normalized Consumption for Customer i
V_i = Consumption for Customer i (gallons)
V_{Total} = Total Consumption for the Period of Interest (gallons)

Normalized consumption numbers were then used to distribute calculated demands amongst individual customers (see **Equation 3**).

$$Q_i = Q_{Total} \cdot V_i^* \tag{3}$$

Where

Q_i = Customer Demand (gpm)
Q_{Total} = System Wide Demand (gpm) (ADD, MMADD, FADD)

ADD, MMADD, and FADD conditions, as defined in **Table 9**, were distributed based on the total billed accounts (actual and assumed) per customer.

Individual customer demands were assigned to the nearest model node using spatial analyst functions in ArcGIS (see **Figure** and **Tables 11-12**).

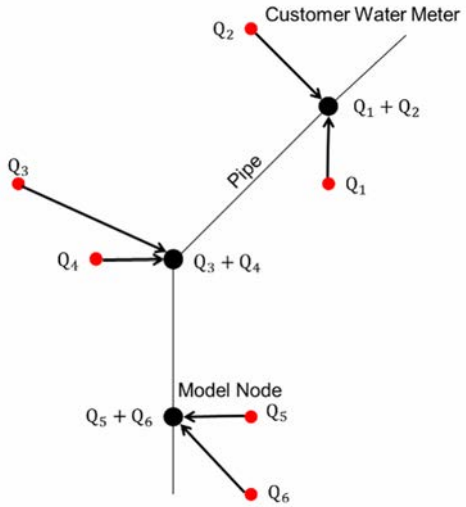

Figure 6 Demand Distribution Example

Table 11 Demand Distribution by Pressure Zone (gpm)

Zone	ADD	MMADD (July)	FADD (November)	MDD (Est.)
Main	58.7	88.3	50.2	220.9
Heights	1.6	2.5	1.4	6.1
Low	10.7	16.9	9.6	42.1
Total	***71.0***	***107.7***	***61.2***	***269.1***

Table 12 Demand Distribution by Zone (% of Total)

Zone	ADD
Main	82.6%
Heights	2.3%
Low	15.1%

Hydraulic Friction Losses and Model Calibration

Hydraulic friction loss is estimated in the model using the Hazen-Williams Equation, which is listed as **Equation 4**.

$$\Delta h = 10.46 \frac{L \cdot Q^{1.85}}{C^{1.85} D^{4.87}} \quad (4)$$

Where

Δh = Hydraulic Friction Loss (ft of H_2O)
L = Pipe Length (ft)
Q = Flow Rate (gpm)
D = Internal Pipe Diameter (in)
C = Hazen-Williams Roughness Coefficient (unitless)

Initial Roughness Coefficients

Initial Hazen-Williams roughness coefficients (C-values) were assigned to all pipes based on values in traditional design literature (See **Table 13**).

Table 13 Initial Hazen-Williams C Values

Material	Age (Years)[1]				
	< 10	10	30	60	100
Asbestos Cement	135	130	125	120	120
Cast Iron (< 10")	110	110	100	90	80
Cast Iron (≥ 10")	120	120	110	100	90
Ductile Iron	140	135	130	125	120
Polyvinyl Chloride Pipe	150	145	140	135	130
Wrought Iron	100	100	100	100	100
Steel	120	120	110	100	90
High-Density Polyethylene[2]	130	125	120	120	120
Not Labeled	130	125	120	120	120

1. C-value: Hazen-Williams roughness coefficient (unitless). Higher C-value corresponds to smoother pipe. Lower C-value corresponds to rougher pipe.

Model Calibration

SGM designed six engineered hydrant flow tests for calibrating the model, which are summarized in **Attachment C**. The test related to the Front Street PRV vault and related downstream area could not be conducted due to a leak in the pilot system respective to one valve in this vault that was discovered prior to initiating this test and resulted in the cancelation of that test. The pilot issue forced the valve fully open, creating a higher than desired downstream pressure. The issue required isolation of both valves to avoid a constant fully-open valve position, as was discovered. Test results would not have been representative of proper system operation.

The Model Calibration Field Testing Plan, included as **Attachment C**, includes maps of each calibration test run, with markups to show field changes to the test layout (for example if the flow hydrant was changed, changes in valve closures, etc). **Attachment D** also contains notes and observations.

Field testing results are summarized in **Table 1** and **Table 15**. **Table 1** compares field measured results. With several iterations, model performance now well matches observed field results.

SGM's calibration relied primarily upon the metrics of pressure drop (from static pressure to residual pressure during the flow test) at both the upper and the lower monitoring hydrants. This section describes the pressure drop in the "upper section" (ΔP_A) meaning in the flow corridor above the upper monitoring hydrant, and the "lower section" $(\Delta P_B - \Delta P_A)$ meaning in the flow corridor between the upper and lower monitoring hydrant.

The following section includes a narrative description of individual changes made during calibration, including roughness coefficient adjustments, line size adjustments, and corrections for unmapped connections.

Table 14 Field Testing Results

Test Name	Flow Hydrant		Hydrant A				Hydrant B				$\Delta P_A - \Delta P_b$ (psi)
	Hydrant ID	Flow (gpm)	Hydrant ID	Static (psi)	Dynamic (psi)	ΔP_A (psi)	Hydrant ID	Static (psi)	Dynamic (psi)	ΔP_B (psi)	
1	80	970	94	81.0	59.4	21.6					
2	62	1160	66	107.5	75.4	32.1	43	101.2	69.1	32.1	0.0
2'	62	1160	83	105.7	78.2	27.4	43	101.0	68.7	32.3	4.9
3	95	700	99	42.3	28.8	13.5	96	80.5	35.0	45.5	32.0
5	13	880	6	88.5	73.4	15.1	60	133.3	108.9	24.5	9.4
6	J270	960	16	79.9	67.4	12.5	60	133.1	108.0	25.1	12.6

Table 15 Model Comparison After Calibration

Test	Flow Hydrant		Hydrant A[2]				Field ΔP_A (psi)	|Error| (psi)	Hydrant B[2]				Field ΔP_B (psi)	Error (psi)	Model $\Delta P_A - \Delta P_b$ (psi)	Field $\Delta P_A - \Delta P_b$ (psi)	|Error| (psi)
	Hydrant ID	Flow (gpm)	Hydrant ID	Static (psi)	Dynamic (psi)	Model ΔP_A (psi)			Hydrant ID	Static (psi)	Dynamic (psi)	Model ΔP_B (psi)					
1	80	970	94	81.0	59.4	19.9	21.6	1.7									
2	62	1160	66	107.5	75.4	32.1	32.1	0.1	43	101.2	69.1	32.2	32.1	0.1	0.0	0.0	0.0
2'	62	1,160	83	105.7	78.2	27.8	27.4	0.4	43	101.0	68.7	32.2	32.3	0.1	4.3	4.9	0.5
3	95	700	99	42.3	28.8	13.4	13.5	0.0	96	80.5	35.0	45.5	45.5	0.0	32.1	32.0	0.0
5	13	880	6	88.5	73.4	13.0	15.1	2.1	60	133.3	108.9	22.7	24.5	1.7	9.8	9.4	0.4
6	J270	960	16	79.9	67.4	14.6	12.5	2.1	60	133.1	108.0	24.8	25.1	0.3	10.1	12.6	2.4

Notes:

1. Tests 2 and 2' were conducted with the same flow hydrant (#62). The A device was relocated for test 2'.
2. Test 4 could not be conducted due to issues with the Front Street PRV.
3. Model performance (and actual system operation) is highly dependent on the operating setpoints respective to the 3 PRV vaults. The Front Street PRV vault was configured with the downstream pressure setpoints of 70 psi respective to the 2" valve, and 60 psi respective to the 4" valve. These setpoints were marked on the respective valves with sharpie. Model iteration was used to establish the following PRV setpoints: Castello 2" = 65 psi, 6" = 70 psi; Bullet 2" = 71 psi, Bullet 6" = 62 psi.

Model Calibration Changes Made

This section discusses discrepancies between field measured results and model results before calibration, and the changed made to calibrate the model.

Test 1

Test 1 involved flushing water from the primary 0.5 MG WTP Tank towards the MZ via the pipeline in Beaver Creek Ln. Hydrant 80 was equipped with the flow tube, and pressure was monitored at hydrant 94 (see **Figure 7**). The field observed pressure drop was greater than expected from preliminary model analysis. As-built documents were reviewed, and the transition point from 12" DIP to 10" DIP was relocated closer to the WTP Tank. With this, pressure drop remained somewhat higher than expected. Several model iterations were conducted to establish a revised roughness c-value of 100. This yielded an acceptable error of 1.25% for Test 1.

Figure 7 Revised Pipe Sizes

Note that the model calibration related to this pipeline impacts all other model results. The calibrated c-value, while not unreasonable, is notably lower than the calibrated value for the adjacent MZ. This line should be checked for partially closed valves or other field differences that may impact modeled results.

Tests 2, 2'

Tests 2 and 2' were used to characterize the MZ. The flow hydrant was changed to hydrant 62 from the planned hydrant 60 due to ongoing construction work and unfavorable site conditions at hydrant 60. Hydrants 66 and 83 were monitored in run 1. The "A" data logger device was relocated to hydrant 43, near the Front Street PRV, for the second run of this test (Test 2'). Consistent flow values were observed for both runs.

Observed field results initially outperformed model results, indicating the need for review of line sizes. All available water system as-built documents were reviewed, and

approximately 10 pipes within the MZ were changed in size. Pipes changed for modeling purposes are reflected in **Attachment C**. All pipes in the MZ were assigned a roughness c-value of 135, as determined by model iterations. Note that this is somewhat high relative to the age of many pipes in this zone. Additional investigation of the Beaver Creek Ln. pipeline, as evaluated in Test 1, could result in the moderation of the c-values for both tests.

Test 3

Test 3 evaluated the HZ. This test was conducted per plan (see **Attachment C**). The pressure drop observed at the monitoring point on Park View Dr. exceeded the modeled results. Review of as-builts did support a revision of the line size from the size indicated in the GIS reference data set. The field-observed pressure drop still exceeded the model prediction with this revision incorporated. The majority of pipes in this service area were calibrated to a c-value of 119. The Park View Dr. pipeline was calibrated to a relatively low c-value of 88. This area should be checked for partially-closed valves.

Test 4

Test 4 could not be performed due to an issue with the Front Street PRV vault that was discovered upon inspection immediately prior to this test. A pilot system leak was causing the 2" valve to remain fully-open, which equalized upstream and downstream pressures. Staff isolated this PRV vault upon discovery of the issue to avoid the continued over-pressurization of the LZ. Additional scope should be considered to perform this test as part of subsequent calibration and optimization testing work.

Tests 5,6

Tests 5 and 6 are closely related in their purpose to determine the actual operating setpoints respective to the Castello and Dollar General PRV vaults. Hydrant 60 was maintained as an upstream pressure reference point for both tests, which helped to determine the portion of flow through each vault. The 6" valve in the Castello vault was found to be the driving valve for these tests; the 2" valve in the same vault was observed to remain closed for Test 5. Operating setpoints for the Castello and Dollar General PRV vaults were determined by model iteration to match the field observed results. The resulting setpoints are described in **Table 16**.

Table 16 PRV Operating Setpoints Established by Field Testing.

PRV	Elevation (ft)	Size (in)	Model Setpoint (psi)	Model Setpoint (HGL) (ft)
FRONTST_2	9,958.7	2	70	**10120.4**
FRONTST_1	9,958.3	6	60	10096.9
DG_1	9,912.9	6	62	10056.1
DG_2	9,912.9	2	71	**10076.9**
CASTELLO_1	9,881.7	6	70	10043.4
CASTELLO_2	9,881.7	2	65	10031.8
BPS_1	9,999.2	4	0	9999.2

The LZ was calibrated to a common roughness c-value of 115 using the information obtained from tests 5 and 6.

Note that under normal operations with the Front Street PRV vault in-service, operation of this PRV will largely drive the static pressures throughout the LZ, as the respective target downstream HGL exceeds the respective setpoints for the other two vaults by 40-80' . The relatively higher HGL setpoint means these valves will operate first to maintain that higher setpoint. When the Front Street PRV vault is out of service, the Dollar General vault will drive the pressure in the LZ. The HGL setpoints for the Castello PRVs are substantially lower than the other two vaults which currently limits the activity of these valves to local fire flow events near in the downstream vicinity of this vault. The Castello vault also exhibited an issue during testing where the large 6" PRV became active during the flow test, but the small 2" valve did not activate. This likely means the downstream pressure settings respective to these two valves is inverted (2" PRV setpoint at lower downstream PSI relative to 6" PRV). This configuration increases the risk of water hammer, as the larger valve is inherently less sensitive to small changes in demand. This creates the potential for an overcorrection in regards to the valve response, resulting in a pressure transient. Some amount of transient was observed in the monitoring results during field testing, as shown in **Appendix D**. Recommendations for revised PRV setpoints are described later in this report.

Fire Flow Analysis

The calibrated model was analyzed for available fire flow at each node. The available fire flow is defined as the maximum flow at the respective node that causes a residual pressure of no less than 20 psi in the distribution system. The required fire flow is dictated by the Authority Having Jurisdiction (AHJ). For the Town, the Northwest Fire Protection District is the AHJ responsible for these matters. The AHJ references the 2018 version of the International Fire Code (IFC) at the time of this analysis.

Fire flow requirements for structures in the Town at the time of analysis are typically 1,000 gpm for 1 hour, as applicable to single family homes less than 3,600 square feet. Larger homes and commercial or industrial buildings have higher fire flow requirements. The fire flow required respective to these buildings will vary by square footage, construction type, and the presence of automatic sprinkler systems. A design fire flow of 1,500 gpm for 2

hours was used as the primary criteria for this analysis to cover the majority of buildings in the Town. Fire flow analysis is typically performed concurrent MDD conditions. SGM was unable to receive any data from the town with greater than a monthly resolution. The MDD assumed for the purpose of this analysis was calculated using a peaking factor of 2.5 applied to the MMADD. Actual MDD could be higher or lower.

Note that the available fire flow does not include friction losses respective to the hydrant or hydrant lateral. The fire code and standard design practices allow for multiple hydrants to be used simultaneously to satisfy the design fire flow requirements.

Modeled fire flow availability is shown in **Attachment A**. Results for the MZ show the majority of the zone attaining the 1,000 GPM minimum criteria for single family residences, as described above, but falling short of the 1,500 gpm criteria. Areas north of Bogue Street generally do not attain 1,000 gpm. Note that this area does include the football stadium and adjacent buildings, which could have higher flow requirements. Water storage required for fire flow conditions respective to each zone is shown in **Table 17**. The existing WTP Tank offers sufficient storage for this assumed fire flow condition.

The HZ does not achieve the fire flow objectives. A flow requirement of 1,000 gpm for 1 hour was considered for this area, as determined appropriate by the residential nature of this zone. Assuming current operational setpoints, the Heights Tank generally offers sufficient storage for fire flow and MDD.

The LZ largely shows similar fire flow attainment as the MZ, where most areas achieve the 1,000 gpm residential minimum, but fall short of the 1,500 gpm design target. This assumes all three PRV vaults are in-service; if any one vault is out of service, large portions of the LZ will not be in attainment. Note that the southern half of this zone (south of intersection of Main Street and Hwy 285) is largely deficient in fire flow if the Front Street PRV vault is out of service. The WTP Tank generally provides sufficient volume for fire flow and MDD in this zone.

Table 17 Fire Flow Volume Requirements

Zone	MDD	Design Fire Flow Volume (gal) [1]	Total Volume Required (gal)[2]	Available Volume (gal)[3]
Main	220.9	180,000	206,508	471,000
Heights	6.1	60,000	60,366	84,000
Low	42.1	180,000	185,052	471,000
Total	***269.1***			

1. Required flow of 1,500 gpm for 2hrs assumed for Main and LZs; 1,000 gpm for 1 hr assumed for Heights zone. Individual property requirements vary based on IFC.
2. Volume required for MZ includes MMADD for all zones.
3. Available volume assumes current normal minimum operating level of 16.5' for the WTP Tank and 18' for the Heights Tank.

Note that a detailed assessment of water storage capacity should also include the firm water production capacity. There must be sufficient storage volume to account for any delta between firm production capacity and peak hour and MDD conditions. The scope of

this work did not account for assessment of production capacity. We understand that the Town in engaged in a separate effort to correct issues related to the water treatment plant, which will impact production capacity.

Summary and Recommendations

The following was accomplished during this project:

- A functional steady-state hydraulic model of the Town's water distribution system was developed based on best-available data, including:
  - A representation of the pipe network created from existing GIS records, facilities drawings, distribution as-built drawings, and photos and notes obtained from site visits.
  - Node elevations were derived from topographical data and survey points. Elevations were verified against field static pressure measurements.
  - Available historic production data were used to estimate distribution system demands.
  - Available historic water consumption data from billing records were used to spatially allocate production-based demands to model nodes.
  - Tank, PRV, and BPS information based on record drawings, site visits, survey notes, and operating data from Town Staff.
  - Pipe material and diameter data from the Town's GIS.
- Engineered flow tests were designed and conducted. Results were used to calibrate model friction coefficients and identify question areas in the Town's distribution system.

SGM recommends that the Town pursue the following troubleshooting efforts to answer questions identified during the calibration process:

- Perform inspection of valves on the Beaver Creek Ln. waterline. Repeat Test 1 if any partially closed valves or other factors are discovered.
- Conduct a flow test to characterize the operating parameters of the Front Street PRV vault. This should reference the proposed Test 4 that could not be completed on the day of the site visit. While not budgeted, this should be performed with SGM staff and should utilize the same pressure logging equipment that was used for the other tests so that the model can be calibrated accordingly.
- Evaluate / service the 2" PRV in the Castello vault. During testing, the 6" valve was observed to open prior to the 2" valve. This could indicate a mechanical issue or a need for setpoint revision respective to that 2" valve. Perform subsequent flow test downstream of this vault to verify pressure setpoint changes.
- Perform inspection of the valves in the Park View Dr. vicinity. Repeat Test 3 if any partially closed valves are differences in pipe sizing is discovered.
- Review line size revisions that were made for the purpose of this model effort and verify that these revisions can be incorporated into the Town GIS basemap.

These items all fall outside of the current project scope. SGM can discuss the addition of related scope items should the Town desire assistance with further testing and model calibration.

The following capital improvements or operational changes should be further evaluated:

- Consider changes to PRV setpoints to balance the flow of water to the LZ between the Front Street and Castello PRV vaults. We evaluated a proposed alternative that balances the LZ around the HGL as established by the Dollar General PRVs as described in **Table 18**. Note that some stagger in proposed setpoint HGL is maintained to minimize the potential for valve chatter and related transients. A minimum setpoint separation of 5-10 psi should be maintained between respective valves in a given vault to minimize pressure transient potential.

Table 18 Proposed PRV Setpoints

PRV id	Elevation	Size	Current Setpoint	Proposed Setpoint	Proposed Setpoint (HGL)
	(ft)	(in)	(psi)	(psi)	(ft)
FRONTST_2	9,958.7	2	70	60.0	**10097.3**
FRONTST_1	9,958.3	6	60	50.0	10073.8
DG_1	9,912.9	6	62	61.0	10053.8
DG_2	9,912.9	2	71	71.0	10076.9
CASTELLO_1	9,881.7	6	70	72.0	10048.0
CASTELLO_2	9,881.7	2	65	82.0	10071.1
BPS_1	9,999.2	4	0	30.0	9999.2

These changes offer the following benefits.
  - Reduced risk of transients due to improved response of each respective PRV vault to local demands.
  - Limits excessive operating pressures in the LZ, as indicated by a 15 psi decrease in static pressure at the Middlefork RV Park.
  - Generally maintains or improves available fire flow in the LZ.
  - Reduces the operational impacts of taking any one PRV vault out of service (less shift in static pressure).
  - May improve water quality through improved water turnover especially in the areas immediately upstream of the Dollar General and Castello PRV vaults. 3

- Return the Heights BPS download valve to service. A starting setpoint of 30 psi was tested in the model, and shown to have positive results in regards to the fire flow availability in the main zone.

- Develop and implement a full-scale PRV service program to maintain PRVs on an annual basis and verify achievement of desired pressure setpoints. Consider addition of opening/closing speed controls on all PRVs larger than 2".

- Consider hydraulic improvements to the watermain in Beaver Creek Rd. to improve fire flow availability in many parts of the MZ and LZ. This could include watermain replacement and upsizing and/or hydraulic improvements related to the Blockhouse meter piping. Additional work is required to further identify this scope.

- Evaluate alternatives to improve fire flow availability in the HZ. This could include line upsizing and/or installation of a fire pump in the Heights BPS.

- Consider installation of a new water main in 6th Street at least from the intersection of Bogue Street to the connection with 8" pipe near the intersection of Witcher Lane (see **Figure 8**). Operations staff mentioned that while plans show a water main in 6th St. from Bogue St. to Witcher Ln., this main does not actually exist, and it appears a 1" service line was installed instead. This is a critical link needed to complete looping in the north portion of the MZ and to provide sufficient fire flow to this area. A replacement main of 8" in size is sufficient.

  This work should also consider replacement and upsizing of the existing 6" pipe to the south in 6th street to connection with 8" pipe near the intersection with Clark Street.

Figure 8 Proposed 6th Street Main

This is a critical link for improving fire flow availability in the north portion of the MZ where the 1,500 gpm target is currently not achieved. The completion of this loop also helps improve available fire flow through the south portion of the MZ.

- Consider the addition of a second water storage tank to serve the MZ and LZ. This could be configured to improve fire flow availability in the LZ and aid in resiliency for water service in all zones. The existing WTP Tank and Beaver Creek Ln. transmission main are respective single points of failure for water service to all zones.

- Consider investing in meter system improvements to reduce non-revenue water. Roughly 46% of the assumed active water accounts did not have meter data at the time of this analysis.

Attachments

Attachment A – Calibrated Model Maps, Existing and Proposed

Attachment B – Fire Flow Maps, Existing and Proposed

Attachment C – Model Calibration Field Testing Plan Maps (includes maps of each calibration test run as designed, with markups to reflect field changes).

Attachment D – Model Calibration Field Testing Data

PUBLIC HEARING FORMAT

LEGISLATIVE HEARINGS (Policy issues such as ordinances amending the Municipal Code, Budget Hearings, Etc.

1. Mayor will introduce the topic and announce that the Public Hearing is open at _____ (time).
2. Mayor will ask for Staff presentation and allow for questions from the Board and suggested amendments, if any.
3. Mayor will solicit public comment in favor of or in opposition to issue/matter.
4. Mayor will close the public hearing and ask for Board deliberation.
5. Following deliberation, Mayor will ask for a motion to continue, approve as presented, approve with stated amendment(s) or deny.

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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Kyle Parag, Building Official

RE: Public Hearing Item A: Ordinance No 2, Series of 2024, Modification to Ground Snow Load Code

DATE: February 5, 2024

BACKGROUND/ANALYSIS:
Every jurisdiction is required to determine a snow load as part of the local climatic conditions specific to the location of the jurisdiction. This snow load is used in calculations by engineers for structural loads imposed on all portions of a structure and used by inspectors to determine structural stability of structures within the Town limits of Fairplay. Historically, Fairplay's snow load has been determined to be 65 lbs/s.f. ground snow load. As a ground snow load, the IRC allows a 70% reduction to the value to convert to roof snow load, which equates to about 45 lbs/s.f. This value is used in the tables of the IRC to determine minimum structural sizing and spacing of the structural members for roofs and decks.

Heavy wet snow can exceed 1.5 lbs/s.f./inch, which means the 45 lbs/s.f. design criteria can be exceeded by only 30" of snow depth. In addition to the weight of the snow, freeze-thaw cycles can create ice, exponentially increasing the total weight.

As determined by the Building Official, the current design criteria is not adequate to address the weather conditions expected in Fairplay on a probable basis.

As a Building Department that works closely with neighboring jurisdictions, it is recommended to maintain consistency with those jurisdictions as much as possible. Park County Building Department has moved to a location specific program that provides values unique to each location based on elevation, terrain, and expected wind conditions of the region. The program has ground snow loads for Fairplay between 95 lbs/s.f. and 102 lbs/s.f. (https://ascehazardtool.org/). Alma is currently much more stringent with a roof snow load of 100 lbs/s.f,, which equates to about 140 lbs/s.f. ground snow load.

As the Building Official for Fairplay, I am recommending increasing the ground snow load to 100 lbs/s.f.. The above snow load has been determined based on the latest data available and provides the safest and most reasonable design conditions for the Town of Fairplay. This change will be written in the Town code as part of the climatic conditions table of the IRC, and the value will be used for the local determination in accordance with 1608.2 of the IBC.

STAFF RECOMMENDATION
Staff recommends the Board approve Ordinance No. 2, Series 2024, as presented by motion, second and a roll call vote.

Attachments:
- Ordinance No. 2, Series 2024

TOWN OF FAIRPLAY, COLORADO

ORDINANCE NO. 2
(SERIES OF 2024)

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO, AMENDING CHAPTER 18 BUILDING REGULATIONS TO INCREASE THE DESIGN SNOW LOADS FOR STRUCTURES

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"), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, Colorado Revised Statutes §31-16-201 to 208 provides that municipalities may adopt certain codes and standards by reference; and

WHEREAS, Pursuant to CRS§31-16-204, the Board of Trustees may alter and amend any building code; and

WHEREAS The Town of Fairplay, Board of Trustees did approve Ordinance 11, Series of 2022, adopting with certain amendments the International Building Code, 2018 Edition which will be codified as Fairplay Municipal Code Chapter 18– Building Regulations, and the Board of Trustees now desires to update portions of that adoption to coordinate the climatic design conditions of the jurisdiction with nationally recognized data.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD FOR THE TOWN OF FAIRPLAY, COLORADO AS FOLLOWS:

Section 1. Chapter 18–Building Regulations, ARTICLE I Building Codes, Sec. 18-1-20. Adoption of codes, and specifically subsection (c)(9) is amended as follows:

(9) IRC Table R301.2(1). IRC Table R301.2(1) is filled to provide the following:

Table R301.2(1)
Climatic and Geographic Design Criteria

Ground Snow Load[o]	Wind Design				Seismic Design Category[f]	Subject to Damage		
	Speed (mph)[d]	Topographic effects[k]	Special wind region[l]	Wind-borne debris zone[m]		Weathering[a]	Frost line depth[b]	Termite[c]
~~65~~ 100 PSF	Ultimate 110, Nominal 90 Exp. C	Yes	No	No	B	Severe	48 inches	Slight to moderate
Winter Design Temp[e]	Ice Barrier Under-layment Required[h]	Flood Hazards[g]	Air Freezing Index[i]	Mean Annual Temp[j]				

2 F	Yes	See Town adopted regulations and Article III	2500	32 F				
Manual J Design Criteria[n]								
Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference	
9953 Ft.	39.22135 N	-14	81	.69	70 F	75 F	84	
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity		
6	15 mph	7.5 mph	51	High (H)	50%	50%		

Section 2. Safety Clause. The Town Board hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Fairplay, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Board further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 3. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 4. This Ordinance shall become effective 30 days following publication.

INTRODUCED, READ, ADOPTED, AND ORDERED PUBLISHED this 5th day of February, 2024.

TOWN OF FAIRPLAY, COLORADO

ATTEST:

_____
Frank Just, Mayor

_____
Janell Sciacca, Town Clerk

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STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Janell Sciacca, Town Administrator

RE: New Business Item A – Res. No. 10, Series of 2024, On-Call Contract Water & Sewer Engineering & Planning Services

DATE: February 5, 2024

BACKGROUND/ANALYSIS:
The Town currently has a Professional Services Agreement with Hardesty Engineering & Mapping, LLC (HEM) for construction oversight for the Beaver Creek Water Treatment Plant (WTP) Infiltration Gallery project. During planning and construction for that project in 2023, Staff became aware of the value of Ken's services for other non-routine or special project services for our water and sewer operations. His knowledge of the Town's infrastructure and our plans and projects is invaluable, and he has been able to help the Town with a study that resulted in increased tap/plant investment fees, a water court case, and creation of an Utilities Asset Management Plan.

The Town also contracts engineering-related services with SGM but those are civil, land planning, geotechnical and architectural related. Ken's services would be specifically associated with water and sewer matters. Again, this is an On-Call Agreement and these services would only be utilized as necessary when needed by Staff or at the direction of the Board. With predicted increases in development activity and potential capital improvement projects related to water and sewer, Staff feels this agreement is very much warranted and important for the progression and protection of the Town's operations.

STAFF RECOMMENDATION
Staff recommends the Board approve Resolution No. 10, Series 2024 as presented by motion, second and a roll call vote.

Attachments:

- Resolution No. 10, Series 2024 and Exhibit A – Professional Services Agreement

TOWN OF FAIRPLAY, COLORADO

RESOLUTION NO. 10
(Series of 2024)

A RESOLUTION OF THE BOARD OF TRUSTEES FOR THE TOWN OF FAIRPLAY, COLORADO APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH HARDESTY ENGINEERING & MAPPING, LLC FOR ON CALL CONTRACT ENGINEERING & CONSULTING SERVICES.

WHEREAS, the Town of Fairplay requires professional engineering and consulting services relating to water resource engineering, wastewater engineering and planning; and

WHEREAS, Hardesty Engineering & Mapping, LLC represents itself as having the required expertise and experience to perform the required professional services; and

WHEREAS, the Town agrees to pay the Consultant amounts as set forth in the proposal.

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

Section 1. The Board of Trustees hereby approves the Professional Services Agreement attached hereto as "Exhibit A" and authorizes the Mayor and/or Town Administrator to execute same on behalf of the Town.

Section 2. This resolution shall become effective upon adoption.

RESOLVED, APPROVED, and **ADOPTED** this 5th day of Feburary, 2024.

TOWN OF FAIRPLAY, COLORADO

_____
Frank Just, Mayor

ATTEST:

_____
Janell Sciacca, Town Clerk

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is made and entered into this 5TH day of February, 2024 by and between the Town of Fairplay, a Colorado statutory municipality (the "Town") and Hardesty Engineering & Mapping, LLC, an independent contractor ("Consultant").

WHEREAS, the Town requires professional services; and

WHEREAS, Consultant has held itself out to the Town as having the requisite expertise and experience to perform the required services.

NOW, THEREFORE, for the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

I. SCOPE OF SERVICES

A. Consultant shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from **Exhibit A**, attached hereto and incorporated herein by this reference.

B. A change in the Scope of Services shall constitute a material change or amendment of services or work which is different from or additional to the Scope of Services. No such change, including any additional compensation, shall be effective or paid unless authorized by written amendment executed by the Town. If Consultant proceeds without such written authorization, then Consultant shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum meruit or implied contract.

II. REPORTS, DATA AND WORK PRODUCT

A. The Town shall provide Consultant with reports and such other data as may be available to the Town and reasonably required by Consultant to perform the Scope of Services. All documents provided by the Town to Consultant shall be returned to the Town. The Consultant is authorized by the Town to retain copies of such data and materials at the Consultant's expense.

B. Other than sharing information with designated third parties as previously directed by the Town, no project information shall be disclosed by Consultant to third parties without prior written consent of the Town or pursuant to a lawful court order directing such disclosure.

C. The Town acknowledges that the Consultant's work product is an instrument of professional service. Nevertheless, all work product prepared under this Agreement shall become the property of the Town upon completion of the work. Consultant shall retain its rights in its standard drawing details, designs, specifications, databases, computer software and any other proprietary property. Rights to intellectual property developed, utilized, or modified in the performance of the Scope Services shall remain the property of Consultant.

D. Upon request, Consultant shall provide to the Town electronic versions of all work product, in the format directed by the Town.

III. COMPENSATION

A. In consideration for the completion of the Scope of Services by Consultant, the Town shall pay Consultant an amount not to exceed the budgeted amount per request/project. The method and manner of payment shall be as specified in **Exhibit A**, attached hereto and incorporated herein by this reference. The maximum amount specified herein shall include all fees and expenses incurred by the Consultant in performing all services hereunder.

B. Notwithstanding the maximum amount specified in subsection A hereof, Consultant shall only be paid for work performed. If Consultant completes the Scope of Services for a lesser amount than the maximum amount, Consultant shall be paid the lesser amount, not the maximum amount.

IV. COMMENCEMENT AND COMPLETION OF WORK

Within seven (7) days of receipt of a Notice to Proceed, Consultant shall commence work as set forth in the Scope of Services or that portion of such work as is specified in said Notice. Except as may be changed in writing by the Town, the Scope of Services shall be complete and Consultant shall furnish the Town the specified deliverables as provided in Exhibit A.

V. PROFESSIONAL RESPONSIBILITY

A. Consultant hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and professional licenses in good standing, required by law.

B. The work performed by the Consultant shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work in the applicable community. The work and services to be performed by the Consultant hereunder shall be done in compliance with applicable laws, ordinances, rules and regulations.

C. Consultant shall be responsible for the professional quality, technical accuracy, timely completion, and the coordination of all designs, drawings, specifications, reports, and other services furnished by Consultant under this Agreement. Consultant shall, without additional compensation, correct or resolve any errors or deficiencies in his designs, drawings, specifications, reports, and other services, which fall below the standard of professional practice, and reimburse the Town for construction costs caused by errors and omissions which fall below the standard of professional practice.

D. Approval by the Town of drawings, designs, specifications, reports, and incidental work or materials furnished hereunder shall not in any way relieve Consultant of responsibility for the technical adequacy of the work. Neither the Town's review, approval or acceptance of, nor payment for, any of the services shall be construed to operate as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

E. Because the Town has hired Consultant for its professional expertise, Consultant agrees not to employ subcontractors to perform more than _10__ percent (_10_%) of the

required under the Scope of Services. Upon execution of this Agreement, Consultant shall furnish to the Town a list of proposed subcontractors, and Consultant shall not employ a subcontractor to whose employment the Town reasonably objects. All contracts between Consultant and subcontractors shall conform to this Agreement.

VI. INSURANCE

A. Consultant agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Consultant pursuant to this Agreement. Such insurance shall be in addition to any other insurance requirements imposed by law.

B. Consultant shall procure and maintain, and shall cause any subcontractor of Consultant to procure and maintain, the minimum insurance coverages listed below. Such coverages shall be procured and maintained with forms and insurers acceptable to the Town. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.

1. Worker's compensation insurance to cover obligations imposed by applicable law for any employee engaged in the performance of work under this Agreement, and Employer's Liability insurance with minimum limits of five hundred thousand dollars ($500,000) each accident, two million dollars ($2,000,000) disease – policy limit, and two million dollars ($2,000,000) disease – each employee. Evidence of qualified self-insured status may be substituted for the worker's compensation requirements of this paragraph.

2. Commercial general liability insurance with minimum combined single limits of six hundred thousand ($600,000) each occurrence and two million dollars ($2,000,000) general aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, products, and completed operations. The policy shall contain a severability of interests provision, and shall be endorsed to include the Town and the Town's officers, employees, and consultants as additional insureds. No additional insured endorsement shall contain any exclusion for bodily injury or property damage arising from completed operations.

3. Professional liability insurance with minimum limits of six hundred thousand dollars ($600,000) each claim and two million dollars ($2,000,000) general aggregate.

C. Any insurance carried by the Town, its officers, its employees, or its consultants shall be excess and not contributory insurance to that provided by Consultant. Consultant shall be solely responsible for any deductible losses under any policy.

D. Consultant shall provide to the Town a certificate of insurance, completed by Consultant's insurance agent, as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect. The certificate shall identify this

Agreement and shall provide that the coverages afforded under the policies shall not be cancelled, terminated or materially changed until at least thirty (30) days prior written notice has been given to the Town. The Town reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

E. Failure on the part of Consultant to procure or maintain the insurance required herein shall constitute a material breach of this Agreement upon which the Town may immediately terminate this Agreement, or at its discretion, the Town may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the Town shall be repaid by Consultant to the Town upon demand, or the Town may offset the cost of the premiums against any monies due to Consultant from the Town.

VII. INDEMNIFICATION

Consultant agrees to indemnify and hold harmless the Town and its officers, insurers, volunteers, representative, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including attorney's fees, on account of injury, loss, or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement or the Scope of Services if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of Consultant, any subcontractor of Consultant, or any officer, employee, representative, or agent of Consultant or of any subcontractor of Consultant, or which arise out of any workmen's compensation claim of any employee of Consultant or of any employee of any subcontractor of Consultant.

VIII. TERMINATION

This Agreement shall terminate at such time as the work described in the Scope of Services is completed and the requirements of this Agreement are satisfied, or upon the Town's providing Consultant with seven (7) days advance written notice, whichever occurs first. If the Agreement is terminated by the Town's issuance of written notice of intent to terminate, the Town shall pay Consultant for all work previously authorized and completed prior to the date of termination. If, however, Consultant has substantially or materially breached this Agreement, the Town shall have any remedy or right of set-off available at law and equity. If the Agreement is terminated for any reason other than cause prior to completion of the Scope of Services, any use of documents by the Town thereafter shall be at the Town's sole risk, unless otherwise consented to by Consultant.

IX. CONFLICT OF INTEREST

Consultant shall disclose any personal or private interest related to property or business within the Town. Upon disclosure of any such interest, the Town shall determine if the interest constitutes a conflict of interest. If the Town determines that a conflict of interest exists, the Town may treat such conflict of interest as a default and terminate this Agreement.

X. INDEPENDENT CONTRACTOR

The Consultant is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Consultant to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Consultant for all purposes. Consultant shall make no representation that it is a Town employee for any purposes.

XI. WORKERS WITHOUT AUTHORIZATION

A. Certification. Consultant hereby certifies that, at the time of this certification, it does not knowingly employ or contract with a worker without authorization who will perform work under the Agreement and that the Consultant will participate in either the E-Verify Program administered by the United States Department of Homeland Security and Social Security Administration or the Department Program administered by the Colorado Department of Labor and Employment in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the Agreement.

B. Prohibited Acts. Consultant shall not:

(1) Knowingly employ or contract with a worker without authorization to perform work under this Agreement; or

(2) Enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with a worker without authorization to perform work under this Agreement.

C. Verification.

(1) If Consultant has employees, Consultant has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement through participation in either the E-Verify Program or the Department Program.

(2) Consultant shall not use the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.

(3) If Consultant obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with a worker without authorization who is performing work under the Agreement, Consultant shall:

a. Notify the subcontractor and the Town within three (3) days that Consultant has actual knowledge that the subcontractor is employing or contracting with a worker without authorization who is performing work under the Agreement; and

b. Terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to subparagraph (a) hereof, the

subcontractor does not stop employing or contracting with the worker without authorization who is performing work under the Agreement; except that Consultant shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with a worker without authorization who is performing work under the Agreement.

D. Consultant shall comply with any reasonable request by the Colorado Department of Labor and Employment made in the course of an investigation conducted pursuant to C.R.S. § 8-17.5-102(5)(a) to ensure that Consultant is complying with this Agreement.

E. If Consultant does not have employees, Consultant shall sign the "No Employee Affidavit" attached hereto.

F. If Consultant wishes to verify the lawful presence of newly hired employees who perform work under the Agreement via the Department Program, Consultant shall sign the "Department Program Affidavit" attached hereto.

XII. MISCELLANEOUS

A. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in Arapahoe County, Colorado.

B. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. Integration. This Agreement and any attached exhibits constitute the entire Agreement between Consultant and the Town, superseding all prior oral or written communications.

D. Third Parties. There are no intended third-party beneficiaries to this Agreement.

E. Notice. Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented or sent pre-paid, first-class United States Mail, addressed as follows:

The Town: Janell Sciacca, Town Administrator
Town of Fairplay, Colorado
PO Box 267, 901 Main Street
Fairplay, CO 80440

Consultant: Ken Hardesty, Owner
Hardesty Engineering & Mapping, LLC
2062 Dolomite Way
Castle Rock, CO 80108

F. Severability. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. Modification. This Agreement may only be modified upon written agreement of the parties.

H. Assignment. Neither this Agreement nor any of the rights or obligations of the parties hereto, shall be assigned by either party without the written consent of the other.

I. Governmental Immunity. The Town, its officers, and its employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers or employees.

J. Rights and Remedies. The rights and remedies of the Town under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the Town's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. Non-appropriation. As required by Article X, Section 20 of the Colorado Constitution, any obligation of the Town not to be performed during the current fiscal year is specifically made subject to appropriation of funds for such performance. Should the Town's governing body not appropriate funds for the performance of this contract in any future fiscal year this Agreement shall automatically terminate without further action by the parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first set forth above.

TOWN OF FAIRPLAY, COLORADO

_____
Frank Just, Mayor

ATTEST:

_____
Janell Sciacca, Town Clerk

Hardesty Engineering &
Mapping, LLC

February 1, 2024

Mrs. Janell Sciacca
Town Administrator
Town of Fairplay, Colorado
PO Box 267
901 Main Street
Fairplay, CO 80440

Re: Proposal for On-call Engineering Services, Town of Fairplay, 2024.

Dear Mrs. Sciacca:

I am pleased to provide this proposal for on-call engineering consulting services to the Town of Fairplay relating to water resource engineering, wastewater engineering and planning. The on-call engineering services would include work performed at the request of the Town Administrator, Janell Sciacca, unless otherwise directed by the Town Administrator and would not include work specified under another project specific contract.

When requested to perform work that has a defined scope and budget, Hardesty Engineering and Mapping, LLC (HEM) will provide a task order to the Town that identifies the scope items and budget breakdown. Work tasks performed under Task Orders will be identified on the HEM monthly invoices.

When requested to perform work without a defined scope and budget, HEM will bill the Town time and materials required to complete the requested work under this contract based on the rate schedule attached. HEM will communicate with the Town Administrator what the estimated cost will be for the requested work monthly.

I have included a 2024 rate sheet for this proposal. The rate sheet includes hourly rates as well as terms for expenses and mileage.

Please contact me if you have any questions regarding this at (303) 570-9124 or hardestyeng@gmail.com

Sincerely,

HARDESTY ENGINEERING & MAPPING, LLC.

Ken Hardesty
Owner

HARDESTY ENGINEERING AND MAPPING, LLC

Professional Services Rate Sheet

Consulting Rate ($170/hr): Includes consulting engineering, design, design review, engineering or feasibility studies, development of recommendations, cost estimates, developing specifications and drawings and any consulting engineering that requires a professional engineer.

Additional Fees:

- **Mileage Rate ($0.655/mile):** Travel rate is based on the current 2023 IRS mileage reimbursement rate. Mileage will only be charged for project related travel.
- **Sub-contractor services (as billed):** If additional professional services are needed and authorized by the Client, then those services will be invoiced as they were billed to Hardesty Engineering and Mapping, LLC. Communications with the sub-contractor are billed at the Consulting Rate.
- **Other:** Other additional fees which may come up during the course of a contract or service request will require pre-authorization by the Client. These fees may include equipment purchase, rentals or travel, if necessary, such as airfare, lodging and meals.

These rates are billed for both regular and overtime hours in all categories. Rates will increase up to 3% annually, at Hardesty Engineering and Mapping's option, for all contracts that extend beyond twelve (12) months after the date of the contract.

MEMORANDUM

TO: Mayor and Board of Trustees
FROM: Janell Sciacca, Town Administrator / Clerk
RE: Monthly Report
DATE: January, 2024 Monthly Report

PERSONNEL

In 2024, The Town staffing level is expected to remain at 18 full-time Staff members as follows:

ADMINISTRATION & FINANCE	PUBLIC WORKS	POLICE
Administrator / Clerk	Crew Chief	Chief of Police
Treasurer	Maintenance Worker II	Sergeants (2)
Special Projects Coordinator	Maintenance Worker I	FTO/Evidence Tech
Deputy Clerk/Court Clerk	Special Events Coordinator / Public Works Assistant	Officers (5)
Grant Manager		PT Officer

- The Compensation Plan project with Employers Council of Colorado is wrapping up and the report and new pay schedule will be presented at the March 4 Board meeting.
- The Town switched Time Keeping and Payroll Processing to ADP. Some issues are still be worked out but 2 payrolls have been processed to date.
- A Staff luncheon and team building event was held on Thursday, February 1, at Town Hall. Staff photos were taken.

- The Fairplay Police Department completed 2 weeks of training and will begin its law enforcement activities for Fairplay and Alma on Monday, February 5, 2024.

ADMINISTRATION / CLERK

- Permanent and vital records of the Town are being prepared to take to Denver to Iron Mountain for digitization and storage in a climate controlled and fire suppression protected facility. The Town obtained a grant in 2023 for scanning and preservation of these important records.
- The Clerk's Office is beginning the process of inventorying and relabeling other Town records so they are more appropriately categorized and easily located.
- There have been no new liquor license application received, no known violations and annual renewals are in process.

- Two candidates have been certified for the two open Trustee seats on the April 2, 2024 Municipal election ballot. If there are no candidates filing affidavits of intent at the close of business on the nineteenth day before the election (*Thursday, March 14, 2024*) there are not more candidates than open seats, the Town Clerk's Office will move forward to cancel the election as per FPMC Section 2-1-30.

DEVELOPMENT / LAND USE

- Town Planner Scot Hunn and Town Engineer Deron Dircksen spent their first full day in Fairplay on Monday, January 22, 2004. Multiple meetings were held and several site visits conducted.
- Mustang Ridge has submitted an application for rezoning of the 46+/- acres fka Beaver Meadows.
- Focus for 2024 will be on updating the UDC, Annexation Plan and Comprehensive Plan.

PUBLIC WORKS & UTILITIES

- Sean Kleinschmidt was promoted to Crew Chief and Alex Wagner will be overseeing the administrative functions and assisting with plowing and other operations as necessary.
- The issues at the lift station that were discussed on January 22 were the result of a deteriorated clean out in an unknown manhole that was located below the station in the middle of a patch of willows. This resulted in a sewage leak that the Town self-reported to CDPHE. Marty and Keith will provide an update on March 4.
- A water leak was discovered in the crawl space of a home on 8th Street. The homeowner was notified and came in from Estes Park just in time to keep it from getting into the home.
- Chris and Alex are working on the Water Loss and Production Report with Ken Hardesty and that will be provided to the Board at the February 5 meeting or later that week.
- Staff is working on updating the shut-off notices in preparation for the March 1 shut off implementation for delinquent account. Notice of enforcement of this provision of the Town code was placed in the February utility bill.

EVENTS & MARKETING

- The Town's first special event of 2024 will be the Fairplay Mountain Mardi Gras. It will take place on Saturday, February 10.
- Julie and I are meeting with Scream Agency on Monday, February 5, to discuss marketing for 2024.

PROJECT UPDATES

1. 501 MAIN
    - Phase 1 (Chamber Office/Visitor Center) is underway. The demo has been completed, steel support beams were installed in the concrete vault to allow demo of CMU support walls, and foam insulation boards were installed on the exterior walls. The crews will finish framing and initiate electrical, mechanical, and plumbing rough-in installations in early February starting February 5.
    - Grant Manager Flannery and I are meeting with DOLA Regional Manager Kate McIntire to conduct a pre-application meeting before applying for either a Energy & Mineral Impact Assistance Fund, Community Development Block Grant or other program funding.
2. INFILTRATION GALLERY
    - The project is underway. Velocity Constructors mobilized in late January and began demolition.
3. RIVERPARK PHASE II
    - The RFP is being approved and will be published this month.
    - The Town has until 2025 to complete the project and construction start will have to scheduled around or coordinated with the Bridge replacement and intersection improvements project.

Town of Fairplay – Monthly Board Memo

TO: Town of Fairplay
FROM: Deron Dircksen, PE
DATE: February 1, 2024
SUBJECT: Monthly Board Memo

Dear Board:

Thank you for your time. Since there are a lot of SGM/engineering projects on-going, please see this high-level monthly board memo regarding the projects and please let us know if you have any questions or need additional information or details. I will be at the meeting on Monday and I look forward to seeing you.

Deaver Subdivision Exemption Lot Line Adjustment Plat

- SGM surveyor (Tim Barnett, PLS) reviewed the Plat and has no more comments. Tim reviews Plats per State Statute. I reviewed the Plat on the engineering side of things and have no more comments.

Hathaway Water Main

- Construction Drawings are finalized.
- Meeting with Staff Monday 2/5/24.
- Need to meet with contractor Victor @ Rocks and Walls.
- Construction start:

Burro Park

- SGM has discussed dead-end option in-house.
- Need to discuss dead-ends with Fire Department
- SGM is moving forward with pros & cons of dead-end option

Public Works Manual

- SGM is moving forward with updating the Public Works Manual.
- Update should be completed March 2024

Sanitary Sewer Criteria

- SGM is moving forward with updating the Public Works Manual.
- Update should be completed March 2024

Stone Creek

- SGM (Matt Hutson) is moving forward with reviewing the updated construction drawings.
- Review should be completed February 2024.

Water Model

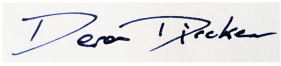
- Rob is providing an update.

GIS

- 2023: Completed inventory and GIS is up and running.
- 2024: Steve will continue working with town on miscellaneous needs.

Questions/Input:

Sincerely,
SGM



Deron Dircksen, P.E.
Senior Engineer 1